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## **APPENDIX B**

### **DIAGNOSTIC INDICATORS**



The body of Diagnostic Indicators is intended to identify “priority” countries for technical assistance, further research, or systematic evaluation through application of the Assessment Indicators in Appendix A. The shorter body of Probative Indicators in Appendix C is a tool for initial screening or prioritization; the Diagnostic Indicators may then provide more intensive screening. The optimal conceptual features of Diagnostic Indicators are discussed in Part 10 of this paper.

As with the proposed Assessment Indicators and the proposed Probative Indicators, the Diagnostic Indicators listed below are offered as candidates for inclusion in a final body of Diagnostic Indicators that ILAB analysts will refine and revise in iterative rounds of diagnosis.

Appendix A shows each of the original NAS Indicators, followed by an Annotation explaining any grounds for refining or revising that Indicator, followed in turn by the pertinent candidates for refined Assessment Indicators. In contrast, the list of Diagnostic Indicators below does not show the original NAS Indicators or the Annotations discussing the NAS Indicators. The reader can refer to the pertinent Annotation in Appendix A for the explanation of why the respective, original NAS Indicator calls for refinement and is, for that reason, either not listed below as a candidate for Diagnostic Indicator or is listed but appropriately revised. In any event,

the justification for many of the Diagnostic Indicators is presented in sub-part 10.3. In addition, Annotations included in the body of Diagnostic Indicators explain particular Indicators without reference to the NAS Indicators.

The prefatory conceptual note in Appendix A – on the distinction between genuinely double-barreled indicators, on the one hand, and single-barreled indicators that might be mistakenly taken for double-barreled indicators, on the other – is relevant here as well.

As with the candidate Assessment Indicators and Probative Indicators, the candidate Diagnostic Indicators are presented in the following order: (1) freedom of association, rights to organize, and rights to bargain collectively, (2) rights against employment discrimination, and (3) acceptable conditions of work with respect to minimum wages, hours of work, and occupational safety and health.

Within each of those three categories, there are four sub-categories, in the following order: (1) Substantive Law Indicators, (2) Enforcement Indicators, (3) Capacity-Building Indicators, and (4) Outcome Indicators.

The labeling of each Diagnostic Indicator below is analogous to the labeling of each Assessment Indicator in Appendix A and each Probative Indicator in Appendix C. Whereas the label of each Assessment Indicator starts with the letter R (for “refined,” to distinguish the Indicator from the original NAS Indicators) and the label of each Probative Indicator starts with the letter P (for “probative”), the label of each Diagnostic Indicator starts with the letter D (for “diagnostic”).

The second letter of each Indicator label shows which Indicators apply to (F)

freedom of association, rights to organize, and rights to bargain collectively; which apply to (D) rights against employment discrimination; and which apply to (W) acceptable conditions of work with respect to minimum wages, hours of work, and occupational safety and health.

The third letter of each Indicator label shows whether the Indicator is a Substantive Law Indicator (L), an Enforcement Indicator (E), a Capacity-Building Indicator (C), or an Outcome Indicator (O),

For example, DFL 5 denotes the fifth Diagnostic Indicator measuring the substantive law for freedom of association, rights to organize, and rights to bargain collectively.

For the reasons discussed in sub-part 10.3 of the paper, Diagnostic Indicators include an additional category of Background Indicators to measure whether governmental institutions generally conform to broad principles of democracy and the rule of law, and whether the government tolerates the most egregious violations of forced labor and trafficking. These Indicators are labeled DB.

Hence, each Diagnostic Indicator begins with one of the following identifiers, followed by a numeral:

- DB = Diagnostic Indicator for (B) background on democracy, the rule of law, forced labor, and overall labor administration
- DFL = Diagnostic Indicator for (L) substantive laws for (F) freedom of association, rights to organize, and rights to bargain collectively
- DFE = Diagnostic Indicator for (E) enforcement for (F) freedom of association, rights to organize, and rights to bargain collectively
- DFC = Diagnostic Indicator for (C) capacity-building for (F) freedom of association, rights to organize, and rights to bargain collectively

- DFO = Diagnostic Indicator for (O) outcomes for (F) freedom of association, rights to organize, and rights to bargain collectively
- DDL = Diagnostic Indicator for (L) substantive laws for (D) rights against employment discrimination
- DDE = Diagnostic Indicator for (E) enforcement efforts for (D) rights against employment discrimination
- DDC = Diagnostic Indicator for (C) capacity-building for (D) rights against employment discrimination
- DDO = Diagnostic Indicator for (O) outcomes for (D) rights against employment discrimination
- DWL = Diagnostic Indicator for (L) substantive laws for (W) acceptable conditions of work with respect to minimum wages, hours of work, and occupational safety and health
- DWE = Diagnostic Indicator for (E) enforcement efforts for (W) acceptable conditions of work with respect to minimum wages, hours of work, and occupational safety and health
- DWC = Diagnostic Indicator for (C) capacity-building for (W) acceptable conditions of work with respect to minimum wages, hours of work, and occupational safety and health
- DWO = Diagnostic Indicator for (O) outcome for (W) acceptable conditions of work with respect to minimum wages, hours of work, and occupational safety and health

Diagnostic Indicators are designed to potentially trigger application of the full set of Assessment Indicators. In that light, each Indicator below is immediately followed by a cross-reference to the Assessment Indicators related to that Diagnostic Indicator. The cross-reference is in italicized black font stating, for example, “*Go to RWC 12 to RWC 18.*” Note that that cross-referenced Assessment Indicators often go well beyond the immediate scope of the Diagnostic Indicator in question, since the point of Diagnostic Indicators is precisely to raise suspicions that the government is failing to comply with a broad range of components of effective enforcement.

Finally, the heading of the DB section of the body of Indicators below is numbered “0,” in order to maintain parallel heading numbers between the other sections

of Diagnostic Indicators and the heading numbers of their counterparts in the  
Assessment Indicators which do not contain the indirect measures enumerated below  
as Background Indicators.

## 0. DIAGNOSTIC BACKGROUND INDICATORS for DEMOCRACY, the RULE OF LAW, EGREGIOUS VIOLATIONS, and the INFORMAL SECTOR



[ANNOTATION: The following Indicator is a proxy for non-democratic governance. As explained in sub-part 10.3 of the paper, an autocratic government is less likely than a democratic government to enforce labor rights and provide fair process. If in the preceding ten years, there has been no election for the national legislature, then the answer to the following Indicator is “yes.”]

**PB 1** **In the preceding ten years, has no more than one political party won more than 10 percent of the votes in an election for the national legislature?**

[ANNOTATION: The following Indicator is a proxy for corruption in the judiciary and labor administration bodies, as explained in sub-part 10.3 of the paper.]

**PB 2** **Does the country rank in the lowest 20 percent of countries in Transparency International’s most recent application of its Corruption Perception Index? Go to RWC 275 to RWC 282.**

[ANNOTATION: The following two Indicators are proxies for exceptionally weak commitment to, and weak institutions for enforcing, the rights of workers, as explained in sub-part 10.3 of the paper.]

**PB 3** **Is the country ranked in Tier 3 of the most recent United States government’s Trafficking in Persons Report?**

**PB 4** **In the preceding two years, has a non-governmental or governmental organization reliably documented the use of forced labor in the country?**

[ANNOTATION: The following Indicator is a blunt measure of whether the government imposes meaningful remedies in labor cases. It asks not just whether fines or imposed, but whether they are actually collected. It also asks whether the government can demonstrate that legal sanctions have exceeded back pay awards in more than two cases – that is, whether there are even a small number of cases in which sanctions that exceed the minimal compensatory threshold have been collected. Note that this

Indicator is limited to the export sector, notwithstanding that the Assessment Indicators and most Diagnostic Indicators are not so limited. Labor rights compliance is generally stronger in the export sector than in other sectors; the government's failure to show meaningful enforcement in that sector is therefore an indication of even deeper noncompliance throughout the economy, as discussed in sub-part 10.3 of the paper.]

- PB 5** **Has the government failed to convincingly and reliably show that, in more than two cases in the export sector in the preceding two years, it has imposed and actually collected – either on its own behalf or on behalf of the aggrieved worker(s) – fines or monetary awards exceeding the back pay lost by worker(s) who were unlawfully discharged, calculated from the time of discharge to the time of the final order by the court or other tribunal?** *Go to RFL 8 to RFL 13, RFL 15 to RFL 20, RFL 22 to RFL 27, RFL 69 to RFL 72, RFL 104 to RFL 109, RFL 123 to RFL 128, RFL 131 to RFL 135, RFE 40 to RFE 55, RDE 25 to RDE 54, RWE 55 to RWE 78.*

[ANNOTATION: For reasons given in sub-part 10.3 of the paper, the following Indicator uses “temporary contracts” as a proxy for the informal sector, and for the vulnerability of the workforce more generally.]

- PB 6** **In the preceding five years, has the ratio of the number of employed workers with temporary contracts to the total employed workforce failed to decrease?** *Go to RFL 28 to RFL 29, RDO 176 to RDO 203.*
- PB 7** **In the preceding five years, has the number of labor inspectors per employed worker failed to increase?** *Go to RFE 71 to RFE 101, RDC 114 to RDC 137, RWE 7 to RWE 18.*
- PB 8** **In the preceding five years, has the budget per employed worker of all labor administration bodies failed to increase?** *Go to RFE 71 to RFE 105, RFC 21 to RFC 36, RDE 39 to RDE 54, RWE 7 to RWE 30.*
- PB 9** **Has a non-governmental or governmental organization reliably documented that in the preceding two years the government impeded the lawful activities of any organization devoted to monitoring of, or advocacy on behalf of, workers' rights?** *Go to RFE 112 to RFE 115, RDE 103 to RDE 104, and RWE 93 to RWE 94.*



## 1. DIAGNOSTIC INDICATORS for FREEDOM OF ASSOCIATION, RIGHTS TO ORGANIZE, and RIGHTS TO BARGAIN COLLECTIVELY

### 1.1. Diagnostic Indicators for Substantive Laws on Freedom of Association, Rights to Organize, and Rights to Bargaining Collectively

- DFL 1** Does the law lack a prohibition against employers taking, or threatening to take, adverse action against non-managerial, non-supervisory workers in retaliation for the worker's support for, organizing of, or participation in the lawful activities of a workers' organization? *Go to RFL 1 to RFL 8.*
- DFL 2** Does the law lack a requirement that the employer compensate a non-managerial, non-supervisory worker for all lost wages and benefits caused by the employer's anti-union retaliation? *Go to RFL 8 to RFL 13.*
- DFL 3** Does the law lack a requirement that the employer reinstate a non-managerial, non-supervisory worker who is discharged for anti-union reasons? *Go to RFL 8 to RFL 13.*
- DFL 4** Does the law fail to stipulate that non-managerial, non-supervisory workers are entitled to establish organizations without previous government authorization other than the formalities generally required for civil associations to obtain legal personality? *Go to RFL 30 to RFL 40.*
- DFL 5** Does the law fail to stipulate that workers are entitled to remain anonymous as organization members or supporters when applying for registration as an entity having legal personality? *Go to RFL 30 to RFL 40.*
- DFL 6** Does the law impose prerequisites for obtaining legal recognition of labor organizations, other than ministerial formalities that leave no room for administrative discretion in granting or denying legal recognition to the organization? *Go to RFL 30 to RFL 40.*
- DFL 7** Are such ministerial formalities not publicly announced? *Go to RFL 30 to RFL 40.*
- DFL 8** Are such ministerial formalities not specifically enumerated? *Go to RFL 30 to RFL 40.*

- DFL 9** Does the law fail to mandate that the government respond to the organization’s application for registration as an entity having legal personality within a specified time period, not exceeding four months, after submission of the application? *Go to RFL 30 to RFL 40.*
- DFL 10** Are organization members not entitled to judicial or administrative review of an administrative decision denying registration to the organization? *Go to RFL 30 to RFL 40.*
- DFL 11** In any such judicial or administrative review, is the tribunal not required to issue a final order within a specified period, not exceeding four months, of the organization filing its complaint with the tribunal? *Go to RFL 30 to RFL 40.*
- DFL 12** Does the law fail to stipulate that non-managerial, non-supervisory workers have a right against interference by employers when workers organize in formally or informally designated export processing zones? *Go to RFL 1 to RFL 27, and RFL 41 to RFL 47.*
- DFL 13** Does the law permit the government to provide benefits to one worker organization that it does not provide equally to all other worker organizations, other than granting priority to the most representative union for purposes of exclusive bargaining rights, consultation by authorities, and designation of delegates to international organizations? *Go to RFL 48 to RFL 56.*
- DFL 14** Does the law fail to leave the internal activities of the workers organization wholly to the organization and its members, apart from imposing clearly delineated requirements that union officers be democratically elected, that elections be held within specified maximum intervals, that union officials not commit crimes that are prejudicial to performing their trade union duties, and that the organization comply with laws of general application? *Go to RFL 48 to RFL 58.*
- DFL 15** Does the law require workers or workers’ organizations to affiliate with a political party? *Go to RFL 55 to RFL 82.*
- DFL 16** Does the law require workers or workers’ organizations to affiliate with the government? *Go to RFL 55 to RFL 82.*

- DFL 17** Does the law fail to prohibit employers from taking, or threatening to take, adverse action against non-managerial, non-supervisory workers for participating in any aspect of the collective bargaining process, including but not limited to participating in the formulation of bargaining demands and strategies and in actual negotiations? *Go to RFL 58 to RFL 103.*
- DFL 18** Does the law fail to entitle the union to bargain from time to time over all terms and conditions of employment of the non-managerial, non-supervisory workers it represents? *Go to RFL 58 to RFL 103.*
- DFL 19** Are the terms of the collective agreement covering non-managerial, non-supervisory workers not enforceable by a third-party mechanism, such as courts, administrative agencies, or arbitrators? *Go to RFL 58 to RFL 103.*
- DFL 20** If the terms of the collective agreement covering non-managerial, non-supervisory workers are not enforceable by third parties, are workers covered by the agreement not entitled to engage in group action, including peaceful strikes, to enforce the terms of the collective agreement? *Go to RFL 58 to RFL 103.*
- DFL 21** Does the law fail to stipulate that non-managerial, non-supervisory workers in formally or informally designated export processing zones have a right to collective bargaining without interference by employers? *Go to RFL 58 to RFL 103.*
- DFL 22** Does the law fail to require the employer to compensate a worker for all lost wages and benefits caused by the employer's retaliation for, or unlawful impedance of, the worker's exercise of rights of collective bargaining? *Go to RFL 58 to RFL 103.*
- DFL 23** Does the law fail to require the employer to reinstate such a worker when such retaliation or impedance takes the form of discharge? *Go to RFL 104 to RFL 109.*
- DFL 24** Does the law fail to protect peaceful primary strikes by all non-managerial, non-supervisory workers against interference by the employer, other than public servants and workers in essential services, as defined by Paragraphs 585 and 887 of the *ILO Fifth Digest*? *Go to RFL 110 to RFL 123.*

- DFL 25** Does the law fail to protect peaceful primary strikes by all non-managerial, non-supervisory workers against interference by the government, other than public servants and workers in essential services, as defined by Paragraphs 585 and 887 of the *ILO Fifth Digest*? Go to RFL 110 to RFL 123.
- DFL 26** Does the law fail to require the employer to compensate a worker for all lost wages and benefits caused by the employer's retaliation for the worker's participation in a lawful strike? Go to RFL 123 to RFL 128.
- DFL 27** Does the law fail to require the employer to reinstate such a worker when such retaliation takes the form of discharge? Go to RFL 123 to RFL 128.
- DFL 28** Does the law fail to prohibit employers from hiring permanent replacements for striking non-managerial, non-supervisory workers, thereby denying re-employment to strikers at the end of the strike? Go to RFL 123 to RFL 1128.

## 1.2. Diagnostic Indicators for Enforcement of Freedom of Association, Rights to Organize, and Rights to Bargain Collectively

- DFE 1** Has the government failed to convincingly and reliably show that, in more than two cases in the export sector in the preceding two years, it has imposed and actually collected – either on its own behalf or on behalf of the aggrieved worker(s) – fines or monetary awards exceeding the back pay lost by worker(s) who were discharged for anti-union reasons, calculated from the time of discharge to the time of the final order by the court or other tribunal? Go to RFL 8 to RFL 13, RFL 15 to RFL 20, RFL 22 to RFL 27, RFL 78 to RFL 72, RFL 104 to RFL 109, RFL 123 to RFL 128, RFL 131 to RFL 135, RFE 40 to RFE 55.
- DFE 2** Has a non-governmental or governmental organization reliably documented that the government, in the preceding two years, imprisoned or threatened to imprison one or more workers, union officials, or their family member in retaliation for their support for or participation in lawful union activities? Go to RFE 3 to RFE 10.
- DFE 3** Has a non-governmental or governmental organization reliably documented that, in the preceding two years, agents of the government (whether police forces, armed services, government-controlled union officials or paramilitary personnel) used force or the threat of force (including legal sanction or the threat of legal

**sanction) against one or more workers, union officials, or their family member in retaliation for their support for or participation in peaceful union organizing? Go to RFE 3 to RFE 10.**

- DFE 4** Has a non-governmental or governmental organization reliably documented that, in the preceding two years, agents of the government (whether police forces, armed services, government-controlled union officials or paramilitary personnel) used force or the threat of force (including legal sanction or the threat of legal sanction) to end one or more peaceful primary strikes over terms and conditions of employment? Go to RFE 3 to RFE 10.
- DFE 5** Has a non-governmental or governmental organization reliably documented that, in the preceding two years, the government failed to investigate one or more cases of alleged anti-union-motivated violence, attempted anti-union-motivated violence, and anti-union-motivated threats of violence against union supporters, union members, union officials, or their family members, where the government had or should have had knowledge of the allegations? Go to RFE 3 to RFE 10, RFC 49 to RFC 55.
- DFE 6** Has a non-governmental or governmental organization reliably documented that, in the preceding two years, the government failed to prosecute one or more alleged perpetrators of anti-union-motivated violence, attempted anti-union-motivated violence, or anti-union-motivated threats of violence against union supporters, union members, union officials, or their family members, where the government had or should have had reasonable cause to believe such allegations? Go to RFE 3 to RFE 10, RFC 49 to RFC 55.
- DFE 7** Has a non-governmental or governmental organization reliably documented that – when workers and workers organizations alleging violation of their freedom of association, rights to organize, or rights to bargain collectively wished to file complaints, or have complaints or indictments filed on their behalf, with administrative or judicial tribunals empowered to enforce those rights – the government obstructed the filing of one or more such complaints? Go to RFE 11 to RFE 18.
- DFE 8** Has a non-governmental or governmental organization reliably documented that the government, in the preceding two years, failed to remedy one or more documented instances of blacklisting of pro-union workers? Go to RFE 11 to RFE 18.

- DFE 9** Has a non-governmental or governmental organization reliably documented that, in the preceding two years, in cases alleging violations of freedom of association, rights to organize, and rights to bargain collectively, there was more than one case in which tribunals (whose members did not include representatives of workers and employers) had members who were not independent of complaining workers, of complained-against employers, and of complained-against government agencies or officials? *Go to RFE 16 to RFE 39, RFC 56 to RFC 58.*
- DFE 10** Has a non-governmental or governmental organization reliably documented that, in the preceding two years, in cases alleging violations of freedom of association, rights to organize, and rights to bargain collectively, there was more than one case in which a tribunal (whose members included representatives of workers and employers) did not have at least one member who was/were independent of worker organizations, employers and any complained-against government agencies or officials? *Go to RFE 16 to RFE 39, RFC 56 to RFC 58.*
- DFE 11** Has a non-governmental or governmental organization reliably documented that, in the preceding two years, in cases alleging violations of freedom of association, rights to organize, and rights to bargain collectively, there was more than one case in which workers who filed such complaints or for whom such complaints or indictments were filed on their behalf, and any party filing such complaints or indictments on behalf of other workers, were not effectively protected against retaliation for filing such complaints? *Go to RFE 19 to RFE 39.*
- DFE 12** Has a non-governmental or governmental organization reliably documented that, in the preceding two years, in cases alleging violations of freedom of association, rights to organize, and rights to bargain collectively, in one or more cases non-trivial proceedings were not open to the public, except where necessary to protect the anonymity of complaining workers? *Go to RFE 19 to RFE 39.*
- DFE 13** Has a non-governmental or governmental organization reliably documented that, in the preceding two years, in cases alleging violations of freedom of association, rights to organize, and rights to bargain collectively, in one or more cases final decisions on the merits of the case(s) were not written, reasoned, and published? *Go to RFE 16 to RFE 39, RFC 68 to RFC 70.*

- DFE 14** Has a non-governmental or governmental organization reliably documented that, in the preceding two years, in one or more cases in which the tribunal found that an employer refused to recognize a lawfully representative workers' organization for purposes of collective bargaining, the tribunal failed at a minimum to order the employer to recognize the organization and to immediately bargain in good faith? *Go to RFE 46 to RFE 55.*
- DFE 15** Has a non-governmental or governmental organization reliably documented that, in the preceding two years, in one or more cases in which a tribunal found that an employer discharged strikers or hired replacements for strikers, the tribunal failed at a minimum to order the employer to reinstate the worker to her former position at such time as the worker demanded reinstatement and to pay the worker back wages for the time between the demand for reinstatement and the reinstatement? *Go to RFL 8 to RFL 13, RFL 15 to RFL 20, RFL 22 to RFL 27, RFL 78 to RFL 72, RFL 104 to RFL 109, RFL 123 to RFL 128, RFL 131 to RFL 135, RFE 40 to RFE 55.*
- DFE 16** Has a non-governmental or governmental organization reliably documented that, in the preceding two years, in one or more cases in which an employer violated a tribunal's order enforcing workers' or workers' organizations' rights of association, collective bargaining, or striking, the tribunal failed to impose punitive sanctions against the employer? *Go to RFL 8 to RFL 13, RFL 15 to RFL 20, RFL 22 to RFL 27, RFL 78 to RFL 72, RFL 104 to RFL 109, RFL 123 to RFL 128, RFL 131 to RFL 135, RFE 40 to RFE 55.*
- DFE 17** In the preceding two years, in cases finding violations of workers' rights of association, collective bargaining, or striking, were the aggregate fines and penalties imposed and monetary damages awarded per worker (adjudged to have suffered the rights violations) less than fifty percent of the average for countries in the same quintile of real income per capita? *Go to RFL 8 to RFL 13, RFL 15 to RFL 20, RFL 22 to RFL 27, RFL 78 to RFL 72, RFL 104 to RFL 109, RFL 123 to RFL 128, RFL 131 to RFL 135, RFE 40 to RFE 55.*
- DFE 18** Has a non-governmental or governmental organization reliably documented that, in the preceding two years, the government banned or took control over one or more labor unions for reasons other than a bona fide judicial determination of a pattern of criminal activity by such union(s)? *Go to RFE 56 to RFE 61.*

- DFE 19** **Has a non-governmental or governmental organization reliably documented that, in the preceding two years, the government demanded that a union affiliate with the government or political party or continue to affiliate with the government or political party?** *Go to RFE 62 to RFE 65.*
- DFE 20** **Is the current budget of all labor administration activities devoted to enforcement of workers' freedom of association and rights to collective bargaining per non-managerial worker less than 50 percent of the average for countries in the same quintile of real income per capita?** *Go to RFE 68 to RFE 77, RFC 21 to RFC 36.*
- DFE 21** **Has a non-governmental or governmental organization reliably documented that, in the preceding year, the government obstructed individuals or organizations from lawful advocacy on behalf of workers' freedom of association, rights to organize, or rights to bargain collectively?**
- DFE 22** **Does the government have no program to educate workers about freedom of association, rights to organize, and rights to bargain collectively?** *Go to RFE 102 to RFE105.*

### 1.3. Diagnostic Indicators for Capacity-Building on Freedom of Association, Rights to Organize, and Rights to Bargain Collectively

- DFC 1** **Does the government lack a system for collecting and publishing data, at least every other year, on matters relating to freedom of association, rights to organize, and rights to bargain collectively?** *Go to RFC 1 to RFC 4, RFC 15 to RFC 20.*
- DFC 2** **Is the government's budget per worker for collecting and publishing data on matters relating to freedom of association, rights to organize, and rights to bargain collectively, less than 50 percent of the average budget per worker among countries in the same quintile of real income per capita?** *Go to RFC 1 to RFC 4, RFC 15 to RFC 20.*
- DFC 3** **Does the government fail to collect and publish data, at least every other year, on the number of workers who are members of labor unions?** *Go to RFC 1 to RFC 4, RFC 15 to RFC 20.*



**DFC 4** **Does the government fail to collect and publish data, at least every other year, on the number of workers who are covered by collective bargaining agreements? Go to RFC 1 to RFC 4, RFC 15 to RFC 20.**

**DFC 5** **Does the government fail to collect and publish data, at least every other year, on the number of workers who are, or allegedly are, discharged for anti-union reasons? Go to RFC 1 to RFC 4, RFC 15 to RFC 20.**

**DFC 6** **In the preceding two years, did the government fail to formulate and apply its own Indicators and numerical targets to measure its compliance with freedom of association, rights to organize, and rights to bargain collectively? Go to RFC 5 to RFC 20.**

**DFC 7** **In the preceding two years, did the government fail to formulate and apply its own numerical targets for increasing the budgetary resources of all labor administration activities devoted to enforcement of workers' freedom of association, rights to organize, and rights to bargain collectively per non-managerial, non-supervisory worker? Go to RFC 21 to RFC 36.**

[ANNOTATION: If the answer to previous Indicator is "yes," the answer to the following Indicator is also "yes."]

**DFC 8** **If in the preceding two years the government applied its own numerical targets for increasing the budgetary resources of all labor administration activities devoted to enforcement of workers' freedom of association, rights to organize, and rights to bargaining collectively per non-managerial, non-supervisory worker, was the targeted rate of increase less than 50 percent of the average actual rate of increase during the previous five years among countries in the same quintile of real income per capita? Go to RFC 5 to RFC 20.**

[ANNOTATION: If the answer to previous Indicator is "yes," the answer to the following Indicator is also "yes."]

**DFC 9** **In the preceding two years, did the government fail to meet its targets for increasing the budgetary resources of all labor administration activities devoted to enforcement of workers' freedom of association, rights to organize, and rights to bargain collectively per non-managerial, non-supervisory worker? Go to RFC 5 to RFC 20.**

**DFC 10** **In the preceding two years, did the government fail to formulate and apply its own Indicators and numerical targets for increases in the budgetary resources for the labor tribunals devoted to processing and deciding cases on freedom of association, rights to organize, and rights to bargain collectively?** *Go to RFC 5 to RFC 20.*

[ANNOTATION: If the answer to the previous Indicator is “yes,” the answer to the following Indicator is “yes.”]

**DFC 11** **If in the preceding two years the government applied its own Indicators and numerical targets for increases in the budgetary resources for the labor tribunals devoted to processing and deciding cases on freedom of association and collective bargaining, were the targeted increases less than 50 percent of the average actual rate of increase during the previous five years among countries in the same quintile of real income per capita?** *Go to RFC 5 to RFC 20.*

[ANNOTATION: If the answer to previous Indicator is “yes,” the answer to the following Indicator is also “yes.”]

**DFC 12** **In the preceding two years, did the government fail to meet its targets for increased budgetary resources for the labor tribunals devoted to processing and deciding cases on freedom of association, rights to organize, and rights to bargain collectively?** *Go to RFC 5 to RFC 20.*

[ANNOTATION: If the answer is “no” to both DFE 5 and DFE 6, then the answer to the following Indicator is “no.”]

**DFC 13** **If the answer to either DFE 5 or DFE 6 is “yes,” did the government in the preceding two years fail to formulate and apply its own Indicators and targets for increasing the rate at which prosecutors filed criminal indictments in all cases in which the government had or should have had reasonable cause to believe that labor union supporters or their families were victims of criminal acts motivated by the victim’s or victim’s family member’s support for the union?** *Go to RFC 5 to RFC 20.*

[ANNOTATION: If the answer to previous Indicator is “yes,” the answer to the following Indicator is also “yes.”]

**DFC 14** In the preceding two years, did the government fail to meet its targets for increasing the rate at which prosecutors filed criminal indictments in all cases in which the government had or should have had reasonable cause to believe that labor union supporters or their families were victims of criminal acts motivated by the victim's or victim's family member's support for the union? *Go to RFC 42 to RFC 55.*

**DFC 15** In the preceding two years, did the government fail to formulate and apply its own Indicators and targets for increasing the rate at which tribunals – in all cases in which the tribunal found that an employer discharged a worker for anti-union reasons – at a minimum ordered the employer to reinstate the worker with back pay? *Go to RFC 71 to RFC 88.*

[ANNOTATION: If the answer to previous Indicator is “yes,” the answer to the following Indicator is also “yes.”]

**DFC 16** In the previous two years, did the government fail to meet its targets for increasing the rate at which tribunals at a minimum ordered the employer to reinstate the worker with back pay, in cases in which tribunals found that a worker was discharged for anti-union motives? *Go to RFC 5 to RFC 20.*

**DFC 17** In the preceding two years, did the government fail to formulate and apply its own Indicators and targets for increasing the rate at which tribunals – in all cases in which the tribunal found that an employer discharged strikers or hired replacements for strikers – at a minimum ordered the employer to reinstate the worker to her former position at such time as the worker demanded reinstatement and to pay the worker back wages for the time between the demand for reinstatement and reinstatement? *Go to RFC 5 to RFC 20.*

[ANNOTATION: If the answer to the previous Indicator is “yes,” the answer to the following Indicator is “yes.”]

**DFC 18** In the previous two years, did the government fail to meet its targets for increasing the rate at which tribunals – in all cases in which the tribunal found that an employer discharged strikers or hired replacements for strikers – at a minimum ordered the employer to reinstate the worker to her former position at such time as the worker demanded reinstatement and to pay the worker back wages for the time between the demand for reinstatement and the reinstatement? *Go to RFC 5 to RFC 20.*

**DFC 19** **In the preceding two years, did the government fail to formulate and apply its own Indicators and targets for increasing the government’s budgetary resources per worker for all programs to educate workers about their freedom of association, rights to organize, and rights to bargain collectively? Go to RFC 113 to RFC 115.**

[ANNOTATION: If the answer to the previous Indicator is “yes,” the answer to the following Indicator is “yes.”]

**DFC 20** **If in the preceding two years the government applied its own Indicators and targets for such an increase, was the targeted increase less than fifty percent of the average actual rate of increase during the previous five years among countries in the same quintile of real income per capita? Go to RFC 113 to RFC 115.**

[ANNOTATION: If the answer to previous Indicator is “yes,” the answer to the following Indicator is also “yes.”]

**DFC 21** **In the preceding two years, did the government fail to meet its targets for increasing the government’s budgetary resources per worker for all programs to educate workers about their freedom of association, rights to organize, and rights to bargain collectively? Go to RFC 113 to RFC 115.**

[ANNOTATION: If in the preceding two years the government did not apply Indicators of and targets for improved efforts to enforce substantive standards of freedom of association, rights to organize, and rights to bargain collectively, then the answer to the following Indicators is “yes.”]

**DFC 22** **If the government, in the preceding two years, applied its own Indicators of and targets for improved efforts to enforce substantive standards of freedom of association, rights to organize, and rights to bargain collectively, has the government failed to demonstrate convincingly and verifiably that it consulted with worker representatives, employer representatives, and other interested non-governmental organizations prior to formulation and application of the Indicators and targets? Go to RFC 116 to RFC 127.**

[ANNOTATION: If in the preceding two years the government did not apply Indicators of and targets for improved efforts to enforce substantive standards of freedom of association, rights to organize, and rights to bargain collectively, or formulated and applied such indicators but did not

consult with the parties prior to doing so, then the answer to the following Indicators is “yes.”]

- DFC 23** **If the answer to the previous Indicator is “no,” did the government fail to publish a written statement of reasons for adopting or not adopting the views of the parties with whom the government consulted, or to provide an opportunity for the parties to respond to the statement prior to adopting the Indicators and targets? *Go to RFC 116 to RFC 127.***

[ANNOTATION: If in the preceding two years the government did not apply Indicators of and targets for evaluating its efforts to improve enforcement of substantive standards of freedom of association, rights to organize, and rights to bargain collectively, then the answer to the following Indicators is “yes.”]

- DFC 24** **If the government, in the preceding two years, evaluated its success in meeting targets for improved efforts to enforce substantive standards of freedom of association, rights to organize, and rights to bargain collectively, has the government failed to convincingly and verifiably demonstrated that it consulted with worker representatives, employer representatives, and other interested non-governmental organizations during the evaluation process? *Go to RFC 116 to RFC 127.***

[ANNOTATION: If in the preceding two years the government did not evaluate its success in meeting targets for improved efforts to enforce substantive standards of freedom of association, rights to organize, and rights to bargain collectively or evaluated its success but did not consult the parties during the evaluation process, then the answer to the following Indicators is “yes.”]

- DFC 25** **If the answer to the previous Indicator is “no,” did the government fail to publish a written statement of reasons for adopting or not adopting the views of the parties with whom the government consulted, or to provide an opportunity for the parties to respond to the statement prior to rendering a final evaluation? *Go to RFC 116 to RFC 127.***

[ANNOTATION: If in the preceding two years the government did not apply Indicators of and targets for improved collection and analysis of data on compliance with freedom of association, rights to organize, and rights to bargain collectively, then the answer to the following Indicators is “yes”]

**DFC 26** **If the government, in the preceding two years, applied its own Indicators of and targets for improved collection and analysis of data on compliance with freedom of association and collective bargaining rights, has the government failed to convincingly and verifiably demonstrate that it consulted with worker representatives, employer representatives, and other interested non-governmental organizations prior to formulation and application of the Indicators and targets?** *Go to RFC 128 to RFC 131.*

[ANNOTATION: If in the preceding two years the government did not apply Indicators of and targets for improved collection and analysis of data on compliance with freedom of association, rights to organize, and rights to bargain collectively or did apply such Indicators and targets but did not consult the parties before doing so, then the answer to the following Indicators is “yes.”]

**DFC 27** **If the answer to the previous Indicator is “no,” did the government fail to publish a written statement of reasons for adopting or not adopting the views of the parties with whom the government consulted, or to provide an opportunity for the parties to respond to the statement prior to adopting the Indicators and targets?** *Go to RFC 128 to RFC 131.*

[ANNOTATION: If in the preceding two years the government did not evaluate its success in meeting targets for improved collection and analysis of data on compliance with freedom of association, rights to organize, and rights to bargain collectively, then the answer to the following Indicators is “yes.”]

**DFC 28** **If the government, in the preceding two years, evaluated its success in meeting targets for improved collection and analysis of data on compliance with freedom of association, rights to organize, and rights to bargain collectively, has the government failed to demonstrate convincingly and verifiably that it consulted with worker representatives, employer representatives, and other interested non-governmental organizations during the evaluation process?** *Go to RFC 128 to RFC 131.*

[ANNOTATION: If in the preceding two years the government did not apply Indicators of and targets for evaluating its success in meeting targets for improved collection and analysis of data on compliance with freedom of association, rights to organize, and rights to bargain

collectively, or did not demonstrate that it consulted with the parties during the evaluation process, then the answer to the following Indicator is “yes.”]

- DFC 29** **If the answer to the previous Indicator is “no,” did the government fail to publish a written statement of reasons for adopting or not adopting the views of the parties with whom the government consulted, or to provide an opportunity for the parties to respond to the statement prior to rendering a final evaluation? Go to RFC 128 to RFC 131.**

#### **1.4. Diagnostic Indicators for Outcomes on Freedom of Association, Rights to Organize, and Rights to Bargain Collectively**

- DFO 1** **Is the percentage of non-managerial, non-supervisory workers who are union members less than fifty percent of the average among countries in the same quintile of real income per capita? Go to RFO 1 to RFO 12.**

- DFO 2** **Are more than 75 percent of unionized workers members of unions that are affiliated with a government entity or with the ruling political party? Go to RFO 1 to RFO 12.**

[ANNOTATION: The following Indicator probes for the weakness of unions, including the domination of unions by employers and corrupt governments. So-called “protection unions” typically do not garner wages and benefits that exceed legal entitlements or prevailing levels among non-union workers.]

- DFO 3** **In the last five years, have average real wages among unionized workers increased at a rate no greater than the increase in average real wages among non-union workers? Go to RFO 1 to RFO 12, RFO 18 to RFO 22.**

- DFO 4** **Are less than five enterprises in the manufacturing sector unionized? Go to RFO 1 to RFO 18.**

- DFO 5** **If there are unions in five or more enterprises in the manufacturing sector, are the majority of those unions dominated by the employer, by the government, or by criminal organizations? Go to RFO 1 to RFO 18.**

- DFO 6** **If there are unions in five or more enterprises in the manufacturing sector, are a majority of workers unaware of the contents of the collective agreements? Go to RFO 1 to RFO 18.**
- DFO 7** **If there are unions in five or more enterprises in the manufacturing sector, do the collective agreements provide for no greater wages and benefits than those required by law? Go to RFO 1 to RFO 18.**
- DFO 8** **If there are unions in five or more enterprises in the manufacturing sector, have the unions processed no more than a trivial number of grievances in the last two years? Go to RFO 1 to RFO 18.**
- DFO 9** **Are a non-trivial number of export enterprises owned in whole or in part by high governmental officials or their family members?**
- DFO 10** **Is the percentage of non-managerial workers, non-supervisory workers in the manufacturing sector who are covered by collective agreements less than 50 percent of the average among countries in the same quintile of real income per capita? Go to RFO 1 to RFO 18.**
- DFO 11** **In the last two years, have public agencies or private labor-rights advocates reliably documented one or more case(s) of blacklisting of union supporters in the manufacturing sector? Go to RFO 1 to RFO 18.**
- DFO 12** **In the last two years, have public agencies or private labor-rights advocates reliably documented two or more cases of mass discharge of union supporters in the manufacturing sector (that is, the discharge of five or more workers at one time by one employer, in retaliation for the workers' support for the union)? Go to RFO 1 to RFO 18.**
- DFO 13** **In the last two years, have public agencies or private labor-rights advocates reliably documented anti-union discharges in more than five workplaces in the manufacturing sector? Go to RFO 1 to RFO 18.**
- DFO 14** **In the last five years, did average real wages of non-managerial, non-supervisory workers in the manufacturing sector increase at a rate less than 50 percent of the average rate of increase among countries in the same quintile in real income per capita? Go to RFO 1 to RFO 12.**



## 2. DIAGNOSTIC INDICATORS for RIGHTS AGAINST EMPLOYMENT DISCRIMINATION

### 2.1. Diagnostic Indicators for Substantive Laws on Employment Discrimination

- DDL 1** Does the law fail to prohibit all adverse employment-related treatment that is motivated by the worker's gender? Go to RDL 13 to RDL 19.
- DDL 2** Does the law fail to prohibit harassment of workers based on the worker's gender? Go to RDL 13 to RDL 19.
- DDL 3** Does the law fail to prohibit employment practices that are not motivated by gender, that nonetheless have a disparate adverse employment-related impact on gender groups, and that are not necessary to the objective requirements of the job? Go to RDL 13 to RDL 19.
- DDL 4** Does the law fail to require equal remuneration between men and women for work of equal value? Go to RDL 13 to RDL 19.
- DDL 5** Does the law fail to require employers to treat pregnancy the same as other disabling conditions, for purposes of disability leaves and benefits? Go to RDL 13 to RDL 19, RDL 78 to RDL 81.
- DDL 6** Does the law fail to prohibit all adverse employment-related treatment that is motivated by the worker's race? Go to RDL 20 to RDL 52.
- DDL 7** Does the law fail to prohibit harassment of workers based on the workers' race? Go to RDL 20 to RDL 52.
- DDL 8** Does the law fail to prohibit employment practices that are not motivated by race, that nonetheless have a disparate adverse employment-related impact on racial groups, and that are not necessary to the objective requirements of the job? Go to RDL 20 to RDL 52.

- DDL 9** Does the law fail to prohibit discrimination based on gender in access to education? *Go to RDL 56 to RDL 77.*
- DDL 10** Does the law fail to prohibit discrimination based on race in access to education? *Go to RDL 56 to RDL 77.*
- DDL 11** Does the law fail to entitle a woman worker to take maternity leave without loss of her job for at least two weeks prior to the expected date of childbirth and at least two months following childbirth? *Go to RDL 78 to RDL 81.*
- DDL 12** Does the law fail to entitle women to take maternity leave without loss of pay for at least two weeks prior to the expected date of childbirth and at least two months following childbirth? *Go to RDL 78 to RDL 81.*
- DDL 13** Does the law fail to entitle the father and mother to take an aggregate of at least three months of parenting leave without loss of their jobs after the birth of the child, in addition to time taken by the mother for maternity leave? *Go to RDL 78 to RDL 81.*
- DDL 14** Does the law fail to entitle the father and mother to take an aggregate of at least three months of parenting leave without loss of pay after the birth of the child, in addition to time taken by the mother for maternity leave? *Go to RDL 78 to RDL 81.*

## 2.2. Diagnostic Indicators for Enforcement of Rights against Employment Discrimination

- DDE 1** Has the government failed to convincingly and reliably show that, in more than two cases in the export sector in the preceding two years, it has imposed and actually collected – either on its own behalf or on behalf of the aggrieved worker(s) – fines or monetary awards exceeding the back pay lost by worker(s) who were discharged for discriminatory reasons, calculated from the time of discharge to the time of the final order by the court or other tribunal? *Go to RDE 25 to RDE 34.*
- DDE 2** Has a non-governmental or governmental organization reliably documented that in the preceding two years – when workers and workers organizations alleging employment discrimination wished to

**file complaints, or have complaints or indictments filed on their behalf, with administrative or judicial tribunals empowered to enforce those rights – the government obstructed the filing of one or more such complaints? Go to RDE 1 to RDE 2.**

**DDE 3** **Has a non-governmental or governmental organization reliably documented that in the preceding two years the government failed to provide a remedy for two or more cases of retaliation against workers who filed complaints of discrimination or for whom complaints were filed on their behalf or against any party filing such complaints on behalf of a worker?** Go to RDE 25 to RDE 34.

**DDE 4** **Has a non-governmental or governmental organization reliably documented that in the preceding two years, in a non-trivial number of employment discrimination cases, the parties were denied the right to present all material evidence to support or defend their respective positions?** Go to RDE 1 to RDE 24.

**DDE 5** **Has a non-governmental or governmental organization reliably documented that in the preceding two years, in a non-trivial number of employment discrimination cases, final decisions on the merits of the case were publicly issued in writing and stated the evidence and reasons on which they were based?** Go to RDE 1 to RDE 24.

**DDE 6** **Has a non-governmental or governmental organization reliably documented that in the preceding two years, in a non-trivial number of cases in which the tribunal found that a worker was discharged for proscribed grounds of discrimination, the tribunal failed at a minimum to order the employer to reinstate the worker with back pay.** Go to RDE 25 to RDE 34.

**DDE 7** **Has a non-governmental or governmental organization reliably documented that in the preceding two years, in a non-trivial number of employment discrimination cases in which an employer has violated a tribunal's order enforcing workers' rights to equal pay or nondiscrimination, the tribunal failed to impose punitive sanctions against the employer?** Go to RDE 25 to RDE 34.

**DDE 8** **Is the current budget of all labor administration bodies devoted to enforcement of rights against employment discrimination per non-managerial worker less than fifty percent of the average for countries in the same quintile of income per capita?** Go to RDE 39 to RDE 54.

- DDE 9** In the preceding five years, was the rate of growth of the budget of all labor administration bodies devoted to enforcement of workers' rights against employment discrimination per non-managerial worker less than the rate of growth in real income per capita? *Go to RDE 39 to RDE 54.*
- DDE 10** Has the government convincingly and verifiably demonstrated that, in the previous two years, in cases finding violations of rights against employment discrimination, the aggregate fines and penalties imposed and monetary damages awarded per worker (adjudged to have suffered the rights violations) exceeded 75 percent of the average for countries in the same quintile of income per capita? *Go to RDE 25 to RDE 34.*
- DDE 11** Does the government have no program to educate workers about their rights against employment discrimination? *Go to RDE 91 to RDE 96.*
- DDE 12** Is government expenditure on child care per non-managerial worker with dependent children below school age less than fifty percent of the average among countries in the same quintile of real income per capita? *Go to RDE 39 to RDE 54.*
- DDE 13** Has a non-governmental or governmental organization reliably documented that in the preceding two years the government impeded the lawful activities of any organization devoted to monitoring employment discrimination or to advocacy on behalf of workers' rights against discrimination? *Go to RDE 103 to RDE 104.*

### 2.3 Diagnostic Indicators for Capacity-Building on Rights against Employment Discrimination

- DDC 1** Does the government lack a system for collecting and publishing data, at least every other year, on matters relating to employment discrimination? *Go to RDC 1 to RDC 44, RDC 55 to RDC 56.*

[ANNOTATION: If the government does not collect and publish data on wages, then the answer to following question is “yes.”]

**DDC 2** **If the government collects and publishes data on wages, does it fail to disaggregate the data by gender?** *Go to RDC 1 to RDC 44, RDC 55 to RDC 56.*

[ANNOTATION: If the government does not collect and publish data on wages or collects such data but does not disaggregate the data by gender, then the answer to following question is “yes.”]

**DDC 3** **If the government collects and publishes data on wages and disaggregates it by gender, does it fail to further disaggregate the data by occupation?** *Go to RDC 1 to RDC 44, RDC 55 to RDC 56.*

[ANNOTATION: If the government does not collect and publish data on wages or collects such data but does not disaggregate the data by gender, then the answer to following question is “yes.”]

**DDC 4** **If the government collects and publishes data on wages and disaggregates it by gender, does it fail to further disaggregate the data by industry?** *Go to RDC 1 to RDC 44, RDC 55 to RDC 56.*

[ANNOTATION: If the government does not collect and publish data on wages or collects such data but does not disaggregate the data by gender, then the answer to following question is “yes.”]

**DDC 5** **If the government collects and publishes data on wages and disaggregates it by gender, does it fail to further disaggregate the data by formal vs. informal sector?** *Go to RDC 1 to RDC 44, RDC 55 to RDC 56.*

[ANNOTATION: If the government does not collect and publish data on wages, then the answer to following question is “yes.”]

**DDC 6** **If the government collects and publishes data on wages, does the government fail to disaggregate the data by race?** *Go to RDC 1 to RDC 44, RDC 55 to RDC 56.*

[ANNOTATION: If the government does not collect and publish data on wages or collects such data but does not disaggregate the data by race, then the answer to following question is “yes.”]

**DDC 7** **If the government collects and publishes data on wages and disaggregates the data by race, does it fail to further disaggregate the data by occupation?** *Go to RDC 1 to RDC 44, RDC 55 to RDC 56.*

[ANNOTATION: If the government does not collect and publish data on wages or collects such data but does not disaggregate the data by race, then the answer to following question is “yes.”]

**DDC 8** **If the government collects and publishes data on wages and disaggregates it by race, does it fail to further disaggregate the data by industry?** *Go to RDC 1 to RDC 44, RDC 55 to RDC 56.*

[ANNOTATION: If the government does not collect and publish data on wages or collects such data but does not disaggregate the data by race, then the answer to following question is “yes.”]

**DDC 9** **If the government collects and publishes data on wages and disaggregates it by race, does it fail to further disaggregate the data by formal vs. informal sector?** *Go to RDC 1 to RDC 44, RDC 55 to RDC 56.*

[ANNOTATION: If the government does not collect and publish data on wages, then the answer to following question is “yes.”]

**DDC 10** **If the government collects and publishes data on wages, does the government fail to disaggregate the data by ethnic or national origin groups?** *Go to RDC 1 to RDC 44, RDC 55 to RDC 56.*

[ANNOTATION: If the government does not collect and publish data on wages or collects such data but does not disaggregate the data by ethnic/national origin groups, then the answer to following question is “yes.”]

**DDC 11** **If the government collects and publishes data on wages and disaggregates the data by ethnic or national origin groups, does it fail to further disaggregate the data by occupation?** *Go to RDC 1 to RDC 44, RDC 55 to RDC 56.*

[ANNOTATION: If the government does not collect and publish data on wages or collects such data but does not disaggregate the data by ethnic/national origin groups, then the answer to following question is “yes.”]

- DDC 12** **If the government collects and publishes data on wages and disaggregates the data by ethnic or national origin groups, does it fail to further disaggregate the data by industry?** *Go to RDC 1 to RDC 44, RDC 55 to RDC 56.*

[ANNOTATION: If the government does not collect and publish data on wages, then the answer to following question is “yes.”]

- DDC 13** **If the government collects and publishes data on wages, does the government disaggregate the data by citizen and non-citizen status?** *Go to RDC 1 to RDC 44, RDC 55 to RDC 56.*

[ANNOTATION: If the government does not collect and publish data on wages or collects such data but does not disaggregate the data by citizenship status, then the answer to following question is “yes.”]

- DDC 14** **If the government collects and publishes data on wages and disaggregates the data by citizenship status, does it fail to further disaggregate the data by occupation?** *Go to RDC 1 to RDC 44, RDC 55 to RDC 56.*

[ANNOTATION: If the government does not collect and publish data on wages or collects such data but does not disaggregate the data by citizenship status, then the answer to following question is “yes.”]

- DDC 15** **If the government collects and publishes data on wages and disaggregates the data by citizenship status, does it fail to further disaggregate the data by industry?** *Go to RDC 1 to RDC 44, RDC 55 to RDC 56.*

[ANNOTATION: If the government does not collect and publish data on hours, then the answer to following question is “yes.”]

- DDC 16** **If the government collects and publishes data on hours, does the government fail to disaggregate the data by gender?** *Go to RDC 1 to RDC 44, RDC 55 to RDC 56.*

[ANNOTATION: If the government does not collect and publish data on hours or collects such data but does not disaggregate the data by gender, then the answer to following question is “yes.”]

**DDC 17** **If the government collects and publishes data on hours and disaggregates the data by gender, does it fail to further disaggregate the data by occupation?** *Go to RDC 1 to RDC 44, RDC 55 to RDC 56.*

[ANNOTATION: If the government does not collect and publish data on hours or collects such data but does not disaggregate the data by gender, then the answer to following question is “yes.”]

**DDC 18** **If the government collects and publishes data on hours and disaggregates the data by gender, does it fail to further disaggregate the data by industry?** *Go to RDC 1 to RD 44, RDC 55 to RDC 56.*

[ANNOTATION: If the government does not collect and publish data on hours, then the answer to following question is “yes.”]

**DDC 19** **If the government collects and publishes data on hours, does the government fail to disaggregate the data by race?** *Go to RDC 1 to RDC 44, RDC 55 to RDC 56.*

[ANNOTATION: If the government does not collect and publish data on hours or collects such data but does not disaggregate the data by race, then the answer to following question is “yes.”]

**DDC 20** **If the government collects and publishes data on hours and disaggregates the data by race, does it fail to further disaggregate the data by occupation?** *Go to RDC 1 to RDC 44, RDC 55 to RDC 56.*

[ANNOTATION: If the government does not collect and publish data on hours or collects such data but does not disaggregate the data by race, then the answer to following question is “yes.”]

**DDC 21** **If the government collects and publishes data on hours and disaggregates the data by race, does it fail to further disaggregate the data by industry?** *Go to RDC 1 to RDC 44, RDC 55 to RDC 56.*

[ANNOTATION: If the government does not collect and publish data on hours, then the answer to the following indicator is “yes.”]



**DDC 22** **If the government collects and publishes data on hours, does the government fail to disaggregate the data by ethnic or national origin groups?** *Go to RDC 1 to RDC 44, RDC 55 to RDC 56.*

[ANNOTATION: If the government does not collect and publish data on hours or collects such data but does not disaggregate the data by ethnic/national origin groups, then the answer to following question is “yes.”]

**DDC 23** **If the government collects and publishes data on hours and disaggregates the data by ethnic or national origin groups, does it fail to further disaggregate the data by occupation?** *Go to RDC 1 to RDC 44, RDC 55 to RDC 56.*

[ANNOTATION: If the government does not collect and publish data on hours or collects such data but does not disaggregate the data by ethnic/national origin groups, then the answer to following question is “yes.”]

**DDC 24** **If the government collects and publishes data on hours and disaggregates the data by ethnic or national origin groups, does it fail to further disaggregate the data by industry?** *Go to RDC 1 to RDC 44, RDC 55 to RDC 56.*

**DDC 25** **In the preceding two years, has the government failed to formulate and apply its own Indicators and targets for increasing the budgetary resources per non-managerial worker of all labor administration activities devoted to enforcement of workers’ rights against employment discrimination?** *Go to RDC 63 to RDC 77.*

[ANNOTATION: If the answer to the previous Indicator is “yes,” the answer to the following Indicator is “yes.”]

**DDC 26** **If in the preceding two years the government applied its own Indicators and targets for increasing the budgetary resources per non-managerial worker of all labor administration activities devoted to enforcement of workers’ rights against employment discrimination, were the targets less than fifty percent of the average actual rate of increase during the previous five years among countries in the same quintile of real income per capita?** *Go to RDC 63 to RDC 77.*

[ANNOTATION: If the answer to the previous Indicator is “yes,” the

answer to the following Indicator is also “yes.”]

**DDC 27** In the preceding two years, did the government fail to meet its targets for increasing the budgetary resources per non-managerial worker of all labor administration activities devoted to enforcement of workers’ rights against employment discrimination? Go to RDC 63 to RDC 77.

**DDC 28** In the preceding two years, has the government failed to formulate and apply its own Indicators and targets for increases in the budgetary resources for the labor tribunals devoted to processing and deciding cases on rights against employment discrimination? Go to RDC 63 to RDC 77.

[ANNOTATION: If the answer to previous Indicator is “yes,” the answer to the following Indicator is also “yes.”]

**DDC 29** In the preceding two years, did the government fail to meet its targets for increased budgetary resources for the labor tribunals devoted to processing and deciding cases on rights against employment discrimination? Go to RDC 63 to RDC 77.

**DDC 30** In the preceding two years, did the government fail to formulate and apply its own Indicators and targets for improvements in the training of judges and administrators devoted to processing and deciding cases on rights against employment discrimination? Go to RDC 63 to RDC 77.

[ANNOTATION: If the answer to previous Indicator is “yes,” the answer to the following Indicator is also “yes.”]

**DDC 31** In the preceding two years, did the government fail to meet its targets for improvement in the training of judges and administrators devoted to processing and deciding cases on rights against employment discrimination? Go to RDC 63 to RDC 77.

**DDC 32** In the preceding two years, did the government fail to formulate and apply its own Indicators and targets for increasing the rate at which workers who filed with government officials complaints or allegations of violations of rights against employment discrimination were effectively protected against retaliation for filing such complaints or allegations? Go to RDC 93 to RDC 95.

[ANNOTATION: If the answer to the previous Indicator is “yes,” the answer to the following Indicator is “yes.”]

**DDC 33** **If in the preceding two years the government applied such Indicators and targets (for increasing the rate at which workers who filed with government officials complaints or allegations of violations of rights against employment discrimination were effectively protected against retaliation for filing such complaints or allegations), was the targeted increase less than fifty percent of the average actual rate of increase during the previous five years among countries in the same quintile of real income per capita? Go to RDC 1 to RDC 44, RDC 55 to RDC 56.**

[ANNOTATION: If the answer to previous Indicator is “yes,” the answer to the following Indicator is also “yes.”]

**DDC 34** **In the preceding two years, did the government fail to meet its targets for increasing the rate at which workers who filed with government officials complaints or allegations of violations of rights against employment discrimination were effectively protected against retaliation for filing such complaints or allegations? Go to RDC 1 to RDC 44, RDC 55 to RDC 56.**

**DDC 35** **In the preceding two years, did the government formulate and apply its own Indicators and targets for increasing the rate at which tribunals’ final decisions pertaining to rights against employment discrimination were written, reasoned, and published? Go to RDC 96 to RDC 104.**

[ANNOTATION: If the answer to the previous Indicator is “yes,” the answer to the following Indicator is “yes.”]

**DDC 36** **If in the preceding two years the government formulate and apply Indicators and targets for increasing the rate at which tribunals’ final decisions pertaining to rights against discrimination were written, reasoned, and published, was the targeted increase less than 50 percent of the actual rate of increase during the previous five years among countries in the same quintile of real income per capita? Go to RDC 96 to RDC 104.**

[ANNOTATION: If the answer to previous Indicator is “yes,” the answer to the following Indicator is also “yes.”]

**DDC 37** **In the previous two years, did the government fail to meet its targets for increasing the rate at which the tribunals’ final decisions pertaining to rights against employment discrimination were written, reasoned, and published? Go to RDC 96 to RDC 104.**

**DDC 38** **In the preceding two years, did the government fail to formulate and apply its own Indicators and targets for increasing the rate at which tribunals at a minimum ordered the employer to reinstate the worker with back pay, in cases in which tribunals found that a worker was discharged in violation of rights against employment discrimination? Go to RDC 105 to RDC 113.**

[ANNOTATION: If the answer to the previous Indicator is “yes,” the answer to the following Indicator is “yes.”]

**DDC 39** **If in the preceding two years the government applied such Indicators and targets, was the targeted increase less than fifty percent of the average actual rate of increase during the previous five years among countries in the same quintile of real income per capita? Go to RDC 105 to RDC 113.**

[ANNOTATION: If the answer to previous Indicator is “yes,” the answer to the following Indicator is also “yes.”]

**DDC 40** **in the previous two years, did the government fail to meet its targets for increasing the rate at which tribunals at a minimum ordered the employer to reinstate the worker with back pay, in cases in which tribunals found that a worker was discharged in violation of rights against employment discrimination? Go to RDC 105 to RDC 113.**

**DDC 41** **In the preceding two years, did the government fail to formulate and apply its own Indicators and targets for increasing the government’s budgetary resources per worker for all programs to educate workers about their rights against employment discrimination? Go to RDC 138 to RDC 140.**

[ANNOTATION: If the answer to the previous Indicator is “yes,” the answer to the following Indicator is “yes.”]

**DDC 42** **If in the preceding two years the government has applied its own Indicators and targets for such an increase, was the targeted increase less than fifty percent of the average actual rate of increase**

**during the previous five years among countries in the same quintile of real income per capita?** *Go to RDC 138 to RDC 140.*

[ANNOTATION: If the answer to previous Indicator is “yes,” the answer to the following Indicator is also “yes”]

**DDC 43** **In the preceding two years, did the government fail to meet its targets for increasing the government’s budgetary resources per worker for all programs to educate workers about their rights against employment discrimination?** *Go to RDC 138 to RDC 140.*

[ANNOTATION: If in the preceding two years the government did not apply Indicators of and numerical targets for improved efforts to enforce substantive rights against employment discrimination, then the answer to the following Indicator is “yes.”]

**DDC 44** **If the government, in the preceding two years, applied its own Indicators of targets for improved efforts to enforce substantive rights against employment discrimination, has the government failed to convincingly and verifiably demonstrate that it consulted with worker representatives and employer representatives prior to formulation and application of the Indicators and targets?** *Go to RDC 141 to RDC 200.*

[ANNOTATION: If in the preceding two years the government did not apply Indicators of and targets for improved efforts to enforce substantive rights against employment discrimination, then the answer to the following Indicator is “yes.”]

**DDC 45** **If the government, in the preceding two years, applied its own Indicators of and targets for improved efforts to enforce substantive rights against employment discrimination, has the government failed to convincingly and verifiably demonstrate that it consulted with representatives of women’s organizations prior to formulation and application of the Indicators and targets?** *Go to RDC 141 to RDC 200.*

[ANNOTATION: If in the preceding two years the government did not apply Indicators of and targets for improved efforts to enforce substantive rights against employment discrimination, then the answer to the following Indicator is “yes.”]

**DDC 46** **If the government, in the preceding two years, applied its own Indicators of and targets for improved efforts to enforce substantive rights against employment discrimination, has the government failed to convincingly and verifiably demonstrate that it consulted with representatives of racial groups prior to formulation and application of the Indicators and targets?** *Go to RDC 141 to RDC 200.*

[ANNOTATION: If in the preceding two years the government did not apply Indicators of and targets for improved efforts to enforce substantive rights against employment discrimination, then the answer to the following Indicator is “yes.”]

**DDC 47** **If the government, in the preceding two years, applied its own Indicators of and targets for improved efforts to enforce substantive rights against employment discrimination, has the government failed to convincingly and verifiably demonstrate that it consulted with representatives of national origin or ethnic groups prior to formulation and application of the Indicators and targets?** *Go to RDC 141 to RDC 200.*

[ANNOTATION: If in the preceding two years the government did not apply Indicators of and targets for improved efforts to enforce substantive rights against employment discrimination, then the answer to the following Indicator is “yes.”]

**DDC 48** **If the government, in the preceding two years, applied its own Indicators of and targets for improved efforts to enforce substantive rights against employment discrimination, has the government failed to convincingly and verifiably demonstrate that it consulted with representatives of indigenous groups prior to formulation and application of the Indicators and targets?** *Go to RDC 141 to RDC 200.*

[ANNOTATION: If in the preceding two years the government did not apply Indicators of and targets for improved efforts to enforce substantive rights against employment discrimination, then the answer to the following Indicator is “yes.”]

**DDC 49** **If the government, in the preceding two years, applied its own Indicators of and targets for improved efforts to enforce substantive rights against employment discrimination, has the government failed to convincingly and verifiably demonstrate that it consulted with**

**representatives of non-citizen groups prior to formulation and application of the Indicators and targets?** *Go to RDC 141 to RDC 200.*

[ANNOTATION: If in the preceding two years the government did not apply Indicators of and targets for improved efforts to enforce substantive rights against employment discrimination, then the answer to the following Indicator is “yes.”]

**DDC 50** **If the government consulted with non-governmental groups prior to promulgating Indicators and targets for improved efforts to enforce substantive rights against employment discrimination, has the government failed to convincingly and verifiably demonstrate that it published a written statement of reasons for adopting or not adopting the views of the parties with whom the government consulted, and that it provided an opportunity for the parties to respond to the statement prior to adopting the Indicators and targets?** *Go to RDC 141 to RDC 200.*

[ANNOTATION: If in the preceding two years the government did not evaluate its success in meeting targets for improved efforts to enforce substantive rights against employment discrimination, then the answer to the following Indicator is “yes.”]

**DDC 51** **If the government, in the preceding two years, evaluated its success in meeting targets for improving efforts to enforce substantive rights against employment discrimination, has the government failed to convincingly and verifiably demonstrate that it consulted with worker representatives and employer representatives during the evaluation process?** *Go to RDC 141 to RDC 200.*

[ANNOTATION: If in the preceding two years the government did not evaluate its success in meeting numerical targets for improved efforts to enforce substantive rights against employment discrimination, then the answer to the following Indicator is “yes.”]

**DDC 52** **If the government, in the preceding two years, evaluated its success in meeting targets for improving efforts to enforce substantive rights against employment discrimination, has the government failed to convincingly and verifiably demonstrate that it consulted with representatives of women’s organizations during the evaluation process?** *Go to RDC 141 to RDC 200.*

[ANNOTATION: If in the preceding two years the government did not

evaluate its success in meeting targets for improving efforts to enforce rights against employment discrimination, then the answer to the following Indicator is “yes.”]

**DDC 53** **If the government, in the preceding two years, evaluated its success in meeting numerical targets for improving efforts to enforce substantive rights against employment discrimination, has the government failed to convincingly and verifiably demonstrate that it consulted with representatives of racial groups during the evaluation process?** *Go to RDC 141 to RDC 200.*

[ANNOTATION: If in the preceding two years the government did not evaluate its success in meeting targets for improving efforts to enforce substantive rights against employment discrimination, then the answer to the following Indicator is “yes.”]

**DDC 54** **If the government, in the preceding two years, evaluated its success in meeting targets for improving efforts to enforce substantive rights against employment discrimination, has the government failed to convincingly and verifiably demonstrate that it consulted with representatives of ethnic or national origin groups during the evaluation process?** *Go to RDC 141 to RDC 200.*

[ANNOTATION: If in the preceding two years the government did not evaluate its success in meeting targets for improving efforts to enforce substantive rights against employment discrimination, then the answer to the following Indicator is “yes.”]

**DDC 55** **If the government, in the preceding two years, evaluated its success in meeting targets for improving efforts to enforce substantive rights against employment discrimination, has the government failed to convincingly and verifiably demonstrate that it consulted with representatives of indigenous groups during the evaluation process?** *Go to RDC 141 to RDC 200.*

[ANNOTATION: If in the preceding two years the government did not evaluate its success in meeting targets for improving efforts to enforce substantive rights against employment discrimination, then the answer to the following Indicator is “yes.”]

**DDC 56** **If the government, in the preceding two years, evaluated its success in meeting targets for improving efforts to enforce substantive rights against employment discrimination, has the government failed to**



**convincingly and verifiably demonstrate that it consulted with representatives of non-citizen groups during the evaluation process?** *Go to RDC 141 to RDC 200.*

[ANNOTATION: If in the preceding two years the government did not evaluate its success in meeting targets for improving efforts to enforce substantive rights against employment discrimination or did not consult with non-governmental groups in the process of evaluating its success, then the answer to the following Indicator is “yes.”]

**DDC 57** **If the government did consult with non-governmental groups during the process of evaluating its success in meeting targets for improving efforts to enforce substantive rights against employment discrimination, has the government failed to convincingly and verifiably demonstrate that it published a written statement of reasons for adopting or not adopting the views of the parties with whom the government consulted, and that it provided an opportunity for the parties to respond to the statement prior to rendering a final evaluation?** *Go to RDC 141 to RDC 200.*

[ANNOTATION: If in the preceding two years the government did not apply Indicators of and targets for improved collection and analysis of data on compliance with rights against employment discrimination, then the answer to the following Indicator is “yes.”]

**DDC 58** **If the government, in the preceding two years, applied its own Indicators of and targets for improved collection and analysis of data on compliance with rights against employment discrimination, has the government failed to convincingly and verifiably demonstrate that it consulted with worker representatives, employer representatives, and other interested non-governmental organizations prior to formulation and application of the Indicators and targets?** *Go to RDC 201 to RDC 204.*

[ANNOTATION: If in the preceding two years the government did not apply Indicators of and targets for improved collection and analysis of data on compliance with rights against employment discrimination or did not consult with the parties prior formulating and applying such indicators and targets, then the answer to the following Indicator is “yes.”]

**DDC 59** **If the answer to the previous Indicator is “no,” has the government failed to convincingly and verifiably demonstrate that it published a written statement of reasons for adopting or not adopting the views**

**of the parties with whom the government consulted, and that it provided an opportunity for the parties to respond to the statement prior to adopting the Indicators and targets?** *Go to RDC 201 to RDC 204.*

[ANNOTATION: If in the preceding two years the government did not evaluate its success in meeting targets for improved collection and analysis of data on compliance with rights against employment discrimination, then the answer to the following Indicator is “yes.”]

**DDC 60** **If the government, in the preceding two years, evaluated its success in meeting targets for improved collection and analysis of data on rights against employment discrimination, has the government failed to convincingly and verifiably demonstrate that it consulted with worker representatives, employer representatives, and other interested non-governmental organizations during the evaluation process?** *Go to RDC 201 to RDC 204.*

[ANNOTATION: If in the preceding two years the government did not evaluate its success in meeting targets for improved collection and analysis of data on compliance with rights against employment discrimination or did not consult with the parties during the evaluation process, then the answer to the following Indicator is “yes.”]

**DDC 61** **If the answer to the previous Indicator is “yes,” has the government failed to convincingly and verifiably demonstrate that it published a written statement of reasons for adopting or not adopting the views of the parties with whom the government consulted, and that it provided an opportunity for the parties to respond to the statement prior to rendering a final evaluation?** *Go to RDC 201 to RDC 204.*

#### **2.4. Diagnostic Indicators for Outcomes on Rights Against Employment Discrimination**

**DDO 1** **Has the government failed to convincingly and verifiably demonstrate that the percentage of women who are employed as sex workers is less than 200 percent of the average among countries in the same quintile of real income per capita?** *Go to RDO 116 to RDO 127, RDO 144 to RDO 151.*

**DDO 2** **Have non-governmental or governmental organizations reliably documented mandatory pregnancy testing by two or more employers?** *Go to RDO 144 to RDO 151.*


- DDO 3** Have non-governmental or governmental organizations reliably documented the discharge of workers based on their pregnancy by two or more employers? Go to RDO 144 to RDO 151
- DDO 4** Have non-governmental or governmental organizations reliably documented one or more instances of rape of workers by supervisors or managers? Go to RDO 104 to RDO 111.
- DDO 5** Are there any groups (based on gender, race, ethnicity, or non-citizen status) that have unemployment rates more than double that of white male workers? Go to RDO 204 to RDO 219.
- DDO 6** Are there any groups (based on gender, race, ethnicity, or non-citizen status) that have rates of employment in salaried jobs that are less than one-quarter the rates of white male workers? Go to RDO 116 to RDO 143.
- DDO 7** Are there any groups (based on gender, race, ethnicity, or non-citizen status) that have primary school graduation rates less than 50 percent of that of white males? Go to RDO 23 to RDO 87.
- DDO 8** Are there any groups (based on gender, race, ethnicity, or non-citizen status) that have secondary school graduation rates less than 50 percent of that of white males? Go to RDO 23 to RDO 87.
- DDO 9** Has the government failed to convincingly and verifiably demonstrate that the percentage of women participating in the paid labor market exceeds fifty percent of the average among countries in the same quintile of real income per capita? Go to RDO 1 to RDO 6, RDO 116 to RDO 175.
- DDO 10** Has the government failed to convincingly and verifiably demonstrate that the ratio of women's average wage rate to men's average wage rate exceeds fifty percent of the average among countries in the same quintile of real income per capita? Go to RDO 7 to RDO 22.
- DDO 11** Has the government failed to convincingly and verifiably demonstrate that the percentage of salaried workers who are female exceeds fifty percent of the average among countries in the same quintile of real income per capita? Go to RDO 1 to RDO 6, RDO 116 to RDO 175.

- DDO 12** Has the government failed to convincingly and verifiably demonstrate that the ratio in average wage rates of the most historically subordinate racial group and the average wage rates of the dominant racial group in the export sector exceeds 50 percent of the average among countries in the same quintile of real income per capita? *Go to RDO 7 to RDO 22.*
- DDO 13** Has the government failed to convincingly and verifiably demonstrate that the ratio in average wage rate of non-citizens and the average wage rate of citizens exceeds fifty percent of the average among countries in the same quintile of real income per capita?
- DDO 14** Has the government failed to convincingly and verifiably demonstrate that the ratio of non-citizens employed as salaried workers to the number of working age non-citizens exceeds fifty percent of the average among countries in the same quintile of real income per capita? *Go to RDO 1 to RDO 6, RDO 116 to RDO 175.*
- DDO 15** Has the government failed to convincingly and verifiably demonstrate that the ratio of adult female literacy to adult male literacy exceeds fifty percent of the average among countries in the same quintile of real income per capita? *Go to RDO 23 to 38.*
- DDO 16** Has the government failed to convincingly and verifiably demonstrate that the ratio of the primary school graduation rate of girls to the primary school graduation rate of boys exceeds fifty percent of the average among countries in the same quintile of real income per capita? *Go to RDO 39 to 87.*
- DDO 17** Has the government failed to convincingly and verifiably demonstrate that the ratio of the secondary school graduation rate of females to the secondary school graduation rate of males exceeds fifty percent of the average among countries in the same quintile of real income per capita? *Go to RDO 39 to 87.*
- DDO 18** Has the government failed to convincingly and verifiably demonstrate that the ratio of the tertiary education graduation rate of females to the tertiary education graduation rate of males exceeds fifty percent of the average among countries in the same quintile of real income per capita? *Go to RDO 39 to 87.*

- DDO 19** In the last two years, have non-governmental or governmental organizations reliably documented five or more cases in which women have been subject to sexual harassment while working in the export sector? *Go to RDO 104 to 115.*
- DDO 20** Has the government failed to convincingly and verifiably demonstrate that the ratio of workers employed in the informal sector to workers in the overall workforce exceeds fifty percent of the average among countries in the same quintile of real income per capita? *Go to RDO 176 to RDO 203.*
- DDO 21** Has the government failed to convincingly and verifiably demonstrate that the percentage of employed women who are employed in the informal sector is no greater than the percentage of employed women who are employed in the formal sector? *Go to RDO 176 to RDO 203.*
- DDO 22** Has the government failed to convincingly and verifiably demonstrate that the percentage of employed members of the historically most subordinate racial group who are employed in the informal sector is no more than 200 percent of the percentage of employed members of that group in the overall workforce? *GO to RDO 176 to RDO 203.*
- DDO 23** Has the government failed to convincingly and reliably verified that the percentage of the historically most subordinate racial group who are employed as sex workers is no greater than 200 percent of the average among countries in the same quintile of real income per capita? *GO to RDO 176 to RDO 203.*
- DDO 24** Has the government failed to convincingly and verifiably demonstrate that the percentage of employed members of the historically most subordinate national origin or ethnic group who are employed in the informal sector is no greater than 200 percent of the percentage of employed members of that group in the overall workforce? *GO to RDO 176 to RDO 203.*
- DDO 25** Has the government failed to convincingly and verifiably demonstrate that the percentage of non-citizens who are employed as sex workers is no greater than 200 percent of the average among countries in the same quintile of real income per capita? *GO to RDO 176 to RDO 203.*

- DDO 26** Has the government failed to convincingly and verifiably demonstrate that the ratio of the unemployment rate of female workers to the unemployment rate of male workers is no greater than 200 percent of the average among countries in the same quintile of real income per capita? *Go to RDO 204 to RDO 219.*
- DDO 27** Has the government failed to convincingly and verifiably demonstrate that the ratio of the unemployment rate of the historically most subordinate national origin or ethnic group to the unemployment rate of dominant national origin or ethnic group is no greater than 200 percent of the average among countries in the same quintile of real income per capita? *Go to RDO 204 to RDO 219.*
- DDO 28** Has the government failed to convincingly and verifiably demonstrate that the ratio of the average wage rate of female workers to the average wage rate of male workers is more than fifty percent of the average ratio among countries in the same quintile of real income per capita? *Go to RDO 116 to RDO 175.*
- DDO 29** Has the government failed to convincingly and verifiably demonstrate that the ratio of the average wage rate of the historically most subordinate national origin or ethnic group to the average wage rate of the historically most dominant national origin or ethnic group exceeds fifty percent of the average ratio among countries in the same quintile of real income per capita? *Go to RDO 116 to RDO 175.*
- DDO 30** Has the government failed to convincingly and verifiably demonstrate that the ratio of part-time work among women without preschool-age children to full-time work among women without preschool-age children is no greater than 200 percent of the average rate among countries in the same quintile of real income per capita? *Go to RDO 220 to RDO 235.*

### 3. DIAGNOSTIC INDICATORS for ACCEPTABLE CONDITIONS OF WORK with respect to MINIMUM WAGES, HOURS OF WORK, and OCCUPATIONAL SAFETY AND HEALTH



#### 3.1. Diagnostic Indicators for the Substantive Law on Minimum Wages, Hours of Work, and Occupational Safety and Health

- DWL 1** Does wage-fixing machinery (constitutional, legislative, administrative, or collectively bargained) fail to set a minimum wage or minimum wages covering all non-managerial, non-supervisory workers in more than 50 percent of establishments of 20 or more workers? *Go to RWL 3 to RWL 11.*
- DWL 2** Do binding legal instruments (constitutional, legislative, administrative, or collectively bargained) fail to require that minimum wages increase at regular intervals in tandem with inflation rates or other measures of increases in the cost of living? *Go to RWL 3 to RWL 11*
- DWL 3** Is the minimum wage applicable to non-managerial, non-supervisory workers (or, where the minimum wage varies among different categories or locations of non-managerial, non-supervisory workers, the average of minimum wages scaled to the number of workers to whom a particular minimum wage is applicable) less than 25 percent of the average wage among non-managerial, non-supervisory workers? *Go to RWL 12 to RWL 18.*
- DWL 4** Is the ratio of the minimum wage applicable to non-managerial, non-supervisory workers (or, where the minimum wage varies among different categories or locations of non-managerial, non-supervisory workers, the average of minimum wages scaled to the number of workers to whom a particular minimum wage is applicable) to average wages of non-managerial, non-supervisory workers less than fifty percent of the average ratio among countries in the same quintile of real income per capita? *Go to RWL 12 to RWL 18.*
- DWL 5** Is the real minimum wage applicable to non-managerial, non-supervisory workers (or, where the minimum wage varies among different categories or locations of non-managerial, non-supervisory workers, the average of real minimum wages scaled to the number of workers to whom a particular minimum wage is applicable) less

than two-thirds of the average among countries in the same quintile of real income per capita? *Go to RWL 12 to RWL 18.*

**DWL 6** Does the law fail to require employers to gain the voluntary consent of non-managerial, non-supervisory workers for work of more than 10 hours per day, except for categories of non-managerial, non-supervisory workers encompassing only trivial numbers of workers? *Go to RWL 25 to RWL 44.*

**DWL 7** Does the law fail to require employers to gain the voluntary consent of non-managerial, non-supervisory workers for work of more than 48 hours per week, except for categories of non-managerial, non-supervisory workers encompassing only trivial numbers of workers? *Go to RWL 25 to RWL 44.*

**DWL 8** Does the law fail to require payment of at least 125 percent of the regular hourly wage for hours worked in excess of 48 hours per week, for non-managerial, non-supervisory workers, except for categories of non-managerial, non-supervisory workers accounting for only trivial numbers of workers? *Go to RWL 25 to RWL 44.*

**DWL 9** Does the law fail to require all employers to provide a weekly day of rest to all non-managerial, non-supervisory workers, except for categories of non-managerial, non-supervisory workers encompassing only trivial numbers of workers?? *Go to RWL 25 to RWL 44, RWL 45 to RWL 47.*

**DWL 10** Does the law fail to require employers to provide a specified number of paid holidays per year to non-managerial, non-supervisory workers after one year of employment, except for categories of non-managerial, non-supervisory workers encompassing only trivial numbers of workers? *Go to RWL 52 to RWL 54.*

**DWL 11** Does the law fail to require employers to provide a number of paid holidays to non-managerial, non-supervisory workers (after one year of employment, and except for categories of non-managerial, non-supervisory workers encompassing only trivial numbers of workers) that exceeds fifty percent of the average number required by countries in the same quintile of real income per capita? *Go to RWL 52 to RWL 54.*

**DWL 12** Does the law fail to require the employer to undertake, at least annually, comprehensive risk assessments for hazards in the workplace? *Go to RWL 55 to RWL 102.*



- DWL 13** Does the law fail to require the employer to disclose to workers all information pertaining to the process and outcome of any risk assessments undertaken by the employer? *Go to RWL 55 to RWL 102.*
- DWL 14** Does the law fail to require employers to eliminate the risk of workplace hazards at their source, whenever feasible? *Go to RWL 55 to RWL 102.*
- DWL 15** Does the law fail to require the employer, where it is unfeasible to eliminate the risk of workplace hazards at their source, to fully protect workers against the risk by preventive measures or personal preventive equipment? *Go to RWL 55 to RWL 102.*
- DWL 16** Does the law fail to entitle workers to cease work when they reasonably believe there is an imminent threat to their safety or health? *Go to RWL 55 to RWL 102.*
- DWL 17** Does the law fail to ensure that workers who cease work when they reasonably believe there is an imminent threat to their safety or health are not subject to adverse action by the employer or government? *Go to RWL 55 to RWL 102.*
- DWL 18** Does the law fail to prohibit the employer from taking adverse action against a worker in response to the worker's report of any hazard that the worker believes is present in the workplace? *Go to RWL 55 to RWL 102.*
- DWL 19** Does the law fail to require the employer to promptly inform all workers of all non-trivial, workplace-related accidents, illnesses, and dangerous occurrences, while maintaining the confidentiality of the personal and medical information of victims of the accident or illness? *Go to RWL 55 to RWL 102.*
- DWL 20** Does the law fail to require employers to comply with safety and health requirements pertaining to the agricultural sector at least as rigorous and comprehensive as the requirements contained in *ILO Convention no. 184 – Safety and Health in Agriculture Convention, 2001?* *Go to RWL 55 to RWL 102.*
- DWL 21** Does the law fail to require employers to comply with safety and health requirements pertaining to the mining sector at least as rigorous and comprehensive as the key requirements contained in

**ILO Convention no. 176 – Safety and Health in the Mines Convention, 1995?** Go to RWL 55 to RWL 102.

**DWL 22** Does the law fail to require employers to comply with safety and health requirements pertaining to major industrial accidents at least as rigorous and comprehensive as the key requirements contained in **ILO Convention no. 174 – Prevention of Major Industrial Accidents Convention, 1993?** Go to RWL 55 to RWL 102.

**DWL 23** Does the law fail to require employers to comply with safety and health requirements pertaining to chemicals at least as rigorous and comprehensive as the key requirements contained in **ILO Convention no. 170 – Chemicals Convention, 1990?** Go to RWL 55 to RWL 102.

**DWL 24** Does the law fail to require employers to comply with safety and health requirements pertaining to the guarding of machinery at least as rigorous and comprehensive as the key requirements contained in **ILO Convention no. 119 – Guarding of Machinery Convention, 1963?** Go to RWL 55 to RWL 102.

**DWL 25** Does the law fail to require employers to provide each newly hired worker with copies of the ILO’s *International Chemical Safety Cards (ICSC)* – or with written materials that contain, at a minimum, all the information in the *ICSCs* – for each hazardous chemical present in the employer’s workplace? Go to RWL 55 to RWL 102.

[ANNOTATION: If the answer to the previous Indicator is “yes,” then the answer to the following Indicator is “yes.”]

**DWL 26** If the law requires employers to provide the ILO’s *International Chemical Safety Cards (ICSC)* – or with written materials that contain, at a minimum, all the information in the *ICSCs* – to each new worker and, at least annually, to each incumbent worker for each chemical present in the employer’s workplace, does the law fail to require the employer either to train each worker in all the preventive and responsive measures called for by the Cards each time the employer so distributes the Cards or to ensure that competent third parties, such as worker organizations, industrial hygienists, or government safety and health agencies provide such training? Go to RWL 55 to RWL 102.

## 2.1. Diagnostic Indicators for Enforcement of Minimum Wages, Hours of Work, and Occupational Safety and Health

**DWE 1** **Has the government failed to convincingly and reliably show that, in more than two cases in the export sector in the preceding two years, it has imposed and actually collected – either on its own behalf or on behalf of the aggrieved worker(s) – fines or monetary awards exceeding the back pay lost by worker(s) in violation of minimum wage and overtime laws, calculated from the time of discharge to the time of the final order by the court or other tribunal?** *Go to RWE 55 to RWE 78.*

**DWE 2** **Is there no government body to promote and enforce laws protecting occupational safety and health?** *Go to RWE 103 to RWE 128.*

**DWE 3** **If there is such a body (or there are such bodies), does the body (or do the bodies) have no occupational physicians on staff?** *Go to RWE 7 to RWE 30, 103 to RWE 128.*

[ANNOTATION: If the answer to the previous Indicator is “yes,” the answer to the following Indicators is also “yes.”]

**DWE 4** **If there is such a body (or there are such bodies), has the government failed to convincingly and verifiably demonstrate that the body (or bodies) have on staff a number of occupational physicians per non-managerial, non-supervisory worker that exceeds fifty percent of the average among countries in the same quintile of real income per capita?** *Go to RWE 7 to RWE 30, 103 to RWE 128.*

[ANNOTATION: If there is no body or bodies devoted to occupational safety and health, the answer to the following Indicator is “yes.”]

**DWE 5** **If there is such a body (or there are such bodies), does the body (or do the bodies) have no certified occupational nurses on staff?** *Go to RWE 7 to RWE 30, 103 to RWE 128.*

[ANNOTATION: If the answer to the previous Indicator is “yes,” the answer to the following Indicators is also “yes.”]

**DWE 6** **If there is such a body (or there are such bodies), has the government failed to convincingly and verifiably demonstrate that the body (or bodies) have on staff a number of certified occupational nurses per non-managerial, non-supervisory worker in the export**

**sector that exceeds fifty percent of the average among countries in the same quintile of real income per capita? Go to RWE 7 to RWE 30, 103 to RWE 128.**

[ANNOTATION: If there is no body or bodies devoted to occupational safety and health, the answer to the following Indicator is “yes.”]

**DWE 7 If there is such a body (or there are such bodies), does the body (or do the bodies) have no research unit devoted to identifying workplace hazards? Go to RWE 7 to RWE 30, 103 to RWE 128.**

[ANNOTATION: If the answer to the previous Indicator is “yes,” the answer to the following Indicators is also “yes.”]

**DWE 8 If there is such a body (or there are such bodies), has the government failed to convincingly and verifiably demonstrate that the real budgetary resources of the research unit(s) devoted to identifying workplace hazards per non-managerial, non-supervisory worker in the export sector exceed fifty percent of the average among countries in the same quintile of real income per capita? Go to RWE 7 to RWE 30, 103 to RWE 128.**

**DWE 9 Has the government failed to convincingly and verifiably demonstrate that real government expenditure of all labor administration bodies devoted to enforcement of workers’ entitlements respecting wages, hours, and occupational safety and health per non-managerial, non-supervisory worker exceeds fifty percent of the average for countries in the same quintile of real income per capita? Go to RWE 7 to RWE 30, 103 to RWE 128.**

**DWE 10 Has the government failed to convincingly and verifiably demonstrate that the number of labor inspectors devoted to enforcement of workers’ entitlements respecting wages, hours, and occupational safety and health per non-managerial worker in the exceeds fifty percent of the average for countries in the same quintile of real income per capita? Go to RWE 7 to RWE 3, 103 to RWE 128.**

**DWE 11 Has the government failed to convincingly and verifiably demonstrate that the average real monthly earnings of labor inspectors devoted to enforcement of workers’ entitlements respecting wages, hours, and occupational safety and health exceeds two-thirds of the average among countries in the same quintile of real income per capita? Go to RWE 7 to RWE 30, 103 to RWE 128.**

- DWE 12** Has the government failed to convincingly and verifiably demonstrate that, in the preceding two years, the labor inspectorate conducted trainings for both new and incumbent inspectors respecting workers' entitlements respecting wages, hours, and occupational safety and health? Go to RWE 7 to RWE 30, 103 to RWE 128.
- DWE 13** Has the government failed to convincingly and verifiably demonstrate that, in the preceding year, the labor inspectorate produced a strategic plan identifying categories of workplaces that were priority targets for inspection for matters of workers' entitlements respecting wages, hours, and occupational safety and health? Go to RWE 7 to RWE 30, 103 to RWE 128.
- DWE 14** Has the government failed to convincingly and verifiably demonstrate that, in the preceding two years, the labor inspectorate referred the case to the competent body for filing complaints, in more than 75 percent of cases in which any violation of workers' entitlements respecting wages, hours, and occupational safety and health found by the inspectorate were not remedied short of a complaint? Go to RWE 7 to RWE 30, 103 to RWE 128.
- DWE 15** Has the government failed to convincingly and verifiably demonstrate that, in the preceding two years, the competent body for filing complaints after a finding of any violation of workers' entitlements respecting wages, hours, and occupational safety and health by the labor inspectorate did so for more than 75 percent of cases received by that body upon referral by the inspectorate? Go to RWE 7 to RWE 30, 103 to RWE 128.
- DWE 16** Has the government failed to convincingly and verifiably demonstrate that, in the preceding year, the labor inspectorate used an information technology (computerized) system enabling inspectorate managers, at a minimum, to track the workplaces inspected, the findings for each inspection, any workplace remedies achieved after each inspection finding any violation of workers' entitlements respecting wages, hours, and occupational safety and health without referral of the case for complaint-based enforcement, and the progress of any complaint-based cases stemming from each investigation? Go to RWE 7 to RWE 30, 103 to RWE 128.
- DWE 17** Has the government failed to convincingly and verifiably demonstrate that, in the preceding two years, the government

**ensured, in more than fifty percent of cases, that workers and workers organizations alleging violation of wages, hours, and occupational safety and health rights were able to file complaints, or have complaints filed on their behalf, with administrative or judicial tribunals empowered to enforce those rights?** *Go to RWE 31 to RWE 54, 103 to RWE 128.*

**DWE 18** **Has the government failed to convincingly and verifiably demonstrate that, in the preceding two years, the government ensured, in all but a trivial number of cases in which workers and workers organizations alleged violation of wages, hours, and occupational safety and health rights, that the parties to such cases were able to present evidence to support or defend their respective positions?** *Go to RWE 31 to RWE 54.*

**DWE 19** **Has the government failed to convincingly and verifiably demonstrate that, in the preceding two years, the government ensured, in all but a trivial number of cases in which workers and workers organizations alleged violation of wages, hours, and occupational safety and health rights, that the parties to such cases were able to make oral and written arguments in support of their position and against the opposing party's evidence and arguments?** *Go to RWE 31 to RWE 54.*

**DWE 20** **Has the government failed to convincingly and verifiably demonstrate that, in the preceding two years, the government ensured, in all but a trivial number of cases in which workers and workers organizations alleged violation of wages, hours, and occupational safety and health rights, that all final decisions on the merits of the case were publicly issued in writing and stated the evidence and reasons on which they were based?** *Go to RWE 31 to RWE 54.*

**DWE 21** **Has the government failed to convincingly and verifiably demonstrate that, in the preceding year, the government ensured, in all but a trivial number of cases in which the tribunal found that an employer violated a workers' right to minimum wages, that the tribunal at a minimum ordered the employer to compensate the worker for her lost wages?** *Go to RWE 55 to RWE 78.*

**DWE 22** **Has the government failed to convincingly and verifiably demonstrate that, in the preceding two years, the government ensured, in all but a trivial number of cases in which the tribunal**

- found that an employer violated a worker's right to overtime wages, that the tribunal at a minimum ordered the employer to compensate the worker for her lost wages? Go to RWE 55 to RWE 78.**
- DWE 23** **Has the government failed to convincingly and verifiably demonstrate that, in the preceding two years, the government ensured, in all but a trivial number of cases in which the tribunal found that an employer violated a worker's right to safety and health, that the tribunal at a minimum ordered the employer to immediately cease the violation and to compensate the worker for all monetary damages suffered as a consequence of the violation? Go to RWE 55 to RWE 78.**
- DWE 24** **Has the government failed to convincingly and verifiably demonstrate that, in the previous two years, in cases finding violations of workers' wages, hours, or safety and health rights, the aggregate fines and penalties imposed and monetary damages awarded per worker exceeded 75 percent of the average for countries in the same quintile of real income per capita? Go to RWE 55 to RWE 78.**
- DWE 25** **Has the government failed to convincingly and verifiably demonstrate that in the preceding two years the percentage of workers who were trained in occupational safety and health exceeded fifty percent of the average among countries in the same quintile of real income per capita? Go to RWE 55 to RWE 78, RWE 145 to RWE 165.**
- DWE 26** **Has the government failed to convincingly and verifiably demonstrate that in the preceding two years, the government's real budget per non-managerial, non-supervisory worker for all programs to educate workers about their rights respecting wages, hours, and vacation entitlements exceeded fifty percent of the average for countries in the same quintile of real income per capita? Go to RWE 79 to RWE 90.**
- DWE 27** **Has the government failed to convincingly and verifiably demonstrate that in the preceding two years the government's real budget per non-managerial, non-supervisory worker for all programs to educate workers about their rights respecting safety and health exceeded fifty percent of the average for countries in the same quintile of real income per capita? Go to RWE 79 to RWE 90, RWE 145 to RWE 165.**

**DWE 28** **Has a non-governmental or governmental organization reliably documented that the government has, in the preceding two years, impeded the lawful activities of an NGO devoted to monitoring wages, hours, or safety and health or to advocacy on behalf of workers' rights in any of those fields?** *Go to RWE 93 to RWE 94.*

### 2.3. Diagnostic Indicators for Capacity-Building for Minimum Wages, Hours of Work, and Occupational Safety and Health

**DWC 1** **In the preceding two years, has the government failed to collect and publish data on workplace fatalities?** *Go to RWC 1 to RWC 36.*

**DWC 2** **In the preceding two years, has the government failed to collect and publish data on workplace injuries?** *Go to RWC 1 to RWC 36.*

**DWC 3** **In the preceding two years, has the government failed to collect and publish data on workplace illnesses?** *Go to RWC 1 to RWC 36.*

**DWC 4** **In the preceding two years, has the government failed to collect and analyze data on workplace hazards?** *Go to RWC 1 to RWC 36.*

[ANNOTATION: If the government does not collect data on occupational safety and health, then the answer to the following Indicator is “yes.”]

**DWC 5** **If the government does collect data on occupational safety and health, does the government fail to publish the data either on websites open to free, public viewing or in hard copies that are made available at no charge to workers and worker organizations?** *Go to RWC 1 to RWC 36.*

**DWC 6** **Has the government, in the preceding two years, failed to formulate and apply its own Indicators and numerical targets for improved compliance with domestic laws on minimum wages?** *Go to RWC 55 to RWC 64.*

[ANNOTATION: If the answer the preceding Indicator is “yes,” the answer to the following Indicator is also “yes.”]

**DWC 7** **If the government, in the preceding two years, applied its own Indicators and numerical targets for improved compliance with domestic laws on minimum wages, did the Indicators fail to include**



**Indicators for increases in legally stipulated minimum wages?** *Go to RWC 55 to RWC 64.*

[ANNOTATION: If in the preceding two years the government has not applied its own Indicators and numerical targets to measure its compliance with domestic laws on minimum wages, then the answer to the following question is “yes.”]

**DWC 8** **If the government has, in the preceding two years, applied its own Indicators and numerical targets to measure its compliance with domestic laws on minimum wages, have the Indicators failed to include Indicators of improved outcomes in the enforcement of minimum wages?** *Go to RWC 55 to RWC 64.*

[ANNOTATION: If the answer to the previous Indicator is “yes,” the answer to the following Indicator is also “yes.”]

**DWC 9** **If the government has, in the preceding two years, applied numerical targets for improved outcomes in the enforcement of minimum wages, has the government failed to convincingly and verifiably demonstrate that the percentage degree of improvement required by the targets exceeded fifty percent of the average actual annual percentage degree of improvement during the previous five years by the countries in the same quintile of real income per capita?** *Go to RWC 55 to RWC 64.*

[ANNOTATION: If the answer to the previous Indicator is “yes,” the answer to the following Indicator is also “yes.”]

**DWC 10** **If the answer to the previous Indicator is “no” has the government failed to convincingly and verifiably demonstrate that it met its targets?** *Go to RWC 55 to RWC 64.*

**DWC 11** **In the preceding two years, has the government failed to formulate and apply its own Indicators and numerical targets for increasing the budgetary resources for the labor administrative bodies devoted to enforcing minimum wages, hours of work, and occupational safety and health?** *Go to RWC 101 to RWC 115.*

[ANNOTATION: If the answer to the previous Indicator is “yes,” the answer to the following Indicator is “yes.”]

**DWC 12** **If in the preceding two years the government has applied its own Indicators and numerical targets for increasing the budgetary resources for the labor administrative bodies devoted to enforcing minimum wages, hours of work, and safety and health, has the government failed to convincingly and verifiably demonstrate that the targeted increase exceeds fifty percent of the average actual rate of increase during the previous five years among countries in the same quintile of real income per capita? Go to RWC 101 to RWC 115.**

[ANNOTATION: If the answer to previous Indicator is “yes,” the answer to the following Indicator is also “yes.”]

**DWC 13** **Has the government failed to convincingly and verifiably demonstrate that in the preceding two years it met its targets for increasing budgetary resources for the labor administration bodies devoted to enforcing minimum wages, hours of work, and safety and health? Go to RWC 101 to RWC 115.**

**DWC 14** **In the preceding two years, has the government failed to formulate and apply its own Indicators and numerical targets for increases in the number of labor inspectors devoted to enforcing minimum wages, hours of work, and safety and health? Go to RWC 157 to RWC 171.**

[ANNOTATION: If the answer to the previous Indicator is “yes,” the answer to the following Indicator is “yes.”]

**DWC 15** **If in the preceding two years the government has at least annually applied its own Indicators and numerical targets for increases in the number of labor inspectors devoted to enforcing minimum wages, maximum hours, and safety and health, has the government failed to convincingly and verifiably demonstrate that the targeted increases exceeded fifty percent of the average actual rate of increase during the previous five years among countries in the same quintile of real income per capita? Go to RWC 157 to RWC 171.**

[ANNOTATION: If the answer to previous Indicator is “yes,” the answer to the following Indicator is also “yes.”]

**DWC 16** **Has the government failed to convincingly and verifiably demonstrate that in the preceding two years it met its targets for increasing the number of labor inspectors devoted to enforcing minimum wages, maximum hours, and safety and health? Go to RWC 157 to RWC 171.**

**DWC 17** **In the preceding two years, has the government failed to formulate and apply its own Indicators and numerical targets for increases in the salary of labor inspectors devoted to enforcing minimum wages, maximum hours, and safety and health? Go to RWC 157 to RWC 171.**

[ANNOTATION: If the answer to the previous Indicator is “yes,” the answer to the following Indicator is “yes.”]

**DWC 18** **If in the preceding two years the government has applied its own Indicators and numerical targets for increases in the salary of labor inspectors devoted to enforcing minimum wages, maximum hours, and safety and health, has the government failed to convincingly and verifiably demonstrate that the targeted increases exceeded fifty percent of the average actual rate of increase during the previous five years among countries in the same quintile of real income per capita? Go to RWC 157 to RWC 171.**

[ANNOTATION: If the answer to previous Indicator is “yes,” the answer to the following Indicator is also “yes.”]

**DWC 19** **Has the government failed to convincingly and verifiably demonstrate that in the preceding two years it met its targets for increasing the salary of labor inspectors devoted to enforcing minimum wages, maximum hours, and safety and health? Go to RWC 157 to RWC 171.**

**DWC 20** **In the preceding two years, has the government failed to formulate and apply its own Indicators and numerical targets for improvement in the training of labor inspectors devoted to enforcing minimum wages, maximum hours, and safety and health? Go to RWC 157 to RWC 171.**

[ANNOTATION: If the answer to the previous Indicator is “yes,” the answer to the following Indicator is “yes.”]

**DWC 21** **Has the government failed to convincingly and verifiably demonstrate that in the preceding two years it met its targets for improvement in the training of labor inspectors devoted to enforcing minimum wages, maximum hours, and safety and health? Go to RWC 157 to RWC 171.**

**DWC 22** In the preceding two years, has the government failed to formulate and apply its own Indicators and numerical targets for reducing the average lapse of time between the start of an inspection pertaining to wages, hours, and safety and health and the final disposition by the inspectorate (that is, a disposition finding either no violation; successful remediation of the complaint; or referral of the case for prosecution)? *Go to RWC 157 to RWC 171.*

[ANNOTATION: If the answer to the previous Indicator is “yes,” the answer to the following Indicator is “yes.”]

**DWC 23** If in the preceding two years the government applied its own Indicators and numerical targets for reducing the average lapse of time between the start of an inspection pertaining to wages, hours, and safety and health and the final disposition by the inspectorate (that is, a disposition finding either no violation; successful remediation of the complaint; or referral of the case for prosecution), has the government failed to convincingly and verifiably demonstrate that the targeted improvements exceed fifty percent of the average actual rate of reduction during the previous five years among countries in the same quintile of real income per capita? *Go to RWC 157 to RWC 171.*

[ANNOTATION: If the answer to previous Indicator is “yes,” the answer to the following Indicator is also “yes.”]

**DWC 24** In the preceding two years, has the government failed to convincingly and verifiably demonstrate that it met its targets in reducing the average lapse of time between the start of an inspection pertaining to wages, hours, and safety and health and the final disposition by the inspectorate (that is, a disposition finding either no violation; successful remediation of the complaint; or referral of the case for prosecution) an increased number of labor inspectors devoted to enforcing minimum wages, maximum hours, and safety and health)? *Go to RWC 157 to RWC 171.*

**DWC 25** In the preceding two years, has the government failed to formulate and apply its own Indicators and numerical targets for improving the information technology applied to case processing by the labor inspectorate on matters of wages, hours, and safety and health? *Go to RWC 157 to RWC 171.*

[ANNOTATION: If the answer to previous Indicator is “yes,” the answer to

the following Indicator is also “yes.”]

**DWC 26** Has the government failed to convincingly and verifiably demonstrate that in the preceding two years it met its targets for improving the information technology applied to case processing by the labor inspectorate on matters of wages, hours, and safety and health? *Go to RWC 157 to RWC 171.*

**DWC 27** In the preceding two years, has the government failed to formulate and apply its own Indicators and numerical targets for decreasing the lapse of time between workers bringing allegations to the government’s attention (pertaining to workers’ rights of wages, hours, and safety and health) and the filing of a complaint by government attorneys or other government officials, in all cases in which domestic law stipulates that the worker’s or worker organization’s civil case can be initiated by such a complaint? *Go to RWC 116 to RWC 118.*

[ANNOTATION: If the answer to previous Indicator is “yes,” the answer to the following Indicator is also “yes.”]

**DWC 28** Has the government failed to convincingly and verifiably demonstrate that in the preceding two years it met its targets for decreasing the lapse of time between workers bringing allegations to the government’s attention (pertaining to rights of minimum wages, maximum hours, and occupational safety and health) and the filing of a complaint by government attorneys or other government officials, in all cases in which domestic law stipulates that the worker’s or worker organization’s civil case can be initiated by such a complaint? *Go to RWC 116 to RWC 118.*

**DWC 29** In the preceding two years, has the government failed to formulate and apply its own Indicators and numerical targets for increasing the rate at which tribunals at a minimum ordered the employer to pay back pay in cases in which tribunals found that a worker was not paid the legally stipulated minimum wages and overtime wages? *Go to RWC 142 to RWC 156.*

[ANNOTATION: If the answer to the previous Indicator is “yes,” the answer to the following Indicator is “yes.”]

**DWC 30** If in the preceding two years the government the applied such Indicators and numerical targets, has the government failed to

**convincingly and verifiably demonstrate that the targeted increase exceeds fifty percent of the actual average rate of increase in the last five years among countries in the same quintile of real income per capita? Go to RWC 142 to RWC 156.**

[ANNOTATION: If the answer to previous Indicator is “yes,” the answer to the following Indicator is also “yes.”]

**DWC 31 Has the government failed to convincingly and verifiably demonstrate that in the previous two years it met its targets for increasing the rate at which tribunals at a minimum ordered the employer to pay back pay in cases in which tribunals found that a worker was not paid the legally stipulated minimum wages and overtime wages? Go to RWC 142 to RWC 156.**

[ANNOATION: If the government has not, in the preceding two years, applied its own Indicators and numerical targets to occupational safety and health, then the answer to the following Indicator is “yes.”]

**DWC 32 If the government has, in the preceding two years, applied its own Indicators and numerical targets to occupational safety and health, have the Indicators and targets failed to include Indicators of and targets for the budgetary resources devoted to research on occupational safety and health? Go to RWC 101 to RWC 114, 157 to RWC 171.**

[ANNOTATION: If the answer to the preceding Indicator is “yes,” the answer to the following Indicator is also “yes.”]

**DWC 33 If the government has, in the preceding two years, applied numerical targets for the budgetary resources devoted to government research on occupational safety and health, has the government failed to convincingly and verifiably demonstrate that the percentage improvement required by the targets exceeded fifty percent of the actual average percentage improvement in the last five years among countries in the same quintile of real income per capita? Go to RWC 101 to RWC 114, RWC 157 to RWC 171.**

[ANNOTATION: If the answer to the previous Indicator is “yes,” the answer to the following Indicator is also “yes.”]

**DWC 34** **If the answer to the previous Indicator is “no,” has the government failed to convincingly and verifiably demonstrate that it met its targets?** *Go to RWC 101 to RWC 114, RWC 157 to RWC 171.*

[ANNOATION: If the government has not, in the preceding two years, applied its own Indicators and numerical targets to occupational safety and health, then the answer to the following Indicator is “yes.”]

**DWC 35** **If the government has, in the preceding two years, applied its own Indicators and numerical targets to occupational safety and health standards, did the Indicators and targets fail to include Indicators of and targets for reduction of workplace fatalities?** *Go to RWC 75 to RWC 94, RWC 101 to RWC 114, RWC 157 to RWC 171.*

[ANNOTATION: If the answer to the preceding Indicator is “yes,” the answer to the following Indicator is also “yes.”]

**DWC 36** **If the government has, in the preceding two years, applied numerical targets for reduction in workplace fatalities, has the government failed to convincingly and verifiably demonstrate that the percentage reduction required by the targets exceeded fifty percent of the actual average percentage reduction in the last five years among countries in the same quintile of real income per capita?** *Go to RWC 75 to RWC 94, RWC 101 to RWC 114, RWC 157 to RWC 171.*

[ANNOTATION: If the answer to the preceding Indicator is “yes,” the answer to the following Indicator is also “yes.”]

**DWC 37** **If the answer to the previous Indicator is “no,” has the government failed to convincingly and verifiably demonstrate that it met its targets?** *Go to RWC 75 to RWC 94, RWC 101 to RWC 114, RWC 157 to RWC 171.*

[ANNOTATION: If the government in the preceding two years has not applied its own Indicators and numerical targets to workplace injuries, then the answer to the following Indicator is “yes.”]

**DWC 38** **If the government has, in the preceding two years, applied its own Indicators and numerical targets to workplace injuries, did the Indicators and targets fail to include Indicators of and targets for reduction of workplace injuries?** *Go to RWC 75 to RWC 94, RWC 101 to RWC 114, RWC 157 to RWC 171.*

[ANNOTATION: If the answer to the preceding Indicator is “yes,” the answer to the following Indicator is also “yes.”]

**DWC 39** **If the government has, in the preceding two years, applied targets for reduction in workplace injuries, has the government failed to convincingly and verifiably demonstrate that the percentage reduction required by the targets exceeded fifty percent of the actual average percentage reduction in the last five years among countries in the same quintile of real income per capita?** *Go to RWC 75 to RWC 94, RWC 101 to RWC 114, RWC 157 to RWC 171.*

[ANNOTATION: If the answer to the preceding Indicator is “yes,” the answer to the following Indicator is also “yes.”]

**DWC 40** **If the answer to the previous Indicators is “no,” has the government failed to convincingly and verifiably demonstrate that it met its targets?** *Go to RWC 75 to RWC 94, RWC 101 to RWC 114, RWC 157 to RWC 171.*

**DWC 41** **Has the government, in the preceding two years, failed to formulate and apply its own Indicators of and numerical targets for improved collection of data about workplace fatalities?** *Go to RWC 75 to RWC 94, RWC 101 to RWC 114, RWC 157 to RWC 171.*

[ANNOTATION: If the answer to the preceding Indicator is “no,” the answer to the following Indicator is also “no.”]

**DWC 42** **If the government, in the preceding two years, applied targets for improved collection of data about workplace fatalities, has the government failed to convincingly and verifiably demonstrated that the percentage improvement required by the targets exceeded the average percentage improvement targeted by countries in the same quintile of real income per capita?** *Go to RWC 75 to RWC 94, RWC 101 to RWC 114, RWC 157 to RWC 171.*

[ANNOTATION: If the answer to the preceding Indicator is “no,” the answer to the following Indicator is also “no.”]

**DWC 43** **If the answer to the previous Indicator is “yes,” has the government failed to convincingly and verifiably demonstrated that it met its targets?** *Go to RWC 75 to RWC 94, RWC 101 to RWC 114, RWC 157 to RWC 171.*

**DWC 44** **Has the government, in the preceding two years, failed to formulate and apply its own Indicators of and numerical targets for improved**



**collection of data about workplace injuries?** *Go to RWC 75 to RWC 94, RWC 101 to RWC 114, RWC 157 to RWC 171.*

[ANNOTATION: If the answer to the preceding Indicator is “yes,” the answer to the following Indicator is also “yes.”]

**DWC 45** **If the answer to the previous Indicator is “no,” has the government failed to convincingly and verifiably demonstrate that it met its targets?** *Go to RWC 75 to RWC 94, RWC 101 to RWC 114, RWC 157 to RWC 171.*

[ANNOTATION: If in the preceding two years the government did not apply Indicators of and numerical targets for improved efforts to enforce minimum wages, then the answer to the following Indicator is “no.”]

**DWC 46** **If the government, in the preceding two years, applied its own Indicators of and targets for improved efforts to enforce minimum wages, has the government failed to convincingly and verifiably demonstrate that it consulted with worker representatives, employer representatives, and other interested non-governmental organizations prior to formulation and application of the Indicators and targets?** *Go to RWC 175 to RWC 186.*

[ANNOTATION: If in the preceding two years the government did not apply Indicators of and targets for improved efforts to enforce minimum wages or applied such indicators and targets but did not consult with the parties prior to doing so, then the answer to the following Indicator is “yes.”]

**DWC 47** **If the answer to the previous Indicator is “no,” has the government failed to convincingly and verifiably demonstrate that it published a written statement of reasons for adopting or not adopting the views of the parties with whom the government consulted, and that it provided an opportunity for the parties to respond to the statement prior to adopting the Indicators and targets?** *Go to RWC 175 to RWC 186.*

[ANNOATION: If the government has not, in the preceding two years, formulated and applied its own Indicators and targets for improved collection of data about wages, then the answer to the following Indicator is “yes.”]

**DWC 48** **If the government, in the preceding two years, formulated and applied its own Indicators of and targets for improved collection of data about wages, has the government failed to convincingly and**

**verifiably demonstrate that it consulted with worker representatives, employer representatives, and other interested non-governmental organizations prior to formulation and application of the Indicators and targets?** *Go to RWC 211 to RWC 214.*

[ANNOTATION: If in the preceding two years the government did not apply Indicators of and targets for improved collection of data about wages or did apply such Indicators and targets but did not consult the parties prior to doing so, then the answer to the following Indicator is “yes.”]

**DWC 49** **If the answer to the previous Indicator is “no,” has the government failed to convincingly and verifiably demonstrate that it published a written statement of reasons for adopting or not adopting the views of the parties with whom the it consulted, and that it provided an opportunity for the parties to respond to the statement prior to adopting the Indicators and targets?** *Go to RWC 211 to RWC 214.*

[ANNOTATION: If in the preceding two years the government did not apply Indicators of and targets for improved collection of data about hours of work, then the answer to the following Indicator is “yes.”]

**DWC 50** **If the government, in the preceding two years, applied its own Indicators of and targets for improved collection of data about hours of work, has the government failed to convincingly and verifiably demonstrate that it consulted with worker representatives, employer representatives, and other interested non-governmental organizations prior to formulation and application of the Indicators and targets?** *Go to RWC 215 to RWC 218.*

[ANNOTATION: If in the preceding two years the government did not apply Indicators of and targets for improved collection of data about hours of work or applied such indicators and targets but did not consult with the parties prior to doing so, then the answer to the following Indicator is “yes.”]

**DWC 51** **If the answer to the previous Indicator is “no,” has the government failed to convincingly and verifiably demonstrate that it published a written statement of reasons for adopting or not adopting the views of the parties with whom the government consulted, and that it provided an opportunity for the parties to respond to the statement prior to adopting the Indicators and targets?** *Go to RWC 215 to RWC 218.*

[ANNOTATION: If in the preceding two years the government did not

apply Indicators of and targets for increased budgetary resources for government bodies devoted to wages, hours, and occupational safety and health, then the answer to the following Indicator is “yes.”]

- DWC 52** **If the government, in the preceding two years, applied its own Indicators of and targets for increased budgetary resources for government bodies devoted to wages, hours, and occupational safety and health, has the government failed to convincingly and verifiably demonstrate that it consulted with worker representatives, employer representatives, and other interested non-governmental organizations prior to formulation and application of the Indicators and targets? *Go to RWC 222 to RWC 226.***

[ANNOTATION: If in the preceding two years the government did not apply Indicators of and targets for increased budgetary resources for government bodies devoted to wages, hours, and occupational safety and health or applied such Indicators and targets but failed to consult the parties before doing so, then the answer to the following Indicator is “yes.”]

- DWC 53** **If the answer to the previous Indicator is “no,” has the government failed to convincingly and verifiably demonstrate that it published a written statement of reasons for adopting or not adopting the views of the parties with whom the government consulted, and that it provided an opportunity for the parties to respond to the statement prior to adopting the Indicators and targets? *Go to RWC 222 to RWC 226.***

[ANNOTATION: If in the preceding two years the government did not apply Indicators of and numerical targets for increases in the salary of inspectors devoted to wages, hours, and safety and health, then the answer to the following Indicator is “yes.”]

- DWC 54** **If the government, in the preceding two years, applied its own Indicators of and targets for increases in the salary of labor inspectors devoted to wages, hours, and occupational safety and health, has the government failed to convincingly and verifiably demonstrate that it consulted with worker representatives, employer representatives, and other interested non-governmental organizations prior to formulation and application of the Indicators and targets? *Go to RWC 227 to RWC 270.***

[ANNOTATION: If in the preceding two years the government did not apply Indicators of and targets for increases in the salary of inspectors devoted to wages, hours, and occupational safety and health or applied

such Indicators and targets but did not consult the parties before doing so, then the answer to the following Indicator is “yes.”]

- DWC 55** **If the answer to the previous Indicator is “no,” has the government failed to convincingly and verifiably demonstrate that it published a written statement of reasons for adopting or not adopting the views of the parties with whom the government consulted, and that it provided an opportunity for the parties to respond to the statement prior to adopting the Indicators and targets? Go to RWC 227 to RWC 270.**

[ANNOTATION: If in the preceding two years the government did not apply Indicators of and targets for reducing the average lapse of time between the start of an inspection pertaining to wages, hours, and occupational safety and health and the final disposition by the inspectorate (that is, a disposition finding either no violation; successful remediation of the complaint; or referral of the case for prosecution) then the answer to the following Indicator is “yes.”]

- DWC 56** **If the government, in the preceding two years, formulated and applied its own Indicators of and targets for reducing the average lapse of time between the start of an inspection pertaining to hours, wages, and occupational safety and health, and the final disposition by the inspectorate (that is, a disposition finding either no violation; successful remediation of the complaint; or referral of the case for prosecution) has the government failed to convincingly and verifiably demonstrate that it consulted with worker representatives, employer representatives, and other interested non-governmental organizations prior to formulation and application of the Indicators and targets? Go to RWC 227 to RWC 270.**

[ANNOTATION: If in the preceding two years the government did not apply Indicators of and targets for reducing the average lapse of time between the start of an Inspection pertaining to wages, hours, and occupational safety and health, and the final disposition by the inspectorate (that is, a disposition finding either no violation; successful remediation of the complaint; or referral of the case for prosecution) or applied such Indicators and targets but did not consult the parties prior to doing so, then the answer to the following Indicator is “yes.”]

- DWC 57** **If the answer to the previous Indicator is “no,” has the government failed to convincingly and verifiably demonstrate that it published a written statement of reasons for adopting or not adopting the views of the parties with whom the government consulted, and that it**

**provided an opportunity for the parties to respond to the statement prior to adopting the Indicators and targets?** *Go to RWC 227 to RWC 270.*

[ANNOTATION: If in the preceding two years the government did not evaluate its success in meeting targets for reducing the average lapse of time between the start of an inspection and the final disposition by the inspectorate (finding either no violation; successful remediation of the complaint; or referral of the case for prosecution), the answer to the following Indicator is “yes.”]

**DWC 58** **If the government, in the preceding two years, evaluated its success in meeting targets for reducing the average lapse of time between the start of an inspection and the final disposition by the inspectorate (finding either no violation; successful remediation of the complaint; or referral of the case for prosecution), has the government failed to convincingly and verifiably demonstrate that it consulted with worker representatives, employer representatives, and other interested non-governmental organizations during the evaluation process?** *Go to RWC 227 to RWC 270.*

[ANNOTATION: If in the preceding two years the government did not evaluate its success in meeting targets for reducing the average lapse of time between the start of an inspection and the final disposition by the inspectorate (finding either no violation; successful remediation of the complaint; or referral of the case for prosecution) or evaluated its success but did not consult the parties during the evaluation process, then the answer to the following Indicator is “yes.”]

**DWC 59** **If the answer to the previous Indicator is “no,” has the government failed to convincingly and verifiably demonstrate that it published a written statement of reasons for adopting or not adopting the views of the parties with whom the government consulted, and that it provided an opportunity for the parties to respond to the statement prior to rendering a final evaluation?** *Go to RWC 227 to RWC 270.*

[ANNOTATION: If in the preceding two years the government did not apply Indicators of and targets for increased allocation of budgetary resources to inspecting the high hazard sectors, then the answer to the following Indicator is “yes.”]

**DWC 60** **If the government, in the preceding two years, applied its own Indicators of and numerical targets for increased allocation of budgetary resources to inspecting the high hazard sectors, has the**

**government failed to convincingly and verifiably demonstrate that it consulted with worker representatives, employer representatives, and other interested non-governmental organizations prior to formulation and application of the Indicators and targets? Go to RWC 227 to RWC 270.**

[ANNOTATION: If in the preceding two years the government did not apply Indicators of and targets for increased allocation of budgetary resources to inspecting the high hazard sectors or applied such Indicators and targets but did not consult the parties before doing so, then the answer to the following Indicator is “yes.”]

**DWC 61 If the answer to the previous Indicator is “no,” has the government failed to convincingly and verifiably demonstrate that it published a written statement of reasons for adopting or not adopting the views of the parties with whom the government consulted, and that it provided an opportunity for the parties to respond to the statement prior to adopting the Indicators and targets? Go to RWC 227 to RWC 270.**

[ANNOTATION: If in the preceding two years the government did not evaluate its success in meeting targets for increased allocation of budgetary resources to inspecting the high hazard sectors, the answer to the following Indicator is “yes.”]

**DWC 62 If the government, in the preceding two years, evaluated its success in meeting targets for increased allocation of budgetary resources to inspecting the high hazard sectors, has the government convincingly and verifiably demonstrated that it consulted with worker representatives, employer representatives, and other interested non-governmental organizations during the evaluation process? Go to RWC 227 to RWC 270.**

[ANNOTATION: If in the preceding two years the government did not evaluate its success in meeting targets for increased allocation of budgetary resources to inspecting the high hazard sectors or did evaluate its success but did not consult the parties during the evaluation process, then the answer to the following Indicator is “yes.”]

**DWC 63 If the answer to the previous Indicator is “no,” has the government failed to convincingly and verifiably demonstrate that it published a written statement of reasons for adopting or not adopting the views of the parties with whom the government consulted, and that it**

**provided an opportunity for the parties to respond to the statement prior to rendering a final evaluation?** *Go to RWC 227 to RWC 270.*

[ANNOTATION: If in the preceding two years the government did not apply Indicators of and targets for reduction of workplace fatalities, then the answer to the following Indicators is “yes.”]

**DWC 64** **If the government, in the preceding two years, applied its own Indicators of and targets for reduction of workplace fatalities, has the government failed to convincingly and verifiably demonstrate that it consulted with worker representatives, employer representatives, and other interested non-governmental organizations prior to formulation and application of the Indicators and targets?** *Go to RWC 227 to RWC 270.*

[ANNOTATION: If in the preceding two years the government did not apply Indicators of and targets for reduction of workplace fatalities or did apply such Indicators and targets but did not consult the parties prior to doing so, then the answer to the following Indicators is “yes.”]

**DWC 65** **If the answer to the previous Indicator is “no,” has the government failed to convincingly and verifiably demonstrate that it published a written statement of reasons for adopting or not adopting the views of the parties with whom the government consulted, and that it provided an opportunity for the parties to respond to the statement prior to adopting the Indicators and targets?** *Go to RWC 227 to RWC 270.*

[ANNOTATION: If in the preceding two years the government did not evaluate its success in meeting targets for reduction of workplace fatalities, the answer to the following Indicator is “yes.”]

**DWC 66** **If the government, in the preceding two years, evaluated its success in meeting targets for reduction of workplace fatalities, has the government failed to convincingly and verifiably demonstrate that it consulted with worker representatives, employer representatives, and other interested non-governmental organizations during the evaluation process?** *Go to RWC 227 to RWC 270.*

[ANNOTATION: If in the preceding two years the government did not evaluate its success in meeting targets for reduction of workplace fatalities or did evaluate its success but did not consult with the parties during the evaluation process, then the answer to the following Indicator is “yes.”]

**DWC 67** **If the answer to the previous Indicator is “no,” has the government failed to convincingly and verifiably demonstrate that it published a written statement of reasons for adopting or not adopting the views of the parties with whom the government consulted, and that it provided an opportunity for the parties to respond to the statement prior to rendering a final evaluation?** *Go to RWC 227 to RWC 270.*

[ANNOTATION: If in the preceding two years the government did not apply Indicators of and targets for improved collection of data about occupational safety and health, then the answer to the following Indicators is “yes.”]

**DWC 68** **If the government, in the preceding two years, applied its own Indicators of and targets for improved collection of data about occupational safety and health, has the government failed to convincingly and verifiably demonstrate that it consulted with worker representatives, employer representatives, and other interested non-governmental organizations prior to formulation and application of the Indicators and targets?** *Go to RWC 219 to RWC 222.*

[ANNOTATION: If in the preceding two years the government did not apply Indicators of and targets for improved collection of data about occupational safety and health or did apply such Indicators and targets but did not consult with the parties prior to doing so, then the answer to the following Indicators is “yes.”]

**DWC 69** **If the answer to the previous Indicator is “no,” has the government failed to convincingly and verifiably demonstrate that it published a written statement of reasons for adopting or not adopting the views of the parties with whom the government consulted, and that it provided an opportunity for the parties to respond to the statement prior to adopting the Indicators and targets?** *Go to RWC 219 to RWC 222.*

[ANNOTATION: If in the preceding two years the government did not evaluate its success in meeting targets for improved collection of data about occupational safety and health, the answer to the following Indicator is “yes.”]

**DWC 70** **If the government, in the preceding two years, evaluated its success in meeting numerical targets for improved collection of data about occupational safety and health, has the government failed to convincingly and verifiably demonstrate that it consulted with worker representatives, employer representatives, and other**



**interested non-governmental organizations during the evaluation process?** *Go to RWC 219 to RWC 222.*

[ANNOTATION: If in the preceding two years the government did not evaluate its success in meeting targets for improved collection of data about occupational safety and health or did evaluate its success but did not consult with the parties during the evaluation process, then the answer to the following Indicator is “yes.”]

**DWC 71** **If the answer to the previous Indicator is “no,” has the government failed to convincingly and verifiably demonstrate that it published a written statement of reasons for adopting or not adopting the views of the parties with whom the government consulted, and that it provided an opportunity for the parties to respond to the statement prior to rendering a final evaluation?** *Go to RWC 219 to RWC 222.*

**DWC 72** **Has the government failed to convincingly and verifiably demonstrated that, in the preceding two years, in at least a majority of cases in which the government had or should have had reasonable cause to believe that an employer had paid, or attempted to pay, a bribe to a labor inspector, the government prosecuted the employer?** *Go to RWC 275 to RWC 282.*

**2.4. Diagnostic Indicators for Outcomes on Acceptable Conditions of Work With Respect to Minimum Wages, Hours of Work, and Occupational Safety and Health**

**DWO 1** **Is the minimum wage less than the extreme poverty wage in the United States, adjusted for purchasing power parity or for real income per capita?** *Go to RWL 12 to RWL 18, RWO 1 to RWO 8.*

**DWO 2** **Has the government failed to convincingly and verifiably demonstrate that the percentage of non-managerial, non-supervisory workers who receive less than the minimum wage is less than 200 percent of the average percentage among countries (a) in the same quintile of real income per capita and (b) with a ratio of minimum wages to average real wages within 10 percent higher or lower than the country being assessed?** *Go to RWL 12 to RWL 18, RWO 1 to RWO 8.*

**DWO 3** **Has the government failed to convincingly and verifiably demonstrate that the average number of hours worked per week among full-time non-managerial workers is no greater than 48?**

- DWO 4** Has the government failed to convincingly and verifiably demonstrate that the average number of hours worked per week among non-managerial workers is less than 125 percent of the average among countries in the same quintile of real income per capita? *Go to RWO 9 to RWO 22.*
- DWO 5** Has the government failed to convincingly and verifiably demonstrate that the percentage of non-managerial workers who, in the preceding two years, worked more than 48 hours per week in more than 4 weeks without authorization by a collective agreement to work such longer hours is less than 125 percent of the average among countries in the same quintile of real income per capita? *Go to RWO 9 to RWO 22.*
- DWO 6** Has the government failed to convincingly and verifiably demonstrate that, in the two preceding years, the number of work-related fatalities per 100,000 non-managerial workers was less than 125 percent of the average among countries in the same quintile of real income per capita? *Go to RWO 23 to RWO 30.*
- DWO 7** Has the government failed to convincingly and verifiably demonstrate that, in the two preceding years, the number of work-related fatalities per 100,000 non-managerial workers in the manufacturing and mining sectors was less than 125 percent the average among countries in the same quintile of real income per capita? *Go to RWO 23 to RWO 30.*
- DWO 8** Has the government failed to convincingly and verifiably demonstrate that, in the two preceding years, the number of work-related injuries per 100,000 non-managerial workers was less than 125 percent of the average among countries in the same quintile of real income per capita? *Go to RWO 23 to RWO 30.*
- DWO 9** Has the government failed to convincingly and verifiably demonstrate that, in the two preceding years, the number of work-related injuries per 100,000 non-managerial workers in the manufacturing and mining sectors was less than 125 percent of the average among countries in the same quintile of real income per capita? *Go to RWO 23 to RWO 30.*