



JAMAICA

MODERATE ADVANCEMENT

In 2023, Jamaica made moderate advancement in efforts to eliminate the worst forms of child labor. The government increased its funding for a school feeding program from \$7 billion in 2022 to \$9 billion in 2023, providing support to 180,171 students. The Office of the National Rapporteur on Trafficking in Persons also signed a Memorandum of Understanding on collecting human trafficking data. In addition, the Ministry of Labor and Social Security used geo-mapping and heat maps to identify areas for child labor inspections. However, Jamaica’s laws do not provide higher penalties for using, procuring, or offering children for the production and distribution of drugs than penalties imposed for these same crimes when the victims are adults. Moreover, the law providing for free basic education does not meet international standards because free education is only guaranteed for Jamaican citizens.

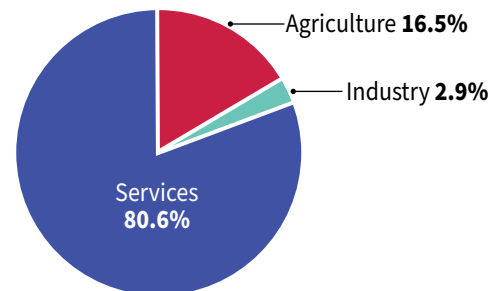


PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Statistics on Children’s Work and Education

Children	Age	Percent of Population
Working	5 to 14	6.2% (30,111)
Hazardous Work by Children	15 to 17	Unavailable
Attending School	5 to 14	98.9%
Combining Work and School	7 to 14	7.2%

Working Children by Sector, Ages 5-14



Children in Jamaica are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking; in forced work in shops and markets; and in illicit activities, including financial scams, recruitment into criminal organizations, serving as drug and gun couriers, and forced begging.

Overview of Children’s Work by Sector and Activity



Agriculture

Farming,† fishing, and hunting.



Industry

Construction, forestry.



Services

Working in shops and markets; domestic work; street work, including begging† and vending; wholesale and retail; fetching water and collecting firewood.



Categorical Worst Forms of Child Labor‡

Commercial sexual exploitation, sometimes as a result of human trafficking; forced domestic work; use in illicit activities, including executing financial scams, recruitment into criminal organizations, and serving as drug and gun couriers; forced work in shops and markets; and forced begging.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor per se under Article 3(a)-(c) of ILO C. 182.



SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

The suggested government actions below would close gaps USDOL has identified in Jamaica’s implementation of its international commitments to eliminate the worst forms of child labor.

Legal Framework

Increase penalties for the use of children in the production and distribution of drugs.

Prohibit the recruitment of children under age 18 by non-state armed groups.

Suggested Government Actions to Eliminate Child Labor (cont.)

Criminally prohibit the use of a child for prostitution.

Raise the minimum age for work from age 15 to age 16 to align with the compulsory education age.

Establish by law that free basic public education is available to all children, regardless of citizenship.

Pass legislation that will determine the specific light work activities and hours permissible for children ages 13 and 14 to facilitate enforcement.

Enforcement

Increase the number of labor inspectors from 41 to 88 to ensure adequate coverage of the labor force of over 1.3 million workers. Ensure that targeted inspections are conducted.

Ensure that initiatives and programming, staffing levels, and budgets for agencies, including the Ministry of Labor and Social Security, are sufficient to identify child labor violations and fulfill their mandates.

Screen children for indicators of human trafficking and forced labor, including children found participating in illicit activities and victims of child abuse.

Keep the National Steering Committee and the National Task Force active and able to carry out their intended mandates and make the information about their activities publicly available.

Government Policies

Increase the integration of child labor elimination and prevention strategies into existing and future policies.

Ensure that activities are undertaken to implement all current policies and make reports on these activities publicly available.

Implement the Ministry of Labor and Social Security's National Action Plan to Combat Child Labor.

Social Programs

Establish social programs to provide support to girls, immigrant children, and LGBTQIA+ youth in situations of child labor, including in street work, commercial sexual exploitation, agricultural work, and other worst forms of child labor, particularly in rural areas.

Ensure that school costs, such as uniforms, books, food, and transportation, do not diminish access to free public education for students at both traditional and non-traditional schools.

Implement a program to report, identify, and find missing children who may have been forced into child labor.

Ensure that children with disabilities, particularly in rural areas, have access to an education, and resume visits by officers to ensure attendance.

Implement activities related to the Regional Initiative Latin America and the Caribbean Free of Child Labor and make information publicly available.



CHILDREN AT HIGHER RISK










Children from rural areas and unaccompanied children are more vulnerable to the worst forms of child labor. Children are sent from rural areas to live with affluent family members, which leads to situations of forced labor in private households, markets, and shops. Children, especially girls, without a parent or guardian are at risk of commercial sexual exploitation from traffickers who advertise false employment opportunities on social media and in the newspapers. Reports indicate that these children are trafficked into work at brothels, nightclubs, strip clubs, and massage parlors. Additionally, LGBTQIA+ youth are at risk of commercial sexual exploitation as they leave their families or communities in fear of persecution or bullying.

BARRIERS TO EDUCATION ACCESS



Jamaican law limits access to free primary education to Jamaican citizens. Rural areas do not have sufficient transportation and facilities to support children with disabilities, and some parents of children with disabilities choose not to send their children to school. Reports also indicate that truancy officers were not active during the reporting year. Additionally, increasing violence in communities impacts attendance, alongside issues with pedestrian road safety. An unofficial division also remains between traditional high schools and non-traditional secondary schools, despite government reforms. Government officials and educators report that this leaves students without adequate education and certification, which creates further barriers to education.

LEGAL FRAMEWORK FOR CHILD LABOR

Jamaica has ratified all key international conventions concerning child labor. However, gaps exist in Jamaica’s legal framework to adequately protect children from the worst forms of child labor, including failure to sufficiently criminalize the use of children in illicit activities, sufficiently prohibit the commercial sexual exploitation of children, and criminally prohibit military recruitment of children under age 18 by non-state armed groups.

Child Labor Laws and Regulations	Meets International Standards	Legislation
Minimum Age for Work, 15 Years		Articles 34(1) and 36 of the Child Care and Protection Act
Minimum Age for Hazardous Work, 18 Years		Articles 34(3) and 36 of the Child Care and Protection Act
Identification of Hazardous Occupations or Activities Prohibited for Children		Articles 34(3)(b), 39, and 41 of the Child Care and Protection Act; Section 55 of the Factories Act: Docks (Safety, Health and Welfare) Regulations; Section 49(2) of the Factories Act: Building Operations and Works of Engineering Construction Regulations; Section 18 of the Mining Act
Prohibition of Slavery, Debt Bondage, and Forced Labor		Sections 2, 4(1)(a), and 4(2)–4(9) of the Trafficking in Persons (Prevention, Suppression and Punishment) Act; Section 2 of the Trafficking in Persons (Prevention, Suppression and Punishment (Amendment) Act, 2021
Prohibition of Child Trafficking		Section 10 of the Child Care and Protection Act; Sections 2, 4, and 4A of the Trafficking in Persons (Prevention, Suppression and Punishment) Act; Section 2 of the Trafficking in Persons (Prevention, Suppression and Punishment) (Amendment) Act, 2021
Prohibition of Commercial Sexual Exploitation of Children		Sections 2, 4, and 4A of the Trafficking in Persons (Prevention, Suppression and Punishment) Act; Sections 18, 21, and 36 of the Sexual Offenses Act; Sections 3 and 4 of the Child Pornography (Prevention) Act
Prohibition of Using Children in Illicit Activities		Section 4 of the Criminal Justice (Suppression of Criminal Organizations) Act
Minimum Age for Voluntary State Military Recruitment, 18 Years		Section 18(2) of the Defense Act
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*	
Prohibition of Military Recruitment by Non-state Armed Groups		

Legal Framework for Child Labor (Cont.)

Child Labor Laws and Regulations	Meets International Standards	Legislation
Compulsory Education Age, 16 Years		Sections 28 and 89 of the Child Care and Protection Act
Free Public Education		Section 13(k) of the Jamaican Charter of Fundamental Rights and Freedoms

*Country has no conscription

Jamaica allows children ages 13 to 14 to engage in light work but has not determined specific permissible light work activities and hours. Jamaica also does not sufficiently prohibit the commercial sexual exploitation of children because its laws do not specifically criminalize the use of a child for prostitution. In addition, the laws related to the use of children in illicit activities do not include higher penalties for perpetrators who use, procure, or offer a child for the production and distribution of drugs. Furthermore, the laws do not criminally prohibit military recruitment of children under age 18 by non-state armed groups. Jamaica also does not meet the international standard for free public education as free education is only guaranteed for Jamaican citizens, leaving non-citizens vulnerable to child labor. Moreover, as the minimum age for work is lower than the compulsory education age, children may be encouraged to leave school before completing school.



ENFORCEMENT OF LAWS ON CHILD LABOR

In 2023, labor and criminal law enforcement agencies in Jamaica took actions to address child labor. However, gaps exist within the operations of the enforcement agency that may hinder adequate labor law enforcement, including insufficient human resource allocation and a low number of prosecutions, investigations, and convictions.

Agencies Responsible for Child Labor Law Enforcement

Ministry of Labor and Social Security (MLSS): Enforces and administers child labor laws in both the formal and informal sectors of the economy through the labor inspectorate’s Child Labor Unit. Responsible for policy development, as well as the management of government agencies involved in child labor enforcement. In 2023, MLSS carried out inspections in parishes with a high risk of child labor, including Kingston and Saint Andrew, Clarendon, Trelawny, St. Elizabeth, and Portland. Used geo-mapping and heat maps during the reporting period to identify areas for child labor inspections.

Jamaica Constabulary Force: Investigates, through the Anti-Trafficking in Persons Vice Squad (A-TIP Vice Squad), cases of child trafficking, including forced child labor, commercial sexual exploitation, and the use of children in illicit activities in which human trafficking is involved. The A-TIP Vice Squad has over 250 officers and leads operations and case management activities for human trafficking cases. Through the Center for the Investigation of Sexual Offenses and Child Abuse, investigates sex crimes against children and educates the public about these crimes. Receives referrals of suspected child labor law violations and other abuses for criminal enforcement from the Ministry of Education and Youth, Child Protective and Family Services, and MLSS.

Enforcement Mechanisms and Efforts

Has a Labor Inspectorate	Yes	Has a Complaint Mechanism	Yes
Able to Assess Civil Penalties	Yes	Imposed Penalties for Child Labor Violations	N/A
Routinely Conducted Worksite Inspections	Yes	Conducted Criminal Investigations for Worst Forms of Child Labor Crimes	Yes
Unannounced Inspections Permitted	Yes	Imposed Penalties for Worst Forms of Child Labor Crimes	N/A

In 2023, **41** labor inspectors conducted **544** worksite inspections, finding **0** violations. While the government conducted investigations into suspected cases of the worst forms of child labor and convicted perpetrators of crimes, the total number of investigations, prosecutions, and convictions is **unknown**.



COORDINATION, POLICIES, AND PROGRAMS

<p>Key Mechanism to Coordinate Government Efforts on Child Labor</p> <p>Jamaica established a mechanism to coordinate its efforts to address child labor. However, it is unknown whether this mechanism carried out activities during the reporting period.</p>	<p>National Steering Committee on the Prevention and Elimination of Child Labor: Provides leadership and guidance on policies and programs that aim to reduce and eliminate child labor. Partners with the Child Labor Unit from MLSS and the National Task Force Against Trafficking in Persons (NATFATIP), a multi-agency body comprising various ministries, departments, agencies of government, and representatives of three NGOs. Research could not determine whether the committee was active during the reporting period.</p>
<p>Key Policies Related to Child Labor</p> <p>Jamaica established policies related to child labor. However, research was unable to determine whether activities were undertaken to implement its National Plan of Action for Combating Trafficking in Persons during the reporting period.</p>	<p>National Plan of Action for Combating Trafficking in Persons: Aims to prevent and eliminate human trafficking, including the commercial sexual exploitation of children and forced child labor, through prevention, protection, prosecution, and partnerships. Guides the activities of NATFATIP. Though the plan expired at the end of 2021, the government reported that it continued to undertake activities under the plan.</p> <p>National Plan of Action for an Integrated Response to Children and Violence (2018–2023): Overseen by the Inter-Sectoral Committee on Children and Violence. Aimed to address child violence and abuse through a range of strategies and programs implemented over 5 years of a child’s life. The government continued to support and implement this policy during the reporting period, including by supporting Project Birthright, an initiative to provide free birth certificates to undocumented Jamaicans, especially vulnerable children.</p>
<p>Key Social Programs to Address Child Labor</p> <p>Jamaica funded and participated in programs that include the goal of eliminating or preventing child labor. However, these social programs are inadequate to address the problem in all sectors in which child labor has been identified, including street work, commercial sexual exploitation, and agricultural work.</p> <p>† The program is funded by the Government of Jamaica. ‡ The government had other social programs that may have included the goal of eliminating or preventing child labor.</p>	<p>Program for Advancement through Health and Education (PATH):† A conditional cash transfer program launched in 2002 and funded by the Government of Jamaica and the World Bank that helps reduce child labor by requiring participants to attend school at least 85 percent of the academic days in a month. In August 2023, changes to PATH were announced to allow more families in need of support to qualify for and receive the benefits.</p> <p>Regional Initiative Latin America and the Caribbean Free of Child Labor (2022–2025): An intergovernmental cooperation platform made up of 31 countries, with the active participation of employers’ and workers’ organizations. Seeks to declare Latin America and the Caribbean the first developing region free of child labor by 2025. Drawing on the knowledge, experience, and accumulated capacity of key public and private actors, aims to address the persistence of child work.</p> <p>U.S.-Jamaica Child Protection Compact Partnership (2018–2022): A 4-year plan partially funded by the U.S. Government that enhanced the efforts of the Government of Jamaica to address child trafficking. It opened new Child-Friendly Spaces to support survivors and participated in trainings for criminal justice professionals and social services providers who may come into contact with child trafficking victims. The U.S. Government has invested \$6.7 million in foreign assistance. In 2023, the Government of Jamaica made incremental improvements to address operational gaps in its Child Protection Compact efforts.</p>

For information about USDOL’s projects to address child labor around the world, visit dol.gov/ILABprojects
For references, please visit dol.gov/ChildLaborReports