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Department Of Labor (DOL)**

**Independent Implementation Evaluation for the
Strengthening Protections of Internationally
Recognized Labor Rights in Colombia Project**

Mid-Term Implementation Evaluation Report

FINAL

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This report describes in detail the mid-term evaluation of the *Strengthening Protections of Internationally Recognized Labor Rights in Colombia* project that was conducted between October 2014 and March 2015. IMPAQ International, LLC, conducted an independent evaluation in collaboration with the project team and stakeholders and prepared the evaluation report according to the terms specified in its contract with the U.S. Department of Labor Bureau of International Labor Affairs. IMPAQ would like to express sincere thanks to all the parties involved for their support and valuable contributions.



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LIST OF ACRONYMS

CAL:	Centro de Atención Laboral [Workers' Rights Center]
CEJ:	Corporación Excelencia en la Justicia [Corporation for Excellence in Justice]
COLabora:	Centro de Orientación y Atención Laboral [Center for Orientation and Assistance on Labor Issues]
CTC:	Confederación de Trabajadores de Colombia [Confederation of Workers in Colombia]
CUT:	Central Unitaria de Trabajadores [Central Union of Workers]
DGB:	Deutscher Gewerkschaftsbund [German Confederation of Trade Unions]
ENS:	Escuela Nacional Sindical [National Union School]
ILAB:	Bureau of International Labor Affairs
ILO:	International Labor Organization
MSP:	Ministry of Social Protection
PMP:	Performance Monitoring Plan
SAS:	Sociedad por Acciones Simplificadas [Simplified Stock Companies]
TPA:	United States–Colombia Trade Promotion Agreement
TPR:	Technical Progress Report
USDOL:	United States Department of Labor

EXECUTIVE SUMMARY

In December 2012, the United States Department of Labor (USDOL) Bureau of International Labor Affairs (ILAB) awarded a \$1.5 million grant to Colombia's Escuela Nacional Sindical (ENS) to implement the *Strengthening Protections of Internationally Recognized Labor Rights in Colombia (Workers' Rights Centers*¹) project over three years. The project focuses on increasing the awareness of workers' rights and sustaining the Colombian government's efforts to strengthen labor rights. As part of the United States–Colombia Trade Promotion Agreement (TPA), which went into effect on May 15, 2012, the Colombian government agreed to develop and implement an Action Plan Related to Labor Rights (Action Plan) as a precondition for the TPA to take effect. Under the Action Plan, the Colombian government committed to take specific steps to bring Colombian labor laws and practices into greater conformity with internationally recognized labor rights.²

ENS believes that the best way to realize the full potential of reforms initiated by the Colombian government is to engage workers and assist them in presenting well-supported workplace violations claims to the proper administrative or legal authorities. To engage and assist workers, ENS established and, in some cases, expanded *Centros de Atención Laboral (CALs)* [Workers' Rights Centers] in four major Colombian cities: Medellín, Bogotá, Cartagena, and Bucaramanga. The CALs provide free legal assistance services to facilitate the effective protection of workers' rights and help achieve the project's two main outcomes:

- Outcome 1: Workers, with the assistance of the CALs, will improve their knowledge of and ability to defend their labor rights.
- Outcome 2: Workers will make more frequent and more effective use of the administrative and legal mechanisms to protect their labor rights.

In September 2013, USDOL/ILAB contracted with IMPAQ International, LLC (IMPAQ) to conduct an independent evaluation of the project under the contract titled *ILAB Impact and Implementation Evaluation for Colombia*. This report presents the mid-term implementation evaluation of the ILAB Colombia Workers' Rights Centers project. The report provides an assessment of ENS's progress toward achieving its objectives, identifies lessons learned from the program strategy, provides feedback to ENS with regard to achievements, and makes recommendations to improve the project's overall success. The implementation evaluation focused on six areas that were identified by USDOL/ILAB in the project's Terms of Reference:

1. Validity of the project's design
2. Relevance and strategic fit
3. Project's progress and effectiveness
4. Efficiency of resource use
5. Effectiveness of management arrangements
6. Impact orientation and sustainability

¹ http://www.dol.gov/ilab/projects/summaries/Colombia_Worker_Rights_Centers.pdf.

² <https://ustr.gov/trade-agreements/free-trade-agreements/colombia-fta>.

For this study, the evaluation team collected data using a variety of qualitative data collection methodologies, including the following:

- Semi-structured interviews
- Focus groups
- Document reviews
- Observations at CALs

The main documents intended to capture the progress of the project were the Performance Monitoring Plan (PMP), the annual Work Plan, and the Quarterly Technical Progress Reports (TPRs) to USDOL. However, the evaluation team found a number of issues with the quality of reporting in these documents and relied on other data sources to complement information.

The team conducted semi-structured interviews and focus groups during the first site visit in March 2015. Project documents were reviewed as they became available, and observations at the Bogotá and Bucaramanga CALs took place in December 2014 and January 2015, respectively. The observation visits were conducted by a local team member with minimum interference in regular CAL activities. The information gathered helped to inform the instruments developed for the site visit interviews and focus groups. The team used the data from these sources to address the six areas identified in the Terms of Reference. Below, we summarize the key findings, followed by recommendations for ENS.

Key Findings

1. Validity of Project Design

The project design was based on the experience of the CAL in Medellín, which has been in operation since 2003 under a partnership between ENS and the regional Central Unitaria de Trabajadores (CUT) and Confederación de Trabajadores de Colombia (CTC) unions. The project envisioned two main mechanisms to assist workers in presenting legal claims to the relevant authorities:

1. Individual level: Assist workers who visit the CAL offices or the mobile CALs to file claims.
2. Strategic level: Pursue the most strategic or emblematic cases brought to the CALs to set legal precedents and clarify legal norms or business practices that violate labor rights.

Initial assumptions made by ENS regarding workers' commitment to defend their labor rights and universities' willingness to support CAL services through agreements held true. However, ENS's initial optimism at the time of designing the project has been tempered by the fact that many strategic cases presented to the Ministry of Labor have not been resolved in the timeframe stipulated by law.

The project's logical framework links activities, outputs, and outcomes in a cohesive manner, but the PMP lacks key elements to make it a fully functional tool to measure achievement of

outcomes. The most important limitation is the lack of clearly defined target goals (e.g., what is the minimum percentage of favorable outcomes needed for the project to be considered successful). In addition, it is unclear how Outcome 1 indicators related to “acquisition of knowledge” by CAL staff or workers are being compiled and measured.

2. Relevance and Strategic Fit

The project design was based on ENS’s knowledge, resources, and studies as well as the experience of the Solidarity Center, which works with vulnerable groups on labor issues. An additional needs assessment was not necessary to determine the needs of project beneficiaries because of the accumulated years of experience of ENS and the Solidarity Center in working with these sectors. The CALs’ focus on labor rights enables them to provide specialized services, particularly for low-income workers.

The top reasons for seeking CAL services (i.e., payment claims, legal counseling, severance payments, and right to petition claims) have not changed substantially since the start of the project. The Ministry of Labor routinely refers workers in need of legal assistance to the CALs. However, CALs are unable to help workers pursue cases in ordinary courts because law students are not legally allowed to represent them in courts or arbitration. Despite these limitations, workers have reported a high level of satisfaction with CAL services. Even when they had not experienced a satisfactory resolution to their case, workers still perceive CALs to be the only dependable legal resource for them.

3. Project Progress and Effectiveness

Currently, there is no finalized PMP that includes outcome indicators with targets that signal success. As a result, the effectiveness analysis for the project was limited. The evaluation team focused on the progress of the activities related to each outcome using the 2014 Work Plan and Technical Progress Reports to USDOL. However, data were not reported consistently across CALs and reporting periods. At the time of this report, the project is expected to end on December 26, 2015. Activities related to Outcome 1 are on target to be completed by this date, but Outcome 2 activities, which are claims filed to the administrative and legal authorities, will need more time to be resolved.

Two important activities related to Outcome 1 are the implementation of mobile CALs and training efforts with CAL students and workers. Mobile CALs are key to reaching agricultural workers in priority sectors. Although the Work Plan includes the number of mobile CALs to be conducted each year, it does not specify a target number of workers. Success in the different sectors has been mixed and has depended on the ability of unions to make headway in the sector. In addition, CALs rely on university law students to provide legal assistance to workers. CAL directors are in charge of induction training as well as additional monthly trainings, which are progressing adequately. CALs also offer trainings to union workers as a strategy to strengthen unions. ENS is helping to develop a Workers’ Rights Handbook and distribute booklets to the four CALs. This activity is off-schedule—although an online version of the

handbook exists, it has not been finalized and the technical language used in the current version is not suitable for non-professional workers.

In addition to trainings, the progression and success of Outcome 1 depend on data collection and monitoring. Modifications to the CAL database seem to have stalled, and it is unclear when they will be completed. Further, limited resources have restricted the ability of the lawyers and student interns to systematically and consistently conduct case follow-up, which is meant to be tracked and monitored through the CAL database.

Taking on collective strategic cases (Outcome 2) is a critical part of the CALs' work. However, many strategic cases presented to the Ministry of Labor have not been resolved in the timeframe stipulated by law. As a result, ENS is making slower-than-anticipated progress on the activities and outputs associated with Outcome 2.

4. Efficiency in the Use of Project Resources

After an initial delay in disbursement of funds, project resources have been spent according to plan. However, individual activities, particularly data collection of CAL cases and CAL establishment, have used more resources than originally expected. For evaluation purposes, project costs are grouped into three broad categories: (1) project management costs; (2) ENS research costs for strategic cases; and (3) CAL operations costs. Even though CAL operations costs are the largest cost category, CALs operate with minimal staffing. This is particularly true for the Bogotá CAL, which was originally allocated the same funding amount as the smaller CALs, even though it assists five times as many workers. ENS has tried to correct this imbalance between CAL staff and demand by funding an assistant lawyer to the CAL director. However, at the time of this evaluation, it was unclear whether this strategy will be sufficient in the long term.

New CALs started operating in March 2014; however, expenditures were mostly centralized at ENS until February 2015, which caused inefficiencies around the timely payment of services such as Internet and electricity. ENS instituted a new policy to increase the amount of funds disbursed to each CAL to cover basic operating expenses and the cost of the mobile CALs. This more decentralized model seems more effective at allowing CALs to better plan for expenditures and manage their resources.

5. Effectiveness of Management Arrangements

Communication between CAL directors appears timely and fluid. The directors have created a Whatsapp group and call one another freely to ask questions and discuss issues. Communication between ENS and the CALs, however, remains an issue for all CALs except Medellín (which is located near ENS headquarters). Planned monthly meetings between ENS and the CALs, which began in March 2014, were generally held on a regular basis, but as of the time of the site visit, in March 2015, they had not been maintained during calendar year 2015 owing to competing demands on ENS staff time. These monthly meetings are important

primarily to maintain communication with ENS and for CAL directors to be kept informed of project developments. Without regular meetings, CAL directors feel isolated from project-wide decision-making processes.

6. Impact Orientation and Sustainability

ENS's strategy to transfer the management of the CAL project to the CUT and CTC unions is not progressing as originally planned. This strategy did not take into account the relative weakness of Colombian labor federations or other potential issues arising from transferring management to unions. Colombia has a few strong labor unions, but because union members represent less than 5 percent of the working population, the unions have limited resources.

Although the PMP did not include sustainability indicators, it seems clear that the vision of creating a unified national strategy by 2017 will not be fulfilled with the current approach, especially because each CAL is responsible for its own sustainability plan. Even though ENS does not believe it is appropriate to turn to the national or local governments for financing, particularly given the level of mistrust between some workers' organizations and the government, there may still be other funding possibilities to pursue. For example, ENS could engage in partnerships with university research centers to finance the students and arrange for free office space from local governments.

Key Recommendations for ENS

The following recommendations are based on the evaluation team's findings and conclusions. They focus on areas of the project that can be feasibly addressed before the project end date of December 26, 2015.

1. Project Design and Performance Monitoring Framework

- a. Reassess the project's PMP and create target outcome indicators that are realistic given the CALs' current capacity to collect information.
- b. Reevaluate priorities and assign additional resources to:
 - i. Assist workers at the CALs and represent them in the judicial system, or
 - ii. Find other ways to obtain resolution to the emblematic cases.
- c. Ensure that reporting to USDOL is consistent across CALs and time periods and establish appropriate reporting categories and definitions.
- d. Update the Work Plan document either monthly or quarterly to report progress to date of project activities and annual targets.

2. CAL Database and Workers' Rights Handbook

- a. Improve the CAL database to facilitate better data collection, analysis, and sharing of workload among the CALs.
- b. Ensure that the Workers' Rights Handbook is useful for and accessible to its audience.

3. Student Trainings and Feedback

- a. Develop standard training materials, such as PowerPoint presentations or case studies, to be shared among all students; in addition, look for opportunities to identify and implement best practices. These materials can be adapted during trainings as needed.
- b. Reassess the usefulness of a written test to assess acquired knowledge after training completion as described in the Project Document, given the current CAL capacity and resource limitations. Instead, CALs should continue to determine training needs based on their students' background and level of knowledge.

4. Resource Management

- a. Look for less expensive and more accessible technological platforms (e.g., call center, Skype, online chats) to help manage expenses related to follow-up.
- b. Explore ways to reduce CALs' operational costs—for instance, by identifying the most frequently requested services by workers (e.g., *liquidaciones*) and creating a step-by-step roadmap of the process that students should follow to help workers in these cases.
- c. Reexamine the allocation of funds to account for maintenance of IT equipment for all CALs and costs associated with conducting follow-up calls.

5. Project Communication

- a. Explore modes to better engage and connect with the CALs. ENS should be mindful of the CALs' desire to feel well connected and well informed about strategy.
- b. Hold regular meetings with the CALs, aside from any meetings that might involve other partners, to keep the CALs better integrated in the project.

6. Sustainability

- a. Reevaluate the project's priorities to identify the project's sustainability needs, as there are several possibilities still left to explore.
- b. Better integrate people and organizations that are benefiting from its services into the sustainability plan, particularly if ENS is still interested in turning the CAL project into a national initiative. For example, the CALs are often described as a "seedbed" for future

labor lawyers because of their highly regarded internship program. ENS can explore possible funding sources from university research centers or law departments.

- c. Consider charging a fee for at least some of the services the CALs offer workers, as many other NGOs have done.
- d. Continue working with specific labor unions (perhaps the stronger, larger ones in their areas) to encourage them to start providing services to workers, both union members and unaffiliated workers, and to take on additional management responsibilities to ease the CAL workload.
- e. Continue looking for borrowed or inexpensive space in Bogotá, and for larger space (also borrowed or inexpensive) to accommodate the increased demand for services, especially in Cartagena and Bucaramanga.

1. PROJECT BACKGROUND AND DESCRIPTION

USDOL/ILAB has contracted with IMPAQ International, LLC (IMPAQ) to conduct an independent evaluation of the *Strengthening Protections of Internationally Recognized Labor Rights in Colombia* project³ under the contract titled *ILAB Impact and Implementation Evaluation for Colombia*. This report presents the mid-term implementation evaluation. The purpose of this evaluation is to:

1. Assess the progress of Colombia's Escuela Nacional Sindical (ENS) in achieving its objectives,
2. Identify lessons learned from its program strategy and key services implemented to date, and
3. Provide feedback to ENS with regard to achievements and recommendations to improve the project's overall success.

1.1 Background: Labor Rights in Colombia

Workers in Colombia have minimal access to social protections and labor rights. Participation levels in the informal sector of the economy are very high, at 74 percent. The great majority of workers in the informal sector earn less than the minimum wage per month⁴ and lack access to comprehensive social protections, including health insurance, retirement savings, and occupational accident insurance. Additionally, Colombia has a high level of structural unemployment: More than 2.3 million people are unemployed and lack unemployment safeguards or subsidies. Nearly half the people who are unemployed are youths under the age of 25.⁵

The Colombian government agreed to develop and implement an Action Plan Related to Labor Rights (Action Plan), which was signed by Presidents Barack Obama and Juan Manuel Santos on April 7, 2011. Successful implementation of key elements of the Action Plan was stipulated as a precondition for the Trade Promotion Agreement to take effect. Under the Action Plan, the Colombian government committed to take specific steps to bring Colombian labor laws and practices into greater conformity with internationally recognized labor rights. Specifically, the Action Plan is geared toward meeting the following five objectives:

1. Promoting the formalization of labor by eliminating illegal labor intermediation
2. Protecting the right to organize unions
3. Protecting the right to collective bargaining

³ ILAB-ENS Cooperative Agreement states the agreement period as from December 27, 2012 to December 26, 2015.

⁴ World Bank. (2010). Informality in Colombia: Implications for Worker Welfare and Firm Productivity. <https://openknowledge.worldbank.org/handle/10986/2889>. License: Creative Commons Attribution CC BY 3.0.

⁵ Departamento Administrativo Nacional de Estadística. (2014). <http://www.dane.gov.co/index.php/estadisticas-por-tema/mercado-laboral>.

4. Strengthening state institutions charged with labor administration
5. Overcoming violence against unions and impunity for its perpetrators

As described in a recent report on labor rights report for Colombia,⁶ the Ministry of Labor was merged in 2003 with the Ministry of Social Security to form the Ministry of Social Protection (MSP). At that time, concerns emerged about the capacity of the MSP to enforce labor rights. For this reason, the newly re-established Colombian Ministry of Labor houses a labor inspectorate, which is charged with enforcing the provisions of the labor code, among other duties. Historically, labor inspectors have been unable to enforce the labor code efficiently and effectively because of a variety of logistical and regulatory impediments and a lack of training.⁷ Even with an increase in the number of labor inspectors and investigations conducted in priority sectors, several challenges still remain—for example, the minimal collection of fines imposed by Colombian authorities,⁸ which may be sending the wrong message to society.

As part of its continued efforts to inform workers, the Ministry of Labor recently established a program called COLabora (Centro de Orientación y Atención Laboral) [Center for Orientation and Assistance on Labor Issues]. COLabora does not provide legal assistance services to individuals. Rather, it gives general guidance and responds to frequently asked questions about such topics as the amount of the minimum monthly wage or the maximum number of hours a person can work before overtime compensation is required. COLabora operates an office in Bogotá, but the majority of workers access it through a website and a toll-free telephone number.⁹

1.2 Escuela Nacional Sindical and the Workers' Rights Centers (CALs)¹⁰

Building on the momentum provided by the Action Plan, the United States Department of Labor (USDOL) Bureau of International Labor Affairs (ILAB), in December 2012, awarded a \$1.5 million grant to Colombia's Escuela Nacional Sindical (ENS) to implement a three-year project that focuses on increasing the awareness of workers' rights and sustaining the Colombian government's efforts to strengthen labor rights. The *Strengthening Protection of Internationally Recognized Labor Rights in Colombia* project uses four Centros de Atención Laboral (CALs) [Workers' Rights Centers] operated by ENS in Medellín, Bogotá, Bucaramanga, and Cartagena to reach local workers in six priority sectors: palm oil, sugar, mines, ports, flowers, and the public sector. The project's objectives are the following:

⁶ USDOL ILAB. (2011). Colombia Labor Rights. http://www.dol.gov/ilab/reports/pdf/colombia_LRR.pdf.

⁷ Ibid, p. 15.

⁸ Office of the United States Trade Representative and U.S. Department of Labor. (2015). Standing Up for Workers: Promoting Labor Rights through Trade, p. 23.

<http://www.dol.gov/ilab/reports/pdf/USTR%20DOL%20Trade%20-%20Labor%20Report%20-%20Final.pdf>.

⁹ Colombian Ministry of Labor, COLabora. <http://www.mintrabajo.gov.co/colabora>.

¹⁰ For clarity purposes, this document will follow the same pattern as the Project Document and differentiate between project staff working directly in the CALs in the four cities ("CAL staff") and those working at ENS headquarters in Medellín ("ENS staff").

1. Increase awareness among workers about their rights.
2. Educate workers about ways to protect and claim their rights.
3. Improve workers' understanding of relevant labor and criminal laws.
4. Inform workers about documentation and procedural requirements to file complaints and about actions to take if their rights are violated.¹¹

In 2006, ENS partnered with the Central Unitaria de Trabajadores (CUT) [Central Union of Workers], Colombia's largest trade union, to pilot the CAL project in Medellín. Because of the high worker demand for CAL services, ENS and CUT opened a new office in Bogotá four years later.¹² In 2011, CUT partnered with another trade union, Confederación de Trabajadores de Colombia (CTC) [Confederation of Workers of Colombia], to further the CAL initiative and strengthen the institutional and political foundation of the project. ENS has also established a strategic alliance with the American Center for International Labor Solidarity (Solidarity Center) to further research and projects protecting vulnerable groups. Both organizations work closely to support the Afro-Colombian Labor Council to advance racial inclusion in the labor movement and in society. With funding from the grant provided by USDOL, ENS reopened the CAL in Bogotá and established new offices in Cartagena and in Bucaramanga in March 2014. Exhibit 1.1 shows a map of the four CAL offices.

¹¹ ENS, Project Document, September 2014, pg. 11 and 15.

¹² This CAL closed in 2012.

Exhibit 1.1: Map of CAL Offices



Administratively, the four CALs are governed by a national executive board composed of the directors of the CUT and CTC unions, with ENS acting as the technical advisor to the initiative. The executive board provides strategic guidelines for CAL services and oversees four regional boards, one for each CAL. Each regional board is charged with monitoring the operationalization of the guidelines established by the national executive board. The regional boards are composed of the presidents of the unions’ departmental subdirectorates. In its technical advisory role, ENS is actively involved in developing management tools, reviewing and improving the quality of the CALs’ services, and managing donor relationships. According to an ENS document on sustainability and strategy, ENS is supposed to transfer management of the CAL project to the CUT–CTC union through these boards.

1.2.1 CAL Services

CAL offices offer assistance to all individuals who are victims of labor rights violations by providing free and immediate legal advice to workers. Specifically, the CALs focus on protecting workers' labor rights.¹³ Whenever possible, the CALs have been located close to the regional office of the Ministry of Labor. This proximity increases the number of workers who seek legal assistance, as the ministry often refers workers to the CALs for assistance. In addition, ENS staff collaborate with the CALs and the Solidarity Center to pursue strategic or emblematic cases, which have the potential to set legal precedent in favor of workers' rights.

The main services provided by the CALs are legal assistance services [*asesorias jurídicas*]. There are two types of legal assistance services: services that are actionable¹⁴ and services that are informational in nature (see Exhibit 1.2).

Exhibit 1.2: Types of Legal Assistance Offered by CAL Offices

Nature of Legal Service	Type of Legal Action/Service
Actionable Legal Services	<ul style="list-style-type: none"> ▪ Constitutional challenge [<i>tutela</i>]¹⁵ ▪ Formal requests [<i>derechos de petición</i>] ▪ Payment claims [<i>reclamaciones de pago</i>] ▪ Complaints [<i>quejas</i>] ▪ Criminal complaints [<i>querellas</i>] ▪ Research inquiries [<i>solicitudes de investigación</i>] ▪ Enforcement actions [<i>desacato</i>] ▪ Appeal of a constitutional challenge [<i>impugnación de tutela</i>] ▪ Involuntary resignation [<i>renuncia motivada</i>]
Informational Legal Services	<ul style="list-style-type: none"> ▪ Labor settlements [<i>liquidaciones laborales</i>] ▪ Labor rights information requests [<i>conceptos jurídicos</i>] ▪ Insistence requests [<i>solicitudes de insistencia</i>]

The CAL program targets workers in six priority economic sectors identified in the Project Document.¹⁶ These priority sectors are the public sector, ports, sugar cane, mining, flowers, and African palm. The primary mechanism that the CALs use to reach workers in these sectors is the mobile caravans (or mobile CALs). In principle, the mobile CALs offer legal assistance services to rural workers who are unable to travel to any of the four urban CAL offices. Each CAL determines how to operate the mobile efforts based on estimates of the number of workers that the mobile units will assist. CAL staff undertake trips to the catchment areas (geographical

¹³ The fundamental rights are defined by the Colombian labor code, the National Constitution of Colombia, and the ILO agreements on forced labor, as equal remuneration for male and female workers, minimum age of entrance into the labor market, and collective bargaining.

¹⁴ ENS identifies these legal activities as "*acciones jurídicas que se verifican.*" The services referred to as actionable are legal assistance services that are provided to workers so that they can file or otherwise initiate a legal claim.

¹⁵ A legal instrument that allows individuals and organizations that have experienced a violation of a constitutional right to present a legal claim before a judge.

¹⁶ ENS, Project Document, September 2014, pp. 2–3.

areas served by each CAL) linked to their office.¹⁷ The mobile CALs also aim to increase workers' awareness of labor rights violations in the priority sectors by providing labor rights forums (*talleres sobre derechos laborales*). Exhibit 1.3 presents the mobile CALs' coverage by sector of interest and geographic region.

Exhibit 1.3: Mobile CAL Coverage

Sector of Interest	CAL Office	Regional Influence
Ports	Medellín	Municipality of Turbo y Buenaventura
	Cartagena	Barranquilla and Santa Marta
Sugar cane	Medellín	Municipality of Palmira y Cali
Mining (oil refinery)	Cartagena	Barranquilla and Santa Marta
	Bucaramanga	Barrancabermeja
Flowers	Bogotá	Gran Sabana region
African palm	Bucaramanga	Puerto Wilches

Note: Since public sector workers are located primarily in cities, the CAL offices are the primary resource for this sector.

1.2.2 Program Logic

The program logic model presented in Exhibit 1.4 is based on the project's purpose, outcomes, outputs, and activities as described in the Project Document submitted by ENS to USDOL/ILAB.¹⁸ The blocks on the left side of Exhibit 1.4 list the activities that are implemented; the blocks in the middle list the outputs; the blocks on the right side identify the outcomes and impacts that will be achieved as a result of the interventions. As described in the Project Document¹⁹ and in Exhibit 1.4, the project will achieve its outputs by performing the following activities:

- A. Prepare a workers' rights handbook.
- B. Build CAL infrastructure.
- C. Formulate and sign agreements with universities.
- D. Train CAL staff.
- E. Collect information on CAL cases.
- F. Launch an outreach campaign.
- G. Provide legal assistance services.
- H. Initiate administrative or legal actions to protect labor rights.

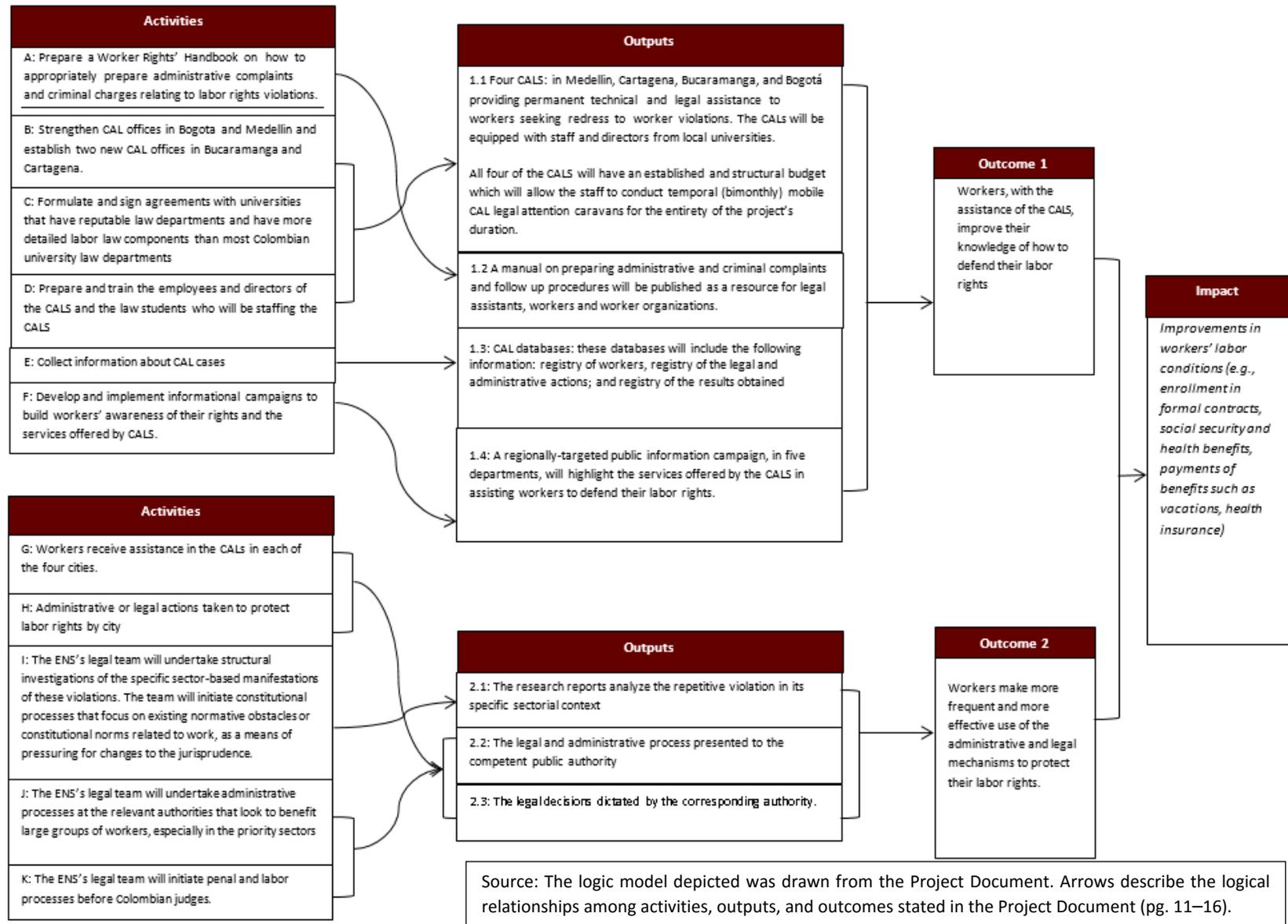
¹⁷ Ibid., pp. 8–9.

¹⁸ Ibid., pp. 11–16.

¹⁹ Ibid., pp. 12–13.

- I. Undertake structural investigations of the specific sector-based manifestation of labor rights violations in order to initiate constitutional processes.
- J. Undertake legal processes to benefit a large group of workers.
- K. Initiate penal and labor processes before Colombian judges.

Exhibit 1.4: Program Logic



As indicated in Exhibit 1.4, activities **A** through **F** (left column) are expected to lead to the following outcomes:

(1.1) Strengthen CAL offices in Bogotá and Medellín (these offices existed before USDOL funding and are being expanded) and establish two new CAL offices in Bucaramanga and Cartagena to provide permanent technical and legal assistance to workers seeking redress for workers' rights violations. The four CALs will conduct bimonthly mobile CAL legal assistance caravans for the entire project's duration.

(1.2) Produce a manual to help workers prepare administrative and criminal complaints. The handbook will contain the legal aspects (substantive and procedural) that are necessary for workers to prepare complaints and charges.

(1.3) Develop CAL databases that include information on clients who have obtained legal assistance, legal and administrative actions taken, and outcomes of actions.

(1.4) Launch a regionally targeted public information campaign that will consist of distributing flyers and organizing and attending academic conferences on labor law issues. The flyers will contain contact information and a brief description of CAL services. The academic conferences will take place at universities, and will aim to increase awareness of labor right violations and disseminate recent changes in labor law.

Activities **A** through **D** and their associated outputs focus on building the CALs' capacity—for example, staffing and training, and creating resources that will be readily available both to CAL staff and to workers. For example, in the course of preparing the Workers' Rights Handbook, the CALs will write periodic reports that provide examples of how workers can ensure the protection of their labor rights. The CALs also will organize workshops that will explain how workers can use the Workers' Rights Handbook effectively and follow its procedures to make demands and initiate complaints to protect their labor rights.

In addition, the systematic information collected at the CALs via the CAL databases (Activity **F**) will enable staff to gather evidence to support cases, design pathways for worker protection, and support the use of institutional mechanisms of worker protection. Thus, by seeking assistance from the CALs (Activity **G**), workers will gain access to resources about how to file labor claims. They will also gain broader knowledge about new and existing labor laws and a better understanding of the legal system (Outcome 1). These benefits will be reinforced by the implementation of the public information campaign (Activity **F**).

The rest of the CALs' activities (**H** through **K**) focus on the provision of legal assistance services, which can take several forms (e.g., *asesorias jurídicas* or, in some cases, the initiation of penal and labor processes before Colombian judges). These activities lead to the following outputs:

(2.1) Research reports analyzing repetitive violations

(2.2) Legal and administrative processes presented to the competent public authority

(2.3) Legal decisions dictated by the corresponding authority

For example, through Activity I (ENS's analysis of repetitive types of cases brought to the CAL), the CALs will furnish the information needed for ENS's research reports analyzing structural investigations (Output 2.1), which can guide the design of appropriate pathways for worker protection.

Overall, by receiving direct assistance from CAL services and guidance through the processes of the legal system, workers will learn how to file grievances, criminal complaints, and *tutela* actions, and will be equipped to choose the most appropriate legal mechanisms to vindicate their labor rights. For example, one of the potential benefits of CAL services is that workers will be able to identify the correct legal instrument or mediation effort that they should use in each case. Use of the correct legal instrument may increase the likelihood that workers will have a positive result. Moreover, the CALs are able to facilitate claims that would otherwise be difficult for an individual worker to pursue on his or her own. Accordingly, increasing the use of CAL services will result in increasing the frequency with which workers use administrative and legal mechanisms to protect their labor rights and the effectiveness of these mechanisms (Outcome 2).

1.2.3 Project Assumptions

In the Project Document, ENS identified a set of project assumptions.²⁰ These assumptions are critical to the performance of the project because if the assumptions do not hold, the project's performance may be affected. The following are the project assumptions:

- Colombia maintains relative political stability in order to make room for workers to freely exercise their rights.
- There is an environment of tranquility without threats or violations of human and labor rights against the working population.
- The tools created within the Action Plan are kept with no detrimental changes to rights.
- The Colombian government shows political will to improve compliance with labor rights.
- The Colombian government adopts labor measures that have a positive impact on the working conditions of workers.
- Government institutions provide the information necessary to ensure compliance via administrative and judicial actions.
- The U.S. and Colombian governments maintain their interest and political willingness to implement the Action Plan Related to Labor Rights.
- Workers commit to new processes to increase participation in democracy, overcome employers' impunity, and defend labor rights.
- Workers, who are in a precarious situation, are interested in improving their working conditions and trust the ENS.

²⁰ ENS, Project Document, pp. 16–19.

- Workers are willing to work collaboratively within their sectors and with strategic actors to strengthen advocacy efforts.
- The universities in the departments of Bolívar, Santander, Cundinamarca, and Antioquia are willing to establish agreements with the ENS in order to select the final-year law students.
- Law students from the universities in the departments of Bolívar, Santander, Cundinamarca, and Antioquia are interested in participating in the training processes and in the CALs' work.

1.2.4 Critical Factors for the CALs' Success

After reviewing USDOL/ILAB's reports from similar projects, the evaluation team identified a set of critical internal and external factors that may affect the CALs' success.²¹ These factors, which are different from the project assumptions described in the Project Document, denote internal and external aspects of the project that affect its success. These critical factors were discussed with ENS during the evaluation team's first visit to Colombia in March 2014. In general, ENS recognizes these critical factors.

Internal Critical Factors

The internal factors refer to aspects that are influenced by the project's performance. The team identified the following internal critical factors and reviewed them with ENS:

- **A Performance Monitoring Plan (PMP) is in place:** The PMP contains the performance indicators for the project's outcomes and outputs (Project Document, p. 25) and is a critical tool in any performance-based management approach. It should also include a detailed plan for action over time and across the CALs, allowing the project to collect comparable data even when key personnel change. Without a PMP, there are no baselines or targets against which to evaluate the project's achievements.
- **The outreach strategy drives enough demand for legal assistance:** Without sufficient demand for the legal services offered by the CALs, the project will fail to achieve its expected outcomes. The project's outreach campaign, which consists of distributing flyers and organizing and attending academic conferences, is intended to attract workers who have grievances.
- **The curriculum of the training program is relevant and based on the current legal framework:** The materials included in the training program are adequate to guide law students who offer legal assistance services. If the volunteer attorneys and law students do not have specific or relevant training in labor law (in particular, training on legal issues that would help workers), the quality of the legal assistance services will drop, thus reducing the project's capacity to achieve its expected outcomes.

²¹ Independent Mid-term Evaluation of the Union Capacity Development Component of the "Better Work Vietnam Program," June 2013; and U.S. Department of Labor, Bureau of International Labor Affairs. (2008). Final Evaluation of the Labor Law Compliance Program in Central America and the Dominican Republic, Final Report, December.

- **Technological capacity exists:** CAL offices have a technological platform in place to manage and analyze data from workers. Without the proper technological capacity, CAL staff will not have the data to plan, monitor, evaluate, and conduct research.
- **All offices are able to hire lawyers and recruit law students to assist workers in need:** The signed agreements with universities are designed so law students can practice law at the CALs. Without lawyers and law students, the CALs cannot offer legal assistance services to workers.
- **Legal claims are supported by complete and appropriate documentation:**²² Without solid documentation and evidence, the labor rights claims presented to the administrative and judicial authorities will be of substandard quality and will not be persuasive.

External Critical Factors

The external factors are those beyond the project's control that affect the project's performance. The following are the external critical factors that the team identified based on contextual research of the Colombian labor market:

- **Legal regulation:** If the country's legal framework for workers changes because of the enactment of new laws or new institutions protecting workers' rights, labor conditions likely will improve correspondingly or workers will have more successful claims independent of the project's direct intervention. On the other hand, if the government's administrative or legal authorities do not have the capacity, knowledge, or willingness to respond to workers' claims, then the project will have limited effect regardless of the intervention.
- **Economic performance:** If the country's economic performance causes an increase or a reduction in informal work arrangements and poverty, the number of workers who use legal services may be affected independently of the project's direct intervention.
- **Cultural practices:** If workers' attitudes toward legal assistance services improve as a result of external factors, such as a new policy aimed at protecting workers' rights in the palm sector, then the number of workers who access the CAL offices and use legal services may increase independently of the project's direct intervention.

1.3 Operational Context

The operational environment of the CALs is composed of several institutions and organizations that seek to support and improve labor rights among workers. These include government offices, workers' unions, university legal clinics, non-governmental organizations, and international organizations. Exhibit 1.5 presents a diagram of the context in which the CALs operate and the course for workers to receive legal support in Colombia.

²² A legal claim is an action filed by a worker whose rights have been violated, as outlined in the 1991 Colombian Constitution, international treaties, and the Colombian Labor Code. Some examples of legal claims are *denuncias penal*, *prevaricato*, *quejas*, *querellas*, and *tutela*.

In Colombia, the worker–employer relationship should be governed by a contract between the two parties; however, employers often outsource services through intermediaries to avoid paying the benefits and compensation mandated by law. In cases in which a labor dispute arises between workers and employers, workers often go to the Ministry of Labor for initial assistance. Ministry staff may provide basic legal information, but the law prohibits them from offering legal assistance. Workers are then referred to other organizations, such as university legal aid clinics and the nearest CAL. At the CAL, law student interns work with the workers to help them file complaints with the Ministry of Labor or file legal claims in the court system, both of which have jurisdiction over employers.

Besides legal assistance to individual workers, the CALs also offer legal training to their student interns and to organized workers, and contribute to the legal advocacy work of ENS and the Solidarity Center. The key stakeholders are described below.

Ministry of Labor. A major stakeholder in labor rights advancement in Colombia is the Ministry of Labor. As mentioned in Section 1.1, the Ministry of Labor supports two efforts to assist workers: the COLabora program and the labor inspectorate. The COLabora program aims to inform workers of their labor rights and employers of their legal obligations. Through the COLabora program, workers have access to a nationwide telephone hotline and a website with an online form that they can use to notify the ministry of wrongdoing at their workplace, as well as make suggestions or complaints about the ministry’s public officials. In addition, the Ministry of Labor employs labor inspectors who investigate labor complaints to ensure employers’ compliance with labor regulations.

Workers visiting a CAL have often been referred by a Ministry of Labor office. According to the project’s annual progress report for 2014, 67 percent of the clients of the Bogotá CAL have been referred by the ministry. As part of their legal services, the CALs routinely help workers file complaints or petitions to labor inspectors, who also have the power to serve as arbitrators between employers and workers.

Court System. If a worker and an employer consent, labor disputes may be submitted to an arbitration panel. Cases can also be initiated in the lower courts, either in a labor circuit court or a civil circuit court if there is no labor circuit court in the area.²³ In special circumstances, the CALs enable workers to file criminal complaints (*querellas*) through the legal system. If workers’ constitutional rights are being violated by an action or omission from a public authority or if there is an imminent threat to their well-being, workers can file a *tutela*, or constitutional claim, with any competent judge. The CALs assist workers in collecting evidence and documentation to present a *tutela* in the labor circuit court or, if necessary, appeal a ruling.

²³ USDOL ILAB. Colombia Labor Rights Report. 2008.
<http://www.dol.gov/ilab/reports/pdf/ColombiaLaborRights.pdf>.

Workers' Unions and Federations. The main union partners are the CUT and the CTC, which have representatives on the CAL executive board. Depending on the city, the unions may also provide operational support for the mobile CALs and help convene workers.

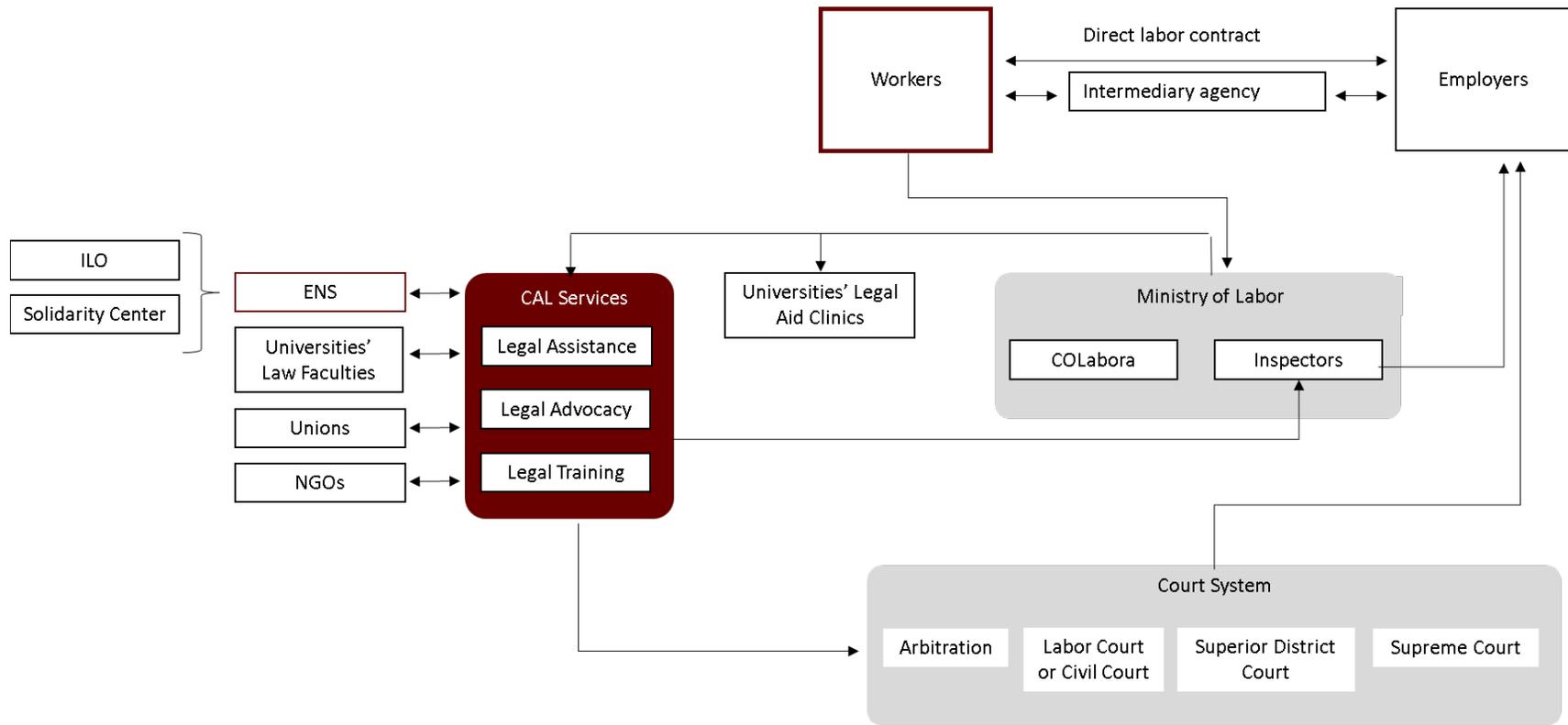
Universities. Partnerships with universities are essential to the CALs because they depend on law students to offer legal services. The CALs, in turn, offer students additional training in labor law and other relevant topics.

International Labor Organization (ILO). The ILO in Colombia promotes international labor standards. The organization recently signed a memorandum of understanding with the Colombian government to collaborate and create decent working conditions for rural workers. ENS and ILO work jointly in the program to strengthen labor inspection in the Ministry of Labor.

Solidarity Center. The Solidarity Center in Colombia works with unions and community groups to help them protect their right to association, to help end labor subcontracting, and to promote inclusion of women and Afro-descendant workers. Like the CALs, they also work with workers in vulnerable sectors such as palm, sugar, ports, and the public sector. ENS and the Solidarity Center have entered into an agreement to assist in the project's design and cooperate during project implementation. The director of the Solidarity Center is a member of the CAL steering committee, and the center also has a representative on the management committee.

Non-Governmental Organizations (NGOs). The CALs also cooperate with local NGOs to provide additional services to workers and to reach workers in priority sectors.

Exhibit 1.5: Operational Context for Receiving and Providing Legal Support in Colombia



2. EVALUATION PURPOSE AND METHODOLOGY

2.1 Evaluation Purpose

The purpose of the mid-term implementation evaluation is to assess ENS's progress toward achieving its objectives, identify lessons learned from its program strategy and key services implemented to date, provide feedback about the project's achievements, and make recommendations to improve the project's overall success. The implementation evaluation focuses on the following six areas of analysis, which USDOL/ILAB identified in the project's Terms of Reference:

1. Validity of the project's design
2. Relevance and strategic fit
3. Project's progress and effectiveness
4. Efficiency of resource use
5. Effectiveness of management arrangements
6. Impact orientation and sustainability

2.2 Methodology

The methodology for data collection and analysis was primarily qualitative in nature. Quantitative data were obtained from project documents and reports and incorporated into the analysis when appropriate. Data collection methods and stakeholder perspectives were triangulated to bolster the credibility and validity of the results. The evaluation team collected and analyzed data from the following sources:

- Key documents from the project
- Site visit to the CALs, including focus groups with direct beneficiaries and CAL student lawyers, and interviews with project implementers and key stakeholders
- Observations of the CALs, their mobile units, and trainings

In addition, as described in the Implementation Evaluation Design Report, the evaluation team intended to collect data for a case study review to assess the project's effectiveness. The case study was designed as a review of the quality assurance process implemented by ENS on claims filed through legal assistance offered at CAL offices. The review was meant to supplement the primary modes of data collection (semi-structured interviews, focus groups, and document review) and assist the team in validating some of the internal and external critical factors that could affect the success of the program (Section 1.2.4). The critical factor most pertinent to the case study review was the support of legal claims through complete and appropriate documentation. The relevant external factor was legal regulation. However, the evaluation team was unable to conduct the case study for two reasons: (1) the absence of consistent data

and reporting of the verification process and (2) the judicial branch strike that took place from October 2014 to January 2015. After conducting the document review and individual interviews, the evaluation team found that ENS was not systematically collecting from all the CALs the key indicators described in Outcome 2 of the PMP—in particular, the reasons causing favorable and unfavorable legal outcomes. In addition, according to the information collected from the site visit interviews, labor claims presented to the Ministry of Labor, which were supposed to take no longer than three months to be answered, have been taking more than eight months to obtain a response. The emblematic cases presented in superior courts can take an average of three years to obtain a ruling. The lack of data on legal outcomes made the completion of a case study review infeasible. In addition, the judicial strike resulted in a significant backlog for the courts in reviewing legal cases. Under these circumstances, the evaluation team concluded that the data collected through primary sources were adequate to validate the relevant internal and external critical factors.

Exhibit 2.1 lists each area of analysis, its main features, and the methodology that the team used to conduct the data analysis. The “Main Features” column presents the significant concepts that the team examined. For example, in the validity analysis, the team looked at the logic of the project’s design and the consistency between the project’s goals and the legal needs of workers who might be interested in using CAL services. Under impact orientation and sustainability, the team evaluated the stakeholders’ commitment to continue supporting the services implemented by the CAL project.

Exhibit 2.1: Methodology by Area of Analysis

Area of Analysis	Main Features	Data Source
Validity of the project design	<ul style="list-style-type: none"> ▪ Logic of the project design ▪ Consistency between the project’s goals and the needs of workers/clients 	<ul style="list-style-type: none"> ▪ Interviews ▪ Focus groups ▪ Document review ▪ Observations
Relevance and strategic fit	<ul style="list-style-type: none"> ▪ Assessment of workers’ legal needs ▪ Relevance within the country context ▪ Strategy to address illegal indirect hiring practices 	<ul style="list-style-type: none"> ▪ Interviews ▪ Focus groups ▪ Document review ▪ Observations
Project’s progress and effectiveness	<ul style="list-style-type: none"> ▪ Status of the project’s outputs ▪ Progress in each project activity ▪ Effectiveness of the project’s capacity-building strategies to work with clients and effectiveness of its offered services 	<ul style="list-style-type: none"> ▪ Interviews ▪ Focus groups ▪ Document review ▪ Observations
Efficiency in the use of project resources	<ul style="list-style-type: none"> ▪ Management and use of project resources ▪ Collaborative efforts to reduce project costs and increase outputs 	<ul style="list-style-type: none"> ▪ Interviews ▪ Document review
Effectiveness of management arrangements	<ul style="list-style-type: none"> ▪ Management plan to promote a positive and success-oriented work environment in responding to the challenges of offering legal assistance ▪ Support structure and team communications 	<ul style="list-style-type: none"> ▪ Interviews ▪ Focus groups ▪ Document review ▪ Observations

Area of Analysis	Main Features	Data Source
Impact orientation and sustainability	<ul style="list-style-type: none"> ▪ Stakeholder commitment ▪ Prospects for continued funding ▪ Orientation toward a labor rights advocacy network 	<ul style="list-style-type: none"> ▪ Interviews ▪ Focus groups ▪ Document review

2.2.1 Evaluation Schedule

The evaluation team completed a project document review in December 2014, with additional document requests in the first quarter of 2015 to update the review. The team also conducted two observations of the CALs, in Bogotá and Bucaramanga in December 2014 and January 2015, respectively. The site visit to Colombia to collect information from semi-structured interviews and focus groups was conducted between March 7 and March 14, 2015. Prior to the visit, the evaluation team developed interview and focus group guides. During the site visit, the team conducted focus groups with students and CAL clients, and interviews with project managers. After completion of the site visit, the evaluation team held debriefings first with ENS and then with USDOL/ILAB to discuss key findings and recommendations. The majority of the data analysis and report writing was conducted from April to June 2015. The complete schedule of evaluation activities is shown in Appendix A.

2.2.2 Data Collection

The evaluation team collected data from four sources: (1) semi-structured interviews, (2) focus groups, (3) document reviews, and (4) observations at the CALs. The team used the data from these sources to answer the evaluation questions proposed for each analytic area.

Semi-Structured Interviews. The team conducted semi-structured interviews to obtain stakeholders’ perspectives on the project’s implementation and progress. The team interviewed members of the steering²⁴ and management²⁵ committees and project experts at ENS.²⁶ The team also interviewed local experts outside ENS who have political and historical knowledge of labor rights issues in Colombia, including a government representative and a university professor. Exhibit 2.2 presents the number and types of interviews conducted in each city. The interview guides can be found in Appendix B.

In Bogotá, the team interviewed the CAL director, the director of the Solidarity Center, and three external experts, including an ILO representative, a government representative, and a university professor. In Bucaramanga and Cartagena, the evaluation team interviewed the CAL directors. In Medellín, the team interviewed the CAL director; members of the steering committee (the ENS project coordinator, the ENS general director, and the ENS academic

²⁴ The steering committee consists of the ENS general director, the academic director, the director of the defense of rights and communications units, the ENS project director, and the director of the Solidarity Center in Colombia.

²⁵ The members of the management committee include the CAL directors; the ENS expert on project planning, monitoring, and evaluation; and a representative of the Solidarity Center.

²⁶ The project experts at ENS include an expert on labor and constitutional law, an expert on research and labor rights documentation, and an expert on the investigation and documentation of violence and legal proceedings.

director); the ENS expert on project planning, monitoring, and evaluation; and the ENS expert on research and labor rights documentation.

Exhibit 2.2: Participants in the Semi-Structured Interviews

City	Steering Committee	Management Committee	Project Experts	External Experts	Total
Bogotá	1	1	0	3	5
Bucaramanga	0	1	0	0	1
Cartagena	0	1	0	0	1
Medellín	2	1	2	0	5
Total	3	4	2*	3	12

*The ENS expert on project planning, monitoring, and evaluation is also a member of the management committee, but was not interviewed.

Note: Nearly half of the interviews took place in Medellín, where the ENS headquarters is located.

Focus Groups. The evaluation team conducted focus groups in each city to assess the institutional capacity of the CALs. The two target groups were CAL clients and law students practicing in CAL offices. Each focus group addressed different types of questions. The focus group guides can be found in Appendix B.

As discussed in section 1.2.1, the CALs offer two types of legal assistance services: (1) services that are actionable and (2) services that are informational. The team conducted focus groups with CAL clients who had sought legal assistance from the CALs for violations that were actionable, to understand the perspectives of workers who had experienced labor rights violations and were familiar with the CALs' services, their effectiveness, and their effects on intended outcomes. The team conducted two focus groups with CAL clients at each of the four locations, one for male clients and one for female clients.

The team also conducted a focus group at each CAL with law student interns, whose main responsibility is to offer direct legal assistance to clients. Exhibit 2.3 shows the number and type of focus groups conducted in each city.

Exhibit 2.3: Participants in the Focus Groups

City	CAL Clients*	CAL Lawyers	Total
Bogotá	2	1	3
Bucaramanga	2	1	3
Cartagena	2	1	3
Medellín	2	1	3
Total	8	4	12

*The evaluation team conducted one focus group with male CAL clients and one with female CAL clients at each site.

Document Review. The evaluation team conducted a document review to inform the semi-structured interviews and focus groups and to supplement findings from other data collection efforts. In addition to addressing the six areas of analysis, the document review addressed

overarching questions about the project, such as the cohesiveness of the project’s training and educational activities, operations, and outreach efforts. The team identified relevant documents for the review based on the research questions and the document’s main purpose. The three categories of documents reviewed were (1) training and education, (2) operation and reporting, and (3) outreach efforts. Exhibit 2.4 lists each document by category.

Exhibit 2.4: Documents Reviewed by Category

Training and Education	Operation and Reporting	Outreach Efforts
<ol style="list-style-type: none"> 1. Workers’ Rights Handbook 2. Workers’ Rights Handbook workshop protocol 3. Workers’ Rights Handbook workshop curriculum 4. Defense of Labor Rights workshop protocol 5. Defense of Labor Rights workshop curriculum 6. CAL staff training protocol 7. CAL staff training curriculum 	<ol style="list-style-type: none"> 1. Project document 2. Document on institutional design 3. Performance monitoring plan 4. Work plans 5. Quarterly and monthly progress reports 6. Technical progress report for ILAB 7. CAL database protocol 8. Special populations protocols 9. Follow-up on case reports protocol 10. CAL survey protocol 11. Reports on labor cases at the CALs 12. Research reports analyzing repeated violations 13. Document on workers’ legal needs and illegal indirect hiring 14. Strategic plan for sustainability 	<ol style="list-style-type: none"> 1. Mobile caravans strategy protocol 2. Outreach campaign strategy 3. Document on communication strategy 4. Cooperative agreements

Observation at the CALs. The evaluation team conducted direct observations of two types of CAL activities: (1) training of CAL staff, including training for law students and lawyers who provide legal services to CAL clients; and (2) the operation of the CALs, including day-to-day functions and the mobile outreach efforts. The team conducted observations at two CALs, one established (Bogotá) and one new (Bucaramanga). Visiting one new and one established CAL enabled the team to obtain a comprehensive picture of how the CALs function at various stages of operation, including their policies, procedures, and activities.

The team attended one training workshop for CAL staff at each CAL to observe training methodologies and content. The team also observed two working days at each CAL and at the mobile caravans. During these visits, the team observed the staff members’ interactions with CAL clients, including their handling of the intake and referrals of workers who contacted the CAL, the legal services that the CALs provide, and the delivery approach. The team also examined the CALs’ infrastructure, including electronic and paper-based tracking databases, schedules, and records; monitoring and evaluation practices; and management approaches.

2.2.3 Data Analysis

The document review, stakeholder interviews, focus groups, and observations generated a substantial amount of raw qualitative data. The team used standard qualitative data analysis methods, including matrix analysis, to categorize, synthesize, and summarize the raw data

captured from the interview and focus group transcripts, the internal document review report, and the internal observation report. The data analysis process was driven by the six areas of analysis.

2.2.4 Limitations

As mentioned earlier, the evaluation team collected information through interviews with ENS leadership, CAL directors, steering and management committee members, ENS project experts, and external experts, and through focus groups with CAL law student interns and clients. A limitation of data collected in this way is that, as in all qualitative research, the relevance of the findings depends on the accuracy of the information provided by the informants. The team made an effort to elicit other important perspectives by interviewing outside experts, including an ILO representative, a COLabora program manager, and an academic leader in Colombian labor rights. Whenever possible, the report includes references to publications that support stakeholders' views. Because the team did not interview other government officials or employer/private sector representatives, the team was not able to corroborate all information provided by workers with employer or government perspectives.

The team had to rely on the implementing agency to convene workers to participate in the focus group. Colombia's labor context made it highly unlikely that workers would respond to calls from an unfamiliar organization. At the request of the evaluation team, the implementing agency tried to recruit a balanced mixed of participants (i.e., unionized vs. non-unionized workers), but this was not always possible.

3. FINDINGS

This section presents the evaluation findings based on the data collected from the three main sources: (1) interviews and focus groups conducted with project stakeholders in Colombia, (2) observations at two CALs, and (3) a review of project documents and reports. The key findings are presented according to the six analysis areas:

- Validity of the project design
- Relevance and strategic fit
- Project progress and effectiveness
- Efficiency of resource use
- Effectiveness of management arrangements
- Impact orientation and sustainability

Each section concludes with a summary of lessons learned and promising practices based on the findings.

3.1 Validity of the Project Design

3.1.1 Logic of the Project Design

As described in Section 1.2, the current project is based on a successful pilot in Medellín implemented by CUT Antioquia and ENS. The project's primary strategy is to replicate this experience in three other cities, with the vision of integrating the CALs into a national, sustainable, and union-led initiative. To evaluate how each project component contributes to the overall objective, the evaluation team relied on the latest available draft of the Project Document.²⁷

In assessing the logic of the Project Document, the team discovered that some of the outputs described in the logical framework were not the same as those described in the PMP. The logical framework describes the project's overall and specific objectives, outcomes, outputs, indicators, means of verification, and assumptions; however, specific targets for the indicators are missing from the Project Document and the Performance Monitoring Plan. Only the Work Plan includes targets for the output indicators.

Although the objectives of the project as originally outlined are clearly articulated and SMART (specific, measurable, assignable, realistic, and time-related), the PMP does not provide targets against which to measure its success or lack of success (e.g., what percentage of favorable outcomes is required for the project to be considered successful). In fact, the CALs did not track and measure all the outcome indicators described in the Project Document related to knowledge acquisition for either workers assisted by the CAL or CAL personnel (e.g., improvement in knowledge following training activities) and have focused mainly on tracking

²⁷ ENS, Project Document, September 2014.

output indicators (e.g., number of workers visiting the CAL or type of legal actions), which can be obtained more easily from the CAL database. Although some of this information is being reported in the Technical Progress Reports to DOL every quarter, the way it is reported is not consistent across CALs and reporting periods, which makes it difficult to evaluate. The main issues, summarized by indicator, are in Exhibit 3.1.

Exhibit 3.1: Main Reporting Issues in Technical Progress Reports to DOL

Indicators in Technical Progress Report	Main Issues
Number of workers assisted	None (all CALs report consistent and complete data)
Referrals	Reported by CAL Bogotá only and once by CAL Cartagena
Legal actions, administrative, and other	Classification inconsistent across CALs and reporting periods
Mobile CALs	Not all CALs report on number of workers assisted
Student lawyers	None (all CALs report consistent and complete data)
CAL staff trainings	Report numbers of student trainings, but do not measure “acquisition of knowledge” as suggested in the PMP
University agreements	None (all CALs report consistent and complete data)
Legal actions	Numbers do not add up across reports; inconsistent reporting across CALs
Administrative actions	Numbers do not add up across report; inconsistent reporting across CALs
Verification process	Inconsistent reporting across CALs

In addition, the PMP does not specify a minimum percentage of workers that should be reached when conducting the follow-up calls and at times it seems to imply that all workers are going to be surveyed (Output 2.2).

More importantly, in the development of the outcome indicators, the design did not take into account the difficulty of collecting the information necessary to track and monitor these indicators. For example, the objectives include what seem to be verifiable indicators that are measurable and quantifiable (e.g., percentage of labor conflicts that are settled favorably for workers) and outline the means of verification (e.g., a survey of a sample of workers). However, obtaining these data from all CAL clients can overwhelm CAL resources.²⁸ For example, there is only one phone line for students, and most students in the Medellín CAL have to use their personal cell phones to conduct calls.

Despite these issues, there was widespread agreement among those interviewed that the project design was well thought out and valid given the Colombian government’s efforts to improve the capacity of the Ministry of Labor through the ILO project.²⁹ An ILO representative

²⁸ As part of the impact evaluation, IMPAQ is surveying workers who visit the CAL for the first time before they receive CAL assistance and then following up a few months later. The information collected by this survey will be used to measure the effect of the project on workers’ outcomes.

²⁹ ILO is funding a project to train Ministry of Labor inspectors, among other activities.

stated, "One of the issues we identified that negatively affects the efficiency and effectiveness of the labor inspectorate is the number of unsubstantiated complaints handled by the Ministry of Labor. An important contribution of the CALs is the presentation of well-founded and substantiated claims and the monitoring of those cases from complaint to resolution. It is my hope that better complaints will promote effective investigations and that better monitoring will promote efficiency."

The changes that the new CALs have made are often minor adjustments rather than significant design changes. In Bogotá, there was a more significant design change due to the large volume of clients (i.e., requiring workers to make prior appointments).

Stakeholders agreed that the overall goals and milestones in the project design were on target. Most of the stakeholders interviewed felt that the project schedule was adequate, although a couple of CAL directors thought that a three-year project³⁰ was too short to significantly affect the labor rights situation in Colombia, given the realities of the Colombian justice system and the amount of time it takes for the state to respond to claims.

Several stakeholders noted that the project timeline did not anticipate the length of time it took to set up the CALs, both in terms of finding a location (the city as well as the physical space) and establishing agreements with universities and strategic alliances with the labor federations, which meant that the CALs did not become fully operational until March 2014. In addition, according to the Technical Progress Reports to DOL, ENS devoted the first quarter of 2013 setting up the project's management team, adopting USDOL reporting requirements, and stakeholder meetings. Disbursement of funds to ENS did not occur until the second half 2013 due to issues in registering the institution to receive transfers. For the new CALs in Bogotá, Bucaramanga, and Cartagena, that left less than two years to address workers' legal needs and claims. One ENS project coordinator commented:

In three years you are able to set things up, to begin, to fill the first tank of gas to the strategy, but you cannot see if reality has changed, if you were able to fix the lives of those workers. ... The project is very well designed but it does not have enough time to measure success. ... The government is slow in responding to a claim of unconstitutionality; the government is slow in responding to an administrative *querrela*³¹ to the Ministry of Labor. We started all of that in the second and third years, and in the fourth year there is no more project.

At the design stage, the location of all four CALs was not yet determined. Several stakeholders felt that certain program features might have been designed differently had the characteristics of the locations been taken into account at the design stage. For instance, plans for transitioning the program management to the CUT and the CTC after USDOL funding ends

³⁰ The ILAB-ENS Cooperative Agreement states that the agreement period runs from December 27, 2012 to December 26, 2015.

³¹ The actual complaint that is directed to an official.

might have been different for a CAL located in a city without strong local labor federations and with lower union participation by workers.

Finally, although the design included both services to the public (the workers who come to the CAL in search of information and support for labor claims) and the pursuit of strategic or emblematic cases, considerable CAL resources have been devoted to individual cases. As a key informant from the Solidarity Center responded:

It has been shown that it is very important for the federations, specifically, to deal with such high demand. I think our approach [to focus only on emblematic cases] was less realistic than that of those who designed the program, because they knew from experience that demand is so high that you cannot refuse to provide services to people, so I think their approach was more realistic.

3.1.2 Strengths and Weaknesses of Project Design

Strengths. Stakeholders across the four cities remarked on the program's strength as a training mechanism for future lawyers. Although university legal clinics and the Ombudsman Office of Colombia (Defensoría del Pueblo) provide legal services to workers, these institutions do not have the expertise in labor law that the CALs offer. Therefore, the training and hands-on experience that the CALs provide to Colombian university students are unparalleled.

Although devoting so many program resources to the pursuit of individual worker claims might appear to be a weakness of the design, ENS leadership viewed it as a strength. The review of claims provides ENS and the CALs with a current view of patterns of violations of workers' rights, which feeds directly into the selection of emblematic cases. For instance, new methods used by companies to circumvent a 2010 law to combat illegal indirect hiring by restricting the use of subcontracting have become apparent only by examining individual cases that workers have brought to the CALs. Some of these new methods are union contracts³² and simplified stock companies (SAS).³³ The CALs also assist labor unions through consultations on collective workers' rights. In addition, the client information in the CAL databases gives the CALs the ability to identify the most vulnerable workers and sectors.

Finally, ENS leadership reported that one of the most valuable aspects of the project may be the support of the United States government, not just the financial support but the endorsement of a U.S. agency. The project coordinator mentioned that USDOL's support opened "more opportunities of dialogue, that is, employers don't slam the door on us. ... It gives us a chance for dialogue with these different actors or at least with the government and employers." The director of the area of Defense of Rights felt that the fact that the project is

³² Employers set up their own unions and may force workers to join the company union as a requirement for employment.

³³ SAS limit the responsibility of investors through anonymous shares by holding them accountable only up to the amount they have contributed. Investors are not responsible for any labor, tax, or other type of obligations or liabilities the partnership undertakes.

funded by USDOL gives considerable legitimacy to ENS strategy; he felt that the efforts to help organize workers in the palm sector and the sugar sector, for example, would not be tolerated by the employers or the Colombian government if the project did not have the support of the United States.

Weaknesses. The project design envisions helping workers through two main mechanisms: (1) legal assistance offered at the CALs and (2) investigating and filing emblematic cases. The first mechanism helps ENS's legal team to identify and document the cases and strategies to be used for the second mechanism, with the goal of achieving results that benefit all workers. This would, in turn, reduce the demand for CAL services. However, until the time that ENS obtains the desired results from the emblematic cases, a high volume of workers will continue to seek legal assistance. Because the CALs hire only law students, these interns can handle only labor actions that do not require law graduates to present them. That is, the student interns can prepare *querellas* and *tutelas*, but cannot follow a case through the ordinary judicial channels and thus are unable to represent workers in court or even in arbitration. This is a project design limitation as well as a source of frustration, particularly for the student interns, who feel that they cannot pursue their cases to the end.

Moreover, although the project design requires that CALs follow up on cases, project resources, due to a higher than anticipated volume of workers, have limited the ability of the lawyers and students to systematically and consistently conduct case follow-up. If workers do not respond to calls from the interns, the outcomes of cases cannot be tracked, and it is even difficult to know whether a claim was taken to the Ministry of Labor.

Another weakness in terms of the sustainability of the project is ENS's exit strategy, which is to transfer control of the project to the labor federations. This strategy does not take into account the limited financial resources of the labor federations in Colombia, where less than 5 percent of the working population is unionized. Given the project's timeframe, it is unlikely that the transfer of project management will happen before the end of the current funding.

3.1.3 Project Assumptions

The project design was based on a set of assumptions that, if fulfilled, would enable the project to achieve its outputs and outcomes within the specified timeframe. These assumptions, as defined in the Project Document, are summarized in Exhibit 3.2 and are still seen as valid, with some caveats, as described below.

According to all stakeholders, Colombian workers are indeed interested in improving their working conditions. Lack of demand for CAL services has not been an issue and, during the focus groups, all the workers in each of the four cities said that they were satisfied with the quality of assistance. Another initial assumption—that workers trust ENS—appeared to be true; however, the evaluation team had no way to determine to what extent ENS is widely known to

Colombian workers.³⁴ For instance, one CAL director indicated that ENS was not well known in the Magdalena Medio sub-region.

Exhibit 3.2: Status of Project Assumptions

Project Assumptions		Mid-Term Evaluation Findings
There is political will by the Colombian and U.S. governments to implement the Action Plan; Colombian institutional environment upholds and protects labor rights.	Relative political stability.	Initial expectations of institutional change have not materialized. The Ministry of Labor has been unable to ensure compliance of actions taken by the CALs. Access to the judicial system is still seen as a major obstacle for workers and the CALs.
	Tranquil environment.	
	U.S. and Colombian governments maintain interest in implementing the Action Plan.	
	Tools created within Action Plan are maintained.	
	Colombian government has political will to improve compliance.	
	Colombian government adopts labor measures that have a positive impact on the working conditions of workers.	
	Government institutions provide the information necessary to ensure compliance via administrative and judicial actions.	
There is interest from university administrators and law students.	Universities are willing to establish agreements.	The CALs have reached agreements with relevant universities in the cities where they are located. University students have shown strong interest in the program, and applicants to the program will soon surpass the CALs' capacity to accept them.
	Law students are interested in participating.	
Workers are interested and committed to defend their rights through advocacy efforts.	Workers are committed to defending their rights.	Workers are interested in and committed to defending their rights. Workers who visit the CAL trust the staff and collaborate with students to gather needed information to present a claim.
	Workers who are in a precarious situation are interested in improving their working conditions and trust the ENS.	
	Workers are willing to work collaboratively within their sectors and with strategic actors to strengthen advocacy efforts.	

The third key program assumption is that the Colombian government has the political will to improve workers' conditions in Colombia. This assumption appears less certain based on the

³⁴ One of the components of the impact evaluation of this project is a survey of the general population of workers (not only CAL clients) in the Santander and Meta regions of influence. The results of this survey, which will be part of the impact evaluation end-of-project report, will provide some indication of whether a more general population of workers is familiar with the CALs.

qualitative data that the team collected. In interviews, stakeholders noted that the Ministry of Labor does not appear to be fulfilling its role as a resource for workers to obtain information on labor law and their rights, assistance with *liquidaciones* [severance and benefits pay], and guidance on how to proceed in cases of labor rights violations. Instead, ministry staff direct workers to the CALs. In the focus groups, the workers who had been referred to the CALs by the ministry explained that they were not assisted there with their questions about their rights. Some told of getting assistance with *liquidaciones*, but that the ministry calculated them incorrectly and the workers had to go to the CAL to get them done properly.

Student interns and CAL clients expressed similar views during the focus groups, and described a number of hurdles when dealing with the Ministry of Labor and the justice system. CAL clients also stated that they had been turned away from the ministry when asking for assistance. Although the evaluation team could not verify the reasons why these clients were turned away, a COLabora official explained during an interview that the Ministry of Labor is unable, by law, to offer legal assistance to workers. They are permitted only to give information regarding workers' rights. The ministry created the COLabora hotline to answer workers' labor-related questions, and the online calculator (*La Calculadora Laboral*) to provide information regarding severance and benefits pay. The program receives approximately 1.5 million calls a year.

In addition, stakeholders noted barriers to project implementation caused by the judicial system. Although the labor code indicates that the time for investigating a case and responding to a *querrela* should not take longer than two and a half months, CAL staff reported that it can take eight months and even up to a year and a half. As of May 2015, the CALs had submitted 113 *querellas*, and the ministry is only now beginning to rule on the early ones, dating from the beginning of 2014.³⁵ However, CAL staff have reported that the ministry is closing cases without a decision or an investigation. CAL staff noted that they are prepared to contest those decisions and demand that the cases be reopened.³⁶

The evaluation team was not able to independently confirm the number of these cases because the Ministry of Labor releases the report from the Vigilance, Inspection, and Control unit for its activities related to 2014 at the end of 2015.³⁷ However, according to a ministry press release, in 2013 the unit received 361 workplace harassment applications for investigation, whereas in the first quarter of 2014 it had already received 346 applications, suggesting an important increase in the number of applications it expected to handle.³⁸ In addition, even with the relatively lower number of applications in 2013, the quarterly reports for that year reveal that the proportion of companies fined on average did not exceed 7 percent of those investigated,

³⁵ ENS. 2015. Report of querellas submitted to Ministry of Labor (*Seguimiento a querellas OIT 2015*)

³⁶ One of the components of the impact evaluation of this project is a baseline and follow-up survey of CAL clients who seek assistance at the Medellín and Bogotá CALs. The results of this survey, which will be part of the Impact Evaluation End of Project Report, will show the percentage of cases that were resolved within three months after clients visited the CAL for the first time.

³⁷ <http://www.mintrabajo.gov.co/tlc-plan-de-accion-laboral.html>.

³⁸ <http://www.mintrabajo.gov.co/medios-abril-2014/3326-aumentan-denuncias-por-acoso-laboral.html>.

and even collecting the fines they do impose has remained a major challenge since 2011.³⁹ According to ILO standards, Colombia should have 2,000 labor inspectors, given its economically active population, which averages 15 cases per inspector.⁴⁰ However, as of November 2014, the number of active labor inspectors was 715 inspectors, less than half recommended by ILO,⁴¹ each of them handling about 48 cases.

Stakeholders also asserted that the justice system is not contributing to the respect of workers' rights. The Constitutional Court has ruled in favor of the *contrato sindical*, a new mechanism to hire workers that appeared after the *cooperativas* were struck down. The *contrato sindical* is a way to hire workers through intermediaries without having to provide them with benefits. The CALs chose two well-documented, emblematic cases to pursue on this issue, but the Constitutional Court's rulings are now invoked by the employers that use that type of hiring. Further, students in Bogotá spoke about the randomization of case assignments to judges and how the outcome of a case is greatly affected by the judge's knowledge of labor law. For instance, some cases are assigned to labor judges, but others are assigned to civil law judges. Decree 1382 and agreement number PSAA13-10069⁴² establish that *tutelas* must be distributed equally among court offices, and therefore among judges, without considering the legal background of the judge. When a *tutela* is presented, a clerk enters the information into a system that outputs the court number to which the *tutela* has been assigned.

In the students' view, some rulings demonstrate little knowledge of labor law. Students noted that the courts are overloaded, and judges try to get through cases quickly rather than pay attention to the specific issues. According to the information produced by the Corporación Excelencia en la Justicia (CEJ) [Corporation for Excellence in Justice], an independent research center that monitors the judicial system in Colombia, there were 146,492 labor cases without a ruling, or 55 percent of the cases related to labor claims.⁴³ One CAL director also mentioned biased courts and corruption, expressing the view that judgeships are given as political favors to supporters of politicians. According to CEJ's latest indicators, in the past few years the confidence in the justice system in Colombia has diminished, while the perception of corruption has increased. Based on the results of the Latin American Public Opinion Survey (LAPOP), the index of trust in the justice system was 41 percent in 2013, almost 10 percentage points below the level in 2010. The perception of corruption in 2013 was 58 percent, almost 4 percentage points higher than in 2010.

³⁹ Office of the United States Trade Representative and U.S. Department of Labor. (2015). *Standing Up for Workers: Promoting Labor Rights through Trade*, p. 23.

⁴⁰ <http://www.eltiempo.com/economia/sectores/oit/14075496>.

⁴¹ Dirección de Inspección, Vigilancia, Control y Gestión Territorial. *Informe Nacional Inspección del Trabajo Año 2013*. November 2014.

⁴² Retrieved from: <http://actosadministrativos.ramajudicial.gov.co/> on July 9, 2015.

⁴³ Information retrieved from: <http://www.cej.org.co/index.php/indicadores-de-justicia> and https://docs.google.com/a/cej.org.co/spreadsheets/d/1fOTae9wdvvaexh7f1yUtBXuukmSbn_1iN16nUHtwnw/pubhtml on July 9, 2015.

In addition to the project assumptions, the evaluation team identified a set of critical internal and external factors that may affect the CALs’ success (see Section 1.2.4). Exhibits 3.3 and 3.4 summarize the findings related to the internal and external factors, respectively.

Overall, there were no major issues related to either the internal or external factors. As described earlier in this section, the Performance Monitoring Plan was not implemented according to the Project Design and lacks clearly defined outcome indicators and targets. The team therefore relied on the Work Plan to measure progress.

The evaluation team also planned to conduct a case study of legal and/or administrative actions to evaluate whether the legal claims submitted by the CALs were supported by complete and appropriate documentation. However, the case study could not be conducted as originally planned because of lack of data across all CALs from claims submitted to the relevant administrative and legal authorities.⁴⁴ Instead, the team drew on qualitative information from the stakeholder interviews and focus groups to verify this critical factor. In general, the quality of the legal assistance offered by the students was not questioned by any of the stakeholders.

Exhibit 3.3: Status of Internal Factors

Internal Critical Factors	Mid-Term Evaluation Findings
Performance monitoring plan (PMP) is in place.	The PMP, as described in the Project Document was not in place. The evaluation team relied on the Work Plan to measure progress for outputs.
The outreach strategy must drive enough demand for legal assistance.	The current strategy is appropriate given the CALs’ limited resources.
The curriculum of the training program is relevant and based on the current legal framework.	Trainings are relevant and customized depending on law students’ needs.
Technological capacity exists.	All the CALs have access to the CAL database to input worker information and case files for research, although the project still needs to improve on these.
All offices are able to hire lawyers and recruit law students to assist workers in need.	All the CALs have signed agreements with universities and have been able to recruit students.
Legal claims should be supported by complete and appropriate documentation.	According to interviewees and participants in focus groups, the legal claims are complete and supported by appropriate documentation.

Exhibit 3.4: Status of External Factors

External Critical Factors	Mid-Term Evaluation Findings
Legal regulation	The country’s legal framework remains the same.
Economic performance	The country’s economic performance remains the same.

⁴⁴ See Section 2.2.

External Critical Factors	Mid-Term Evaluation Findings
Cultural practices	External factors have not altered cultural practices.

3.1.4 Lessons Learned and Promising Practices

- Developing and finalizing a clear and consistent project design should be a priority for all parties involved.
- The design of measurable targets should take into account the level of resources needed to collect the data and the time required to initiate the program. The preparation required to set up an office, sign agreements with universities, and gain the trust of local labor unions may vary depending on the local context and, in some cases, may take several months.
- Despite political rhetoric, the Ministry of Labor and the justice system are still perceived as not fulfilling their duties in enforcing the labor laws in the country.
- CAL workers, university students, and project staff are committed to defending workers' rights despite what they perceive as institutional opposition.

3.2 Relevance and Strategic Fit

3.2.1 Targeting Vulnerable Economic Sectors and Groups

The project targets workers in six economic sectors: mining, flowers, African palm, ports, sugar cane, and the public sector. Through the mobile CAL efforts, the project reaches agricultural workers in these sectors by going to towns and rural locations where these industries are situated. All the CALs have strategies in place to reach these workers, and union cooperation is key for these operations.

In general, unions in Bogotá do not appear to be as strong as those in other cities, and there seems to be a high level of mistrust of unions among workers, particularly those in the flower sector. This has been challenging for organizing mobile CALs because the CAL lacks the operational support from unions to convene workers. To address this challenge, the CAL director is planning to combine two project activities for greater efficiency—the training certificate, or *diplomado*, and the mobile CAL. The training, originally planned for Bogotá, will be moved to the city of Tocancipa to be closer to the workers in the flower sector. It will be held every Friday evening and Saturday morning over a 10-week period, leaving Saturday afternoons free to assist workers in the flower sector.

The CALs also serve vulnerable groups within their normal caseload and without much apparent need for outreach. Minors who have approached the CALs usually come for assistance with violations similar to those against adults, but in the process they are informed about specific rights that they have as minors. Young women in domestic service appear to be the largest pool of minors across the CALs. Occasionally, parents of minor children who have lost a job seek assistance in ensuring that severance settlements are paid according to the law.

The CALs serve a similar number of men and women. In the opinion of some of the interns, women are more willing than men to bring claims to the CALs, and they often encourage the men to do so as well. Disabled workers and pregnant women—vulnerable populations protected under Colombian legislation from being fired because of their conditions—are also among CAL clients. The focus groups included a number of CAL clients with cases related to work injuries for which they were fired from their jobs, not compensated, or not put on disability pay. The case of a female CAL client in Cartagena is an example:

I had an accident at work. I was the manager of one of the cafeterias. ... I was taking out a tray of chicken and rice and I fell down ... and I hit my back. ... I had to have surgery twice and the bone did not heal well. This was two years ago. ... I had started working there when I was 17, I worked in many jobs until I became head of the cafeteria. Now I am not disabled but I was for a year and a half. It will soon be three years but they are not calling me back to work. They don't say anything. ... So I came here to talk to a lawyer and she prepared a *tutela*. The Medical Board has determined that my loss of work capacity is at 51.3 percent, so now they are just telling me to wait.

3.2.2 Relevance within Country Context

The key question regarding the relevance of the project within the Colombian context is whether the factors that led to the design and development of the USDOL-funded project were valid, whether they are still current, and whether the project strategies can help address and mitigate them.

To address the needs of Colombian workers in the development of the project design, ENS used its experience and knowledge of the realities of the project's target population. Completion of a needs assessment was not perceived as necessary because ENS brought to the project its knowledge derived from prior studies and its experience accumulated through direct legal services provided to workers in the pre-existing CALs of Bogotá and Medellín.

Since the design was completed and implementation begun, there have been some changes in workers' legal needs. For instance, new ways of circumventing the law that enables employers to hire workers illegally appear as soon as a law or policy bans a previous mechanism. To address this, all the CALs include the topic of illegal indirect hiring practices in their training of law students, either as part of the induction training or in additional trainings. However, for the vast majority of workers the top reasons to visit the CAL have not changed substantially. Out of approximately 14,000 legal, administrative, or other actions handled by the CAL during 2014,⁴⁵ 30 percent were regarding payment claims, 29 percent for legal counseling, 17 percent were severance payments, and 10 percent were right to petition submissions, which coincides with

⁴⁵ The evaluation team obtained this information by compiling the data provided from ENS's Quarterly Reports to USDOL for all quarters in 2014.

the information available for the Medellín CAL in 2013 and similar to the most common user inquiries reported by the COLabora program.

Nonetheless, despite these differences in the way cases are structured and the kinds of evidence needed to document a case, the basic issues that existed at the outset of the project generally remain valid. According to the views expressed by CAL staff and interns as well as ENS leadership, the majority of Colombian workers are still not knowledgeable about their rights under Colombian law, although some workers reported learning about their rights via TV public announcements from the Colombian government during focus groups. This has been corroborated by independent studies⁴⁶ as well as by an initial survey of workers conducted as part of the Impact Evaluation of the Project. Prior to receiving CAL services, around 70 percent of workers surveyed in the Bogotá and Medellín CALs stated that they were not familiar with their labor rights. Many workers in the focus groups indicated that they themselves had lacked basic knowledge about many of their rights until they received services at the CAL. This was also supported by interviews with CUT and CTC representatives.

Access to justice remains a significant issue. Low-income workers face different obstacles in accessing justice because legal aid offices often have no expertise in labor law, and regulations prevent students from accepting cases for which the potential monetary award is more than U.S. \$6,000. Even in cities like Bucaramanga, where several universities provide free legal services, university law departments tend to be more focused on criminal or trade law, which are more profitable legal fields, and they thus lack the resources to assist workers in labor matters. Further, private lawyers require a very high percentage of the settlement amount to represent workers as well as cash in advance to begin the legal process. Lawyers are often perceived by workers as not always fighting hard for their clients' rights, as was described by a female CAL client:

Talking about the lawyer's role in justice, the development of legal processes, you hire a lawyer and give them a case, the lawyer charges you at least 30 to 40 percent, which is in the legal range, and some charge more than 40 percent, but you never know if your lawyer is on your side because here it has happened infinite times that ... the lawyer crosses sides because he sells his loyalty to the highest bidder.

The respondent explained that employers can bribe private lawyers to drop the legal suit against them because a lawyer can get money on the spot rather than waiting through a long legal battle, even if the amount offered by the employer is less than the potential settlement. "Here [at the CAL] instead, we have the certainty that no one will switch sides," the client added.

In this context, the CALs—despite their limited program reach—appear to be the only vehicle providing access to justice for low-income workers and the only resource targeting legal norms

⁴⁶ La Rotta M., Lalinde S., Mora S., and Uprimmy R. (2014). *Ante la justicia: Necesidades jurídicas y acceso a la justicia en Colombia*. Bogotá: Centro de Estudios de Derecho y Sociedad, De justicia, p. 440.

and practices that violate workers' rights through the documentation, investigation, and presentation of emblematic cases to set legal precedents in the court system with the help of ENS's legal research team. The CALs provide a safe place for those who have been rejected or mistreated by employers and whose complaints have sometimes been rejected by the Ministry of Labor.

During the focus groups, the team heard stories of workers who arrived at a CAL without hope. They expressed surprise that someone was willing to listen to their case, to inform them about their rights, and to take action. The CAL clients noted how unusual this was for Colombia, with several describing their first visit to the CAL and the surprise and disbelief they felt when they were told there would be no charge for legal assistance. As one CAL client recounted:

You first go to the labor federation, to their legal office, and very often the lawyers do not have time to talk to you. So when they said go to the CAL, we said, "Well, let's go see what happens there, because we come from this other place where they did not find a solution." So you come here with the idea that you know what it will be like, because you are going to a place that is free, where you won't pay, so you imagine long lines, the commotion, the piles of people, waiting for your turn. ... But you get here and you see it's different. And that is how people have gotten word about this center, because this has grown and it's because of the people that have been helped. There are many people who do nothing [for their rights] and they just would rather go look for another job.

The services that individual workers receive represent only a small fraction of the services needed by Colombian workers. According to ENS leadership, as well as the ILO and Solidarity Center representatives, the CALs are more likely to influence the labor context through the assistance they provide to unions to file collective action cases or their collaboration with ENS on strategic cases. ENS and the CALs, for instance, have submitted 28 claims for violation of the right of association through the use of *pactos colectivos*. As the Solidarity Center representative explained, these are agreements that workers are forced to sign if they want to have a job, which preclude them from joining a union. The documentation for the submissions took many months of preparation, and a legal ruling is likely to take several months as well.

3.2.3 Lessons Learned and Promising Practices

- Low income workers have few legal options to defend their labor rights. The Ministry of Labor provides information but cannot offer legal assistance. Private lawyers are not perceived by workers as a reliable option, and university legal aid clinics have restrictions on the types of cases they can accept. The CALs are described by their clients as a safe haven for workers who have experienced rights violations.
- Employers are continually finding new ways to circumvent laws restricting illegal indirect hiring. This was explained by ENS staff as they recounted the history of illegal outsourcing in recent years in Colombia. When the courts ruled that *cooperativas* could not be used, employers developed other ways to achieve the same ends, such as the *Sociedades de Accion Simplificada*. With their pulse on employers' strategies, the CALs

have been active in providing training on the topic of illegal indirect hiring to their student interns, either as part of the induction training or additional trainings.

3.3 Project Progress and Effectiveness

3.3.1 Status in Achieving Target Goals

The Work Plan is the only document that sets targets for the project’s activities. To track the progress of these activities, the evaluation team reviewed the Technical Progress Reports to USDOL, which reported progress on outputs, and conducted interviews with project staff.

Exhibit 3.5 shows the status of each project activity. For the most part, implementation of the project seems to be on track even if some key activities are still not complete. Establishing the new CALs took longer than expected, but the four CALs are now fully operational. Their activities have included the development of service protocols and the organization of mobile CALs (Activity B), and agreements with university law faculties (Activity C). Each CAL has targeted a priority agricultural sector through the mobile CALs. Success in the different sectors has been mixed and has depended on the ability of unions to make headway in the sector.

Exhibit 3.5: Project Progress and Effectiveness toward Outcome 1 and Outcome 2

Activity	ENS’s Work Plan	Assessment
Activity A		
Workers’ Rights Handbook	5,000 copies Online version uploaded to website	Not completed
3 workshops in Medellín	100 CAL users (leaders)	Completed
3 workshops in Bogotá	150 CAL users (leaders)	Completed
3 workshops in Cartagena	100 CAL users (leaders)	Completed
3 workshops in Bucaramanga	100 CAL users (leaders)	Completed
Activity B		
New CAL offices established	Cartagena and Bucaramanga	Completed
CAL offices strengthened	Bogotá and Medellín	Completed
CAL redesign document		Completed
Service protocol (emphasis on vulnerable populations)		Completed
Include perspective on labor inclusion and victims of anti-union violence		Completed
Mobile CALs in Medellín	7	Completed
Mobile CALs in Bogotá	7	Completed
Mobile CALs in Cartagena	9	Completed
Mobile CALs in Bucaramanga	13	Completed
Activity C		
Agreements with universities in Bogotá	At least 3 signed agreements	Completed
Agreements with universities in Cartagena	At least 3 signed agreements	Completed
Agreements with universities in Bucaramanga	At least 3 signed agreements	Partly completed (2 signed)
Activity D		
Hiring of CAL directors, assistants, and law	1 director and 1 assistant per CAL; 7 to 15	Completed

Activity	ENS's Work Plan	Assessment
interns	interns, depending on CAL size	
Induction training by roles and functions for CAL personnel	1 director and 1 assistant per CAL; 7 to 15 interns, depending on CAL size	Completed
Medellín CAL lawyers' training Other CAL personnel training	10 lawyers trained; 1 training per month	Completed
Bogotá CAL lawyers' training Other CAL personnel training	10 lawyers trained; 1 training per month	Completed
Cartagena CAL lawyers' training Other CAL personnel training	6 lawyers trained; 1 training per month	Completed
Bucaramanga CAL lawyers' training Other CAL personnel training	6 lawyers trained; 1 training per month	Completed
<i>Diplomado*</i> in Medellín	30 participants (students, CAL users, and others)	Planned for 2015
<i>Diplomado</i> in Bogotá	30 participants (students, CAL users, and others)	Planned for 2015
<i>Diplomado</i> in Cartagena	30 participants (students, CAL users, and others)	Completed
<i>Diplomado</i> in Bucaramanga	30 participants (students, CAL users, and others)	Completed
Activity E		
Modifications to CAL database		Not completed
CAL user daily data collection		Completed
Quarterly reports on database trends		Partly completed
Activity F		
Design of communication strategy	Document describing the campaign design for all CAL offices	Completed
Implementation of strategy	3 radio programs, local newspapers, and social networking	Completed
Hiring of communications volunteers	1 journalism student per office	Completed
Reports/special cases	Publish reports on special cases: each CAL office will write one report for publication during 2014 according to the following schedule: May (Cartagena), June (Bogotá), July (Bucaramanga), and August (Medellín)	Completed
Activity G		
Users assisted by Medellín CAL	2,000 users/year	Completed
Users assisted by Bogotá CAL	5,000 users/year	Completed
Users assisted by Cartagena CAL	1,000 users/year	Not completed
Users assisted by Bucaramanga CAL	1,000 users/year	Completed
Activity H		
Actions taken by CAL Medellín	400 administrative actions/year 1,400 judicial actions/year	Completed
Actions taken by CAL Bogotá	600 administrative actions/year 2,600 judicial actions/year	Completed
Actions taken by CAL Cartagena	200 administrative actions/year 700 judicial actions/year	Partly completed
Actions taken by CAL Bucaramanga	200 administrative actions/year 700 judicial actions/year	Completed
Activity I		
ENS's legal team will undertake structural	Results of each specific emblematic case	Ongoing

Activity	ENS's Work Plan	Assessment
investigations of the specific sector-based manifestation of labor rights violations. The team will initiate constitutional processes that focus on existing normative obstacles or constitutional norms related to work, as a means of advocating for changes to the jurisprudence.	presented by each CAL office (e.g., constitutional processes to overcome illegal hiring)	
Activity J		
ENS's legal team will undertake administrative processes with the relevant authorities to benefit large groups of workers, especially in the priority sectors.	Results of each specific emblematic case presented by each CAL office (e.g., constitutional processes to ensure collective rights)	Ongoing
Activity K		
ENS's legal team will initiate criminal and labor processes before Colombian judges.	Results of each specific emblematic case presented by each CAL office	Ongoing

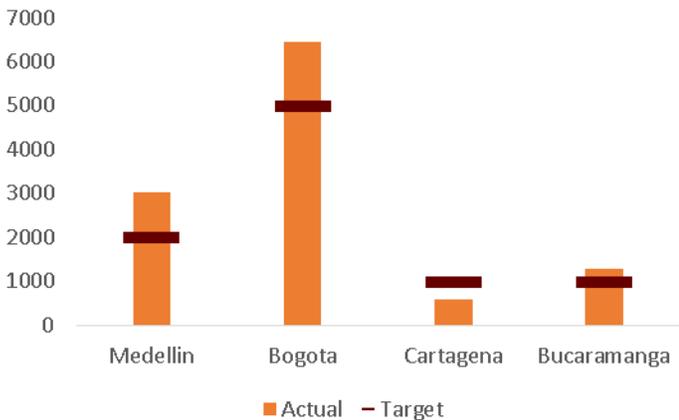
**Diplomado* refers to the type of certification offered by ENS, in partnership with local universities, for their three-month courses.

Source: Escuela Nacional Sindical. *Work Plan*, April 24–28, 2014. pp. 1–14.

The CALs have been a steady partner of the Solidarity Center and the ILO in working with the priority sectors. They have experienced similar difficulties in reaching the flower sector, which, according to the Solidarity Center, is the result of weak union organization. They are also collaborating to improve working conditions in the ports sector, in the area of Turbo, where they are gathering documentation for the preparation of a *tutela*. This is an area where the Solidarity Center thinks there may be a chance to affect jurisprudence.

Despite the problems in reaching its priority sector, the Bogota CAL has experienced the greatest demand for legal services, and last year it surpassed its goal for the number of workers assisted (Activity G). In the case of Medellín, it had assisted 2,254 workers the year prior to the project start. In 2013, the number of workers assisted increased by 20 percent and in 2014 by an extra 9 percent. There was some initial concern that the smaller centers, particularly in Cartagena, were not reaching their projected number of workers.

Exhibit 3.6: Work Plan Target vs. Actual Number of Workers Assisted by CAL (2014)



However, the Bucaramanga CAL also surpassed its target goal before the end of the year. The lack of progress in the Cartagena CAL prompted ENS to replace its director during the last quarter of 2014. At the time of this report, the Cartagena CAL had assisted 800 workers in 2015, almost 200 more workers than the number the CAL assisted during the previous year and well

on its way to surpass the target set in the 2014 Work Plan of 1,000 workers in a year.⁴⁷ See Exhibit 3.6 for target versus actual number of workers served by each CAL.

The project design called for training activities related to the Workers' Rights Handbook that was being developed by ENS (Activity A). Because the handbook has not yet been finalized, it was unclear how the CALs could carry out the trainings described for this activity. In the absence of the handbook, the CAL directors have developed their own trainings, such as one on illegal indirect hiring.

The evaluation team reviewed a draft version of the handbook (available online), which by the time of the site visit had not yet reached all the CALs and the technical language used was not appropriate for its target audience. ENS staff indicated that the handbook is envisioned as a training tool mainly for organized workers, but it will also be used for training student lawyers and, in the future, non-organized workers. The handbook will consist of several modules, each addressing an aspect of labor rights that will help workers gain a basic understanding of their work environment and rights. ENS and the CALs are currently developing two modules: the misuse of collective agreements and illegal indirect hiring. The CALs have also created training templates for specific types of cases; for example, last year, the Medellín CAL developed templates for making a case about the right to improve job stability for pregnant women, which was distributed to all students in the CALs.

In addition to these trainings, the CALs work with the unions to provide legal assistance in pursuing collective cases. Many of these cases are related to violations of the right of association—that is, retaliation against workers for belonging to or trying to form a union. The CALs provide the documentation needed for cases and a legal framework strategy.

Training activities for student interns (Activity D) are ongoing at all the CALs. As part of the standard induction training, students are shown how to use the CAL database to enter worker and case information when providing legal assistance (Activity E). Although this is done on a regular basis, modifications to the CAL database seem to have stalled, and it is unclear when they will be completed. Further, limited resource—compounded with the PMP issues described in section 3.1.1- have restricted the ability of the lawyers and student interns to systematically and consistently conduct case follow-up, which is meant to be tracked and monitored through the CAL database. If workers do not respond to calls from the interns, the cases are not tracked, and it is difficult even to know if a claim was taken to the Ministry of Labor. In addition, there is little supporting documentation to evaluate the effectiveness of the trainings (outcome indicator) or the communication strategy (Activity F). Because these activities are implemented by each CAL, the evaluation team supplemented this information with observations and interviews, as described below.

⁴⁷ During the drafting of the final version of this report, ENS shared with the evaluation team the 2015 Work Plan. The new targets for number of workers assisted by CAL remains unchanged.

A significant challenge in analyzing the available documentation was that some of the information is not being reported in a consistent manner across all the CALs. For example, regarding the types of legal services provided by each CAL (Activity H), it was unclear how many were judicial, administrative, or “other.” Sometimes, an action was reported as “other” by one CAL and “administrative” by another. In addition, the Bucaramanga and Cartagena CALs reported a *seminario-taller*, which is a workshop for union workers and students, as a mobile caravan (*brigada jurídica*), but this was not the case at the Bogotá and Medellín CALs. It would be useful for ENS and the CAL directors to review what they are reporting so that they can agree on the same indicators and use the same definitions.

3.3.2 Effectiveness of Training Strategy

The CAL directors are experienced lawyers who are specialists in labor rights. They are responsible for determining students’ training needs, which they tailor according to the group’s knowledge level or weaknesses. According to the CAL directors, students arrive at the CALs with different strengths, depending on their university program. Students from public universities appear to be more socially aware and ready to defend the rights of workers, whereas students from private universities have received better training in the law, including labor law. There is an initial induction phase in which students learn how to prepare different types of legal actions, investigate the particulars of a case, and document cases adequately. Sixteen hours of induction trainings are usually spread out over a two-week period. The CAL director or another experienced lawyer, usually the assistant director, leads the training and relies on volunteers to help review the cases that the students prepare and to provide assistance and feedback. Students use templates and examples, as well as a database of prior cases, to guide them in solving problems.

During observations conducted by the evaluation team in Bogotá and Bucaramanga, it was clear that training techniques differ across the CALs. For example, the Bucaramanga CAL director organized weekly trainings that were more informal and often lacked a syllabus, and students attended other training organized in partnership with an NGO. In this CAL, the responsibility for conducting the legal workshops was shared between students and CAL managers. Students showcased a legal case to the group, and the lawyers commented on the case. The training in Bogotá was more structured, but due to the high demand for legal assistance, there was little time for trainings, so they were offered less frequently.

At the end of their internship, all students present feedback reports about their experience in working at the CALs. The evaluation team collected and analyzed the reports for the students in the Bogotá CAL. These feedback reports and the information collected during focus groups with students indicate that the CAL internship is meaningful on-the-job training because the internship allows them to deal with real cases, which complements their university courses. Students indicated that additional trainings in the areas of social security and labor law institutions would be useful. According to the syllabus, training topics include individual rights, software to obtain data on social security payments, the differences between human rights and labor rights, union rights, *tutela* actions, and legal actions against illegal indirect hiring. The

Medellín CAL has developed materials to be shared with other CALs for induction trainings, but implementation of additional monthly—or, in the case of Bucaramanga, weekly—trainings is still left up to each director’s lecture style and student availability.

3.3.3 Adequacy of Outreach Campaign Strategy

Because the CALs are new to Colombia and knowledge about their services has had limited diffusion, one of the important tasks of each CAL is outreach to workers in its catchment area as well as in the priority sectors that the CAL targets. According to the project’s annual progress report for 2014, the outreach campaign in Bogotá consisted of distributing 2,000 flyers describing CAL services and participating in one radio program in the municipality of Tocancipa. In Cartagena, CAL services have been advertised during two local radio programs. In Bucaramanga, services have been advertised twice by radio and once by television. CAL staff and students mentioned that every time they did outreach there was a spike in the demand for services. Workers in Cartagena mentioned learning about the CAL because they got a flyer, or a neighbor got a flyer and passed it on. Other workers said they knew nothing about the CAL until they went to the Ministry of Labor and were referred there.

When asked to describe the biggest impediment for workers in accessing and using CAL services, clients across cities commented that it was the lack of knowledge of the existence of the CALs. Although not all the CALs have a communications intern, they each have a strategy to raise awareness of their services. They work with the local federations and unions to have information about the CALs published in workers’ newsletters or magazines, or mentioned on radio programs when labor leaders speak. Those who need to expand their client base have had a strategy of regular distribution of flyers advertising the CALs’ free services.

The cost of advertising in high readership/viewership media was raised in some interviews. Diffusion efforts have had to rely on free or very low cost programs, a strategy that limits the number and types of workers who are exposed to the ads.

Another aspect of outreach is the use of publicity around CAL actions. According to ILO staff, the CALs are effective at accompanying legal actions with publicity, which raises awareness among workers about their rights. In a recent submission to the Ministry of Labor of documented cases (through *querellas*) of illegal indirect hiring, the CALs held a public event, with press presence, to take the documents to the ministry. This type of event adds public pressure to their cases and may lead to swifter action by the ministry.

3.3.4 Effectiveness of Strategic/Emblematic Cases

Taking on collective and emblematic cases is a critical part of the CALs’ work (Activities I–K). As described in the Project Document, part of the project strategy is to “establish in-depth investigations into systematic and structural patterns of labor violations” and, with the help of ENS staff, present legal cases in courts that will set a legal precedent in defense of labor rights. ENS believes that these cases can help clarify legal norms and close loopholes in business

practices. As project staff explained, without the CALs these cases would not be taken on because it is through the CALs that ENS learns about new modalities in illegal hiring or other workers' rights violations. In conjunction with the unions, the CALs have selected and documented a large number of cases of a specific type of violation by an employer. For instance, they documented and prepared actions for 50 cases against one employer. Before taking legal action, the union presented these cases to the employer to pressure the company to negotiate changes; the strategy was successful. In the case of Ecopetrol, as a result of such documented efforts, about 3,000 workers were contracted directly instead of through third parties that did not offer benefits.

The Solidarity Center director explained how essential the work of the CALs has been for legal battles in cases of new methods of illegal indirect hiring and how challenging it is to document and prepare those legal actions. The director underlined the strategy the CALs follow in using public opinion in conjunction with legal action, as when they submitted 28 emblematic cases to the Ministry of Labor, which were claims for violations to the right of association through the use of *pactos colectivos*.

ENS leadership mentioned that they have learned from experience over the past two years that even when they are successful and eventually have favorable rulings from the high courts, this does not necessarily mean that labor inspectors or prosecutors treat those decisions as a guide for their decisions or actions. ENS leadership believes that the effectiveness of emblematic cases truly depends on the political will of Colombian institutions to follow the rule of law and to ensure compliance at all levels with the rulings of the high courts.

3.3.5 Relationship with Local Universities

Despite some difficulties and delays in reaching agreements with universities, these relationships are a pillar of the CAL program. Universities supply the workforce needed to operate the CALs. The agreements with the universities are not standardized, and the terms under which students work at the CAL vary. Some students are allowed to work full time during the semester and are able to receive a modest compensation; others are more limited in their hours and compensation. Agreements under which students can work only on an hourly contract restrict their ability to offer legal services. These students are often assigned to non-legal activities.

During the focus groups, student interns described their experience working at the CALs as "life-changing" and attributed their decisions to pursue professional careers in labor law to the internship. The CAL directors are experienced professionals or law professors with a strong interest in training future colleagues, and the educational aspect is therefore an important part of the directors' tasks.

3.3.6 Relationship with Local Partners

As indicated earlier, the CALs work in tandem with a number of organizations, such as the ILO, the Solidarity Center, the CUT and the CTC federations, and many individual unions. The CALs collaborate by providing coordinated legal advice, researching cases and drafting legal actions, targeting priority sectors, and serving as a place where workers can be referred for assistance. It has taken considerable time to form some of these partnerships, particularly those with local unions, but according to the stakeholders interviewed during the site visit, the outcomes have been rewarding for both parties.

By design, all the CALs have strong relationships with the local CUT and CTC representatives. Labor leaders sit on the CAL executive board and help guide it in a direction that fits regional realities. The unions have provided the CALs with some material resources, such as the space for the Bucaramanga CAL, and operational support in organizing the mobile CALs. They have also helped to bring in clients and publicize CAL services, particularly in hard to reach rural areas. The CALs, in turn, provide training and legal assistance, helping unions with their legal claims to defend their workers' rights. The unions also have a sit at the *Comisión de Consertación de Políticas Salariales y Laborales* [Commission for the Negotiation of Salary and Labor Politics], which is a tripartite commission integrated by representatives from workers, employers, and government, at which issues such as the negotiation and establishment of the minimum wage are discussed. Through the union representatives who are also members of the CAL executive board, the CALs have access to the national and regional subcommissions. However, according to an ENS staff member, unions in Medellín do not necessarily trust this space and the role of the ministry in it, and in the past has not considered the commission effective.

The CALs have also established relationships with local organizations that can provide additional services to CAL clients. For instance, the Bogotá CAL has developed a relationship with a community organization that provides psychosocial support to workers and specialized services for women. The Bucaramanga CAL has a partnership with a school for political training and is rotating its students through that course.

In addition, the CALs have developed and continue to have strong relationships and joint efforts with the ILO representative and the Solidarity Center. Together they work on emblematic cases, on documenting issues with labor inspectors who are not applying the training they received. The Workers' Rights Handbook, which is under development, is adapted from the ILO manual for inspectors. The CALs have also worked with the Solidarity Center on cases of retaliations against union organizers.

3.3.7 Lessons Learned and Promising Practices

- The only output indicators that the CALs track are the number of workers assisted and the type of legal action provided. The CALs do not know the outcome of their legal assistance because they have not established a systematic means of following up on

case outcomes. Currently, workers have to present their legal claims in person to enable the CALs to track outcomes, and clients often return to the CAL only if the outcome was negative and they are still interested in pursuing their claims.

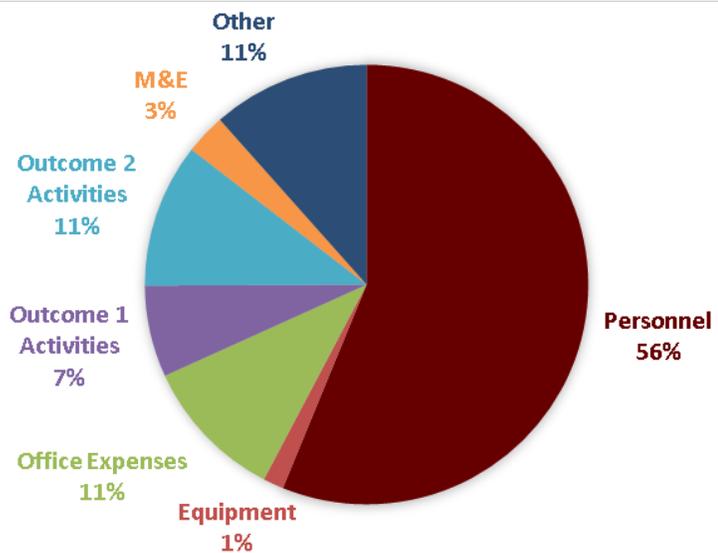
- Collaboration with the unions is important, particularly for operational support in organizing mobile CALs to reach agricultural workers who are unable to travel to the city. However, the strength and level of union organization varies by city. The CALs also offer assistance to the unions in defending their right of association.
- Students from private universities are better prepared than those from public universities to handle legal claims, but public university students tend to be more socially minded and have better rapport with workers, which leads to more effective communication. Trainings are key to ensuring that all interns can provide a comparable level of service.
- Although emblematic cases are important for establishing favorable legal precedents for workers, the effectiveness of these cases also depends on the decisions and effectiveness of other institutions such as the Ministry of Labor and the legal system.

3.4 Efficiency in the Use of Project Resources

3.4.1 Adequacy of Time, Budgetary, and Human Resources

The estimated three-year project budget is divided into seven main categories: (1) personnel costs, (2) equipment, (3) office expenses, (4) activities related to Outcome 1, (5) activities related to Outcome 2,⁴⁸ (6) monitoring and evaluation, and (7) other (contingency and indirect costs). This estimation allocates 56 percent of resources to personnel costs, 18 percent to activities related to Outcomes 1 and 2, and about a quarter to the other categories (see Exhibit 3.7).

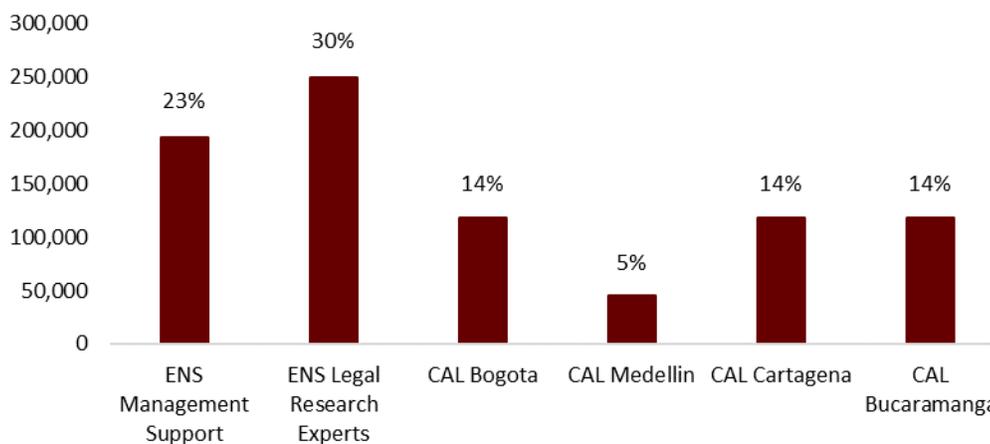
Exhibit 3.7: ENS Project Budget (Three Years)



⁴⁸ Outcome 1: Workers with the assistance of the CALs improve their knowledge of and ability to defend their labor rights; Outcome 2: Workers make more frequent and more effective use of the administrative and legal mechanisms to protect their labor rights.

Approximately half of personnel costs are allocated to the CALs and half to ENS. The Medellín CAL was allocated only 5 percent of personnel costs because, as a previously existing CAL, most of its expenses were already covered by other sources. Although the volume of workers assisted by the Bogotá CAL can be anywhere from two to five times more when compared to the other CALs, the personnel budget allocated was the same as the smaller CALs (14 percent each). (See Exhibit 3.8 for details.) To address this disparity, project managers at ENS and the Bogotá CAL added another lawyer paid by ENS and assigned a student to help the administrative assistant answer phone calls and set up appointments.

Exhibit 3.8: Budget for Personnel Costs (Three Years)



Technical progress reports show that there was an initial delay in disbursing funds to ENS. During this time, ENS continued with project implementation by drawing from its own resources to hire a project coordinator and other management support staff. According to project staff, the first year of the project was one of limited expenditures, due to the extended time it took to secure space, set up agreements with the labor federations and the universities, and initiate the planned activities. The budgetary resources that had been allocated to that year but not spent were added to subsequent years of the project. In the second and third years, the resources have allowed the work to proceed adequately. Although some individual budget categories have surpassed their initial allocations, such as “Outcome 1 Activities” and “Equipment,” as shown in Exhibit 3.9,⁴⁹ these represent only 12 percent of the total budget. However, it is worth noting that the main reason behind Outcome 1 being over budget is because expenses related to the collection of information of CAL cases (Activity E) cost 320 percent more than originally planned. Until December 2014, when 67 percent of project time had elapsed, the project had spent 67 percent of DOL funds. The largest category, personnel costs, seems to be spent according to the original plan and is expected to reach 100 percent of its budget allocation by December 2015.

⁴⁹ Dotted line in graph represents 100 percent of budget spent.

**Exhibit 3.9: Three-Year Project Budget vs.
Accrued Expenses to December 2014**

Description	Project Budget	Accrued Expenses to Dec 2014	Percent of Budget Spent
Personnel	842,459	469,300	56%
Equipment	22,500	35,299	157%
Office Expenses	157,885	94,324	60%
Outcome 1 Activities	101,000	108,563	107%
Outcome 2 Activities	159,000	146,510	92%
M&E	44,590	34,405	77%
Other	172,567	117,223	68%
Total	1,500,000	1,005,625	67%

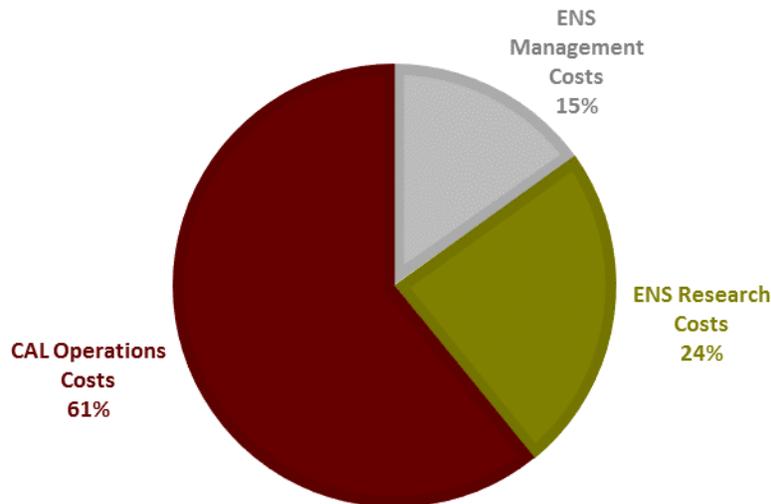
As mentioned in Section 3.1, the project design was drafted during a period of optimism regarding the ability of the Ministry of Labor to investigate labor violations, as well as changes in the court system. CALs were intended to serve as the main point of contact with workers and assist them in filing cases to the relevant authorities. ENS’s legal research team would then use this information to further investigate emblematic or strategic cases. Obtaining favorable results in these strategic cases would create the precedent necessary to benefit all workers. To see the level of resources allocated to these two strategies, the evaluation team divided the project’s main activities into three main categories:⁵⁰

- Project management costs: Include personnel costs of project manager, professional expert in planning, monitoring and evaluation of project, and administrative assistant.
- ENS research costs: Include personnel costs of three legal research experts, and Outcome 2 Activities H through K.
- CAL operations costs: Include personnel costs of four CAL directors, 4 CAL secretaries, equipment, office expenses, Outcome 1 Activities A through F, and Outcome 2 Activity G.

As Exhibit 3.10 shows, the largest percentage of funds were allocated to CAL operations (61 percent), followed by ENS research (24 percent), and project management (15 percent). This distribution seems reasonable, given the information available at the time. However, certain expenses were not adequately taken into account in this budget, such as maintenance of IT equipment for all CALs, cost associated with conducting follow-up calls, and higher-than-expected demand for CAL services.

⁵⁰ M&E and “other” categories are excluded from this analysis.

Exhibit 3.10: Allocated Budget Costs by Strategic Category (Three Years)



Regarding the disbursement of funds, expenditures have been mostly centralized at ENS. Until recently, this created difficulties for CAL operations because each local center had to request funds from ENS for expenses on an ongoing basis. Because of limited staffing at ENS, the ENS administration was not able to respond quickly to such requests, and this impeded functioning at times. Utility bills would be sent to ENS for payment, and at least on one occasion the bill was not paid on time. Further, the CALs had a petty cash account of only \$250 (USD), which CAL staff considered insufficient to operate efficiently. However, a few weeks before the site visit, ENS changed the policy and gave each CAL a significantly larger amount of money. The funds are used to cover the cost of the mobile CALs and basic operating expenses. Each CAL now, on a monthly basis, reconciles its account and provides receipts to ENS as needed.

In general, the CAL directors think that ENS has been reasonable in assigning funds to activities. However, the directors wish that more funds were available to allow them to expand their activities or ease the load of staff who cannot give their activities the full attention they deserve. The directors acknowledged that at times it was difficult to perform all their expected functions equally well. In this sense, the CALs function with the minimum number of staff necessary to remain operational. Each CAL has different needs in terms of staffing beyond the budgeted positions.

A brief account of the staffing and resources needs of each CAL is given below.

Bogotá. Given the high volume of work managed by the Bogotá staff, the staffing level is insufficient, particularly for the work of the administrative assistant. The workers in the focus groups were particularly complimentary of the administrative assistant's interpersonal skills and spoke about how helpful and friendly she is to callers and visitors. However, that kind of personal attention to a large client base, in addition to her daily administrative tasks, is beyond one person's capabilities. Also, the CAL, which has a very large annual caseload, has only one lawyer to pursue cases that go to court.

The Bogotá CAL was not able to reach an agreement with a local university that had intended to provide a communications intern and an intern to support psychosocial services for workers. The CAL therefore established ties with other NGOs that provide such services and with which they exchange labor consultation.

The CAL staff would like to see additional hires, although the cost would go beyond the current budget. The work of the CAL requires computer systems to be fully operational, but in-house knowledge about troubleshooting or fixing problems is limited because there is no staff with those skills. The CAL has requested that ENS authorize the hiring of an apprentice (Colombian law requires that organizations with more than 60 workers hire an apprentice), but this has not been approved. The CAL would also like to hire an additional lawyer who would be responsible for management activities, freeing the director to focus on some other CAL activities that have not always been fully attended to. Telephone consultations have not been possible because of resource limitations, and the only thing the CAL does by telephone is set up appointments. In addition, owing to the high volume of clients who visit the CAL, students only follow up on *tutela* actions. The verification process is often time consuming and inefficient.

Medellín. The Medellín CAL operates with more resources than the other CALs due to financing from the Deutscher Gewerkschaftsbund (DGB) [German Confederation of Trade Unions]. This additional financing covers the maintenance of the offices (but not the rent) and some activities. In addition to covering the standard labor and other expenses for the CALs, USDOL funding paid for a half-time lawyer to assist the director and help with the outreach to other regions. Students in this CAL reported using their personal mobile phones to complete client follow-up, which was a drain on their limited resources. Although students did not specify the exact amount of this personal expense, the evaluation team estimates this expense can range from 3 to 6 dollars a month for each student,⁵¹ depending on the amount of time it takes them to conduct the follow-up calls. Because this CAL has an average of 30 students, this would represent a minimum monthly cost of \$81 (USD) and a maximum of \$162 (USD).

Cartagena. Although resource allocation is considered adequate by the staff, the Cartagena CAL had not yet made mobile CAL trips this year. The reason given by the project staff is that the logistics were not ready, which the staff felt was the responsibility of the unions. The director reported that ENS has provided him with everything he requested. However, the CAL would like to expand its space so it can see more clients and take on more students.

Bucaramanga. The Bucaramanga CAL also faces a problem with space. The director noted that the CAL was planned to be significantly smaller, but as it has grown, the CAL has not received enough resources to expand adequately. The CAL operates in space lent by a union, but has not

⁵¹ These estimations are based on the average rates charged by the largest telephone service provider in Colombia (CLARO). Average cell phone minute of placing a call to a number from the same telephone service provider is 113 COP, to a land line is 137 COP, and to a different telephone service provider is 137 COP.

been able to secure more borrowed space. Serious space limitations hinder client privacy. If the project continues beyond 2015, ENS has promised additional space.

The director suggested that ENS provide more support for accounting tasks, perhaps devoting a half-time person at ENS to fill this role. The director noted that building local capacity and giving the CAL more autonomy would be beneficial for future independence when the project ends. Further, a board member suggested that as this CAL continues to grow, it will need another lawyer with experience similar to that of the director, to help manage the director's many responsibilities.

3.4.2 Lessons Learned and Promising Practices

- Taking into account the increasing the number of people seeking COLabora services and that they are routinely referred to the CALs⁵² as well as the positive trend in number of cases filed in the court system,⁵³ the demand for services in most cities will soon surpass the CALs' capacity to offer legal assistance. Although the CAL directors are receiving an increasing number of internship applications, having only one director and one administrative assistant to supervise all the project's activities is not sustainable.
- The CALs that have a social worker intern are better equipped to offer assistance to workers who have experienced harassment or mistreatment at their workplace. It is also important for the students offering legal assistance to have someone available to talk to as needed.
- Because of the sensitive nature of some of the workers' personal experiences, it is considered a good practice for the CALs to have a private space available for consultations. Examples of those experiences, as related by the students in the focus groups in different cities, include workers fired when the employer learned they were HIV positive, a domestic worker who was beaten by her employer, and a worker who suffered harassment by his supervisor which he felt led to a mental health breakdown.
- Union partnerships help the CALs operationally and in reaching the priority sectors. In cities where the union networks are not as strong, the CALs have to spend more resources to reach these sectors.
- As the CALs expand and assist more workers, the client follow-up process becomes more time consuming and is limited by the number of phone lines. As a general precaution, students should be discouraged from using their personal mobile phones to conduct this activity.

⁵² Colombia Labor Ministry. COLabora Informe Gestión 2014.

http://www.mintrabajo.gov.co/component/docman/doc_download/4226-informe-gestion-2014-ano.html.

⁵³ Corporación Excelencia en la Justicia. 2014. Legal System Performance Indexes.

https://docs.google.com/spreadsheets/d/1fOTae9wdvvaexh7f1yUtBXuukmSbn_1iN16nUHtwnw/pubhtml.

3.5 Effectiveness of Management Arrangements

3.5.1 Support Structure and Project Communication

Communication between project staff at ENS and the CALs is an area that could be improved. ENS holds monthly meetings with the four CALS, during which CAL staff can share experiences about their cases, the mobile CALs, and changes in the law or in regulations, among other topics. Although in 2014 the meetings were held more or less regularly, this year, by mid-March, ENS had not yet had a meeting with the CALs. Cancellations due to pressing matters was the stated reason for not holding the meetings. The project coordinator appeared somewhat resigned to the fact that the physical distance between ENS and the Cartagena, Bogotá, and Bucaramanga CALs impedes fluid communications. Because ENS is located in Medellín, the project coordinator can easily walk to the CAL director's office. One CAL director remarked that communication is not timely and often does not provide enough time to plan or react.

Across the CALs, communication was described as timely and fluid. The directors have set up a group messaging account on the mobile app Whatsapp, an application designed to send SMS text messages over an Internet connection without incurring telephone charges. In addition, CAL staff phone each other with issues that they want to share or discuss, including, for instance, cases in which the worker arrives at one CAL but resides in the catchment area of a different CAL.

Working with students takes different forms across the CALs because of the agreements each CAL has reached with the local universities, as well as the capacity (including physical space) of each CAL to hire students. One CAL may have students rotate every six months, whereas another may do so annually. Generally, the staff have prepared for the transition periods when they may have a shortage or even an absence of students, by working with their volunteer lawyers (who in many cases themselves served as student interns). In addition, the Bucaramanga CAL director has implemented an innovative management arrangement that creates four units: individual labor rights, collective labor rights, research, and media and social support. Students are assigned to one unit during their internship, allowing them to specialize in a particular area.

Protocols for the provision of client services and induction training appear to be standardized across the CALs, despite some local differences. For example, Bucaramanga is the only CAL that sends interns to political training school. Although the student training methodology may differ, all the CALs offer similar induction training, including the proper documentation of cases and use of the CAL database.

Regarding tools, all CALs have access to the database of prior cases and to legal information databases. All the CALs use an MS Excel spreadsheet that is programmed to calculate severance pay.

3.5.2 Performance Monitoring System

Although the project is being implemented in four cities, each CAL manages its own activities independently, particularly the trainings offered and the implementation of the communications strategy. Staff thus have the flexibility to tailor trainings and other activities based on their local context. However, the evaluation team found little information about what the performance targets are for each CAL, especially in terms of project outcomes.

Client case information is filed and stored in an electronic server and organized by the name of the student who carried out the legal action. This database is used as needed, but it lacks a searching capability to facilitate research. The only interaction between students and clients that is systematically tracked is the verification process for *tutelas*, which is reported every quarter.

3.5.3 Lessons Learned and Promising Practices

- Communication with ENS was the area most in need of improvement. Across the CALs, communication between directors was described as timely and fluid.
- The Bucaramanga CAL assigns law students to one of four units, allowing students who offer legal assistance to focus on either individual rights or collective rights claims. There is also a unit dedicated to research on legal jurisprudence and one on media and social support.
- A decentralized management model between ENS and the CALs gives the CALs the flexibility needed to implement the project according to local and regional needs. However, neither ENS nor the CALs have a standard method to monitor performance, and there is little guidance and oversight by ENS regarding performance targets.

3.6 Impact Orientation and Sustainability

3.6.1 Transfer of Project Management to CUT and CTC Unions

Even though the local CUT and CTC representatives appear eager for their organizations to help sustain the program beyond the end of USDOL funding, the national representatives do not believe they have the resources to take on the program and manage it themselves. The workers' federations receive no funding from the government. Although ENS still believes that the federations are a key element for the project's sustainability strategy, at this stage no transition activities are in place.

The CUT and CTC representatives on local CAL committees are involved to different degrees in helping to search for funding sources, and participate to some degree in certain CAL activities. For example, in Bucaramanga, they are actively involved in the operation of the mobile CALs. Elsewhere, they appear somewhat more detached.

ENS has made some progress with specific unions in places where the union is particularly strong. In Barrancabermeja, for example, ENS has reached an agreement with USO, the largest oil workers' union in the country. This agreement will create a new CAL, or move the existing CAL from Bucaramanga to Barrancabermeja, to provide services to the USO workers in that area and to assist non-unionized workers as well. In the Valle, there is another strong union, Sinaltrainec, which has also offered space for a CAL but was not able to find funds for staff. According to the project coordinator, a CAL requires about 180 to 200 million pesos a year (approximately US \$71,000–79,000), depending on its size, to cover the salaries of professional staff and an administrative assistant, as well as expenses for the student interns.

3.6.2 National CAL Strategy

ENS is trying to develop and implement a strategy at the national level to sustain the CALs and their services beyond the period of USDOL funding. ENS has looked for international and local support. Although some of the functions ENS is fulfilling would fall within the purview of the Ministry of Labor, ENS does not believe that it should ask for financing from the Colombian government, either at the national or local level.

ENS has approached and reached agreements with a savings and credit union, Cooperativa Confiar, to provide legal advice. In return, Confiar is providing—as part of its mission—funding to projects such as the CALs. The Medellín CAL has received about 25 million pesos from Confiar. The funds are used for stationery and other supplies. In addition, ENS has reached out to the Canadian embassy but has not been successful in securing funds. The ENS leadership noted, “We have knocked on every door, and we have plan A, plan B, and plan C; in the worst of cases, we would stay with just one CAL, in Medellín, and perhaps a smaller one in Bogotá.”

To secure alternative sources of funding to cover the project as it currently operates, ENS is pursuing ways to independently fund different parts of the program. Even though one of the most costly items on the CAL budgets is the rental costs of the facilities, ENS and the CALs seem relatively confident that they can meet their facility needs by borrowing space from unions or even government facilities that are vacant. The cost of salaries, at a minimum for a director and administrative assistant, remain the most daunting expense to cover and, at present, there is no clear way in which to fund these salaries. This is also true for stipends for student interns. Funding of personnel expenses thus appears to be the most serious barrier to continuing to provide legal assistance services beyond the end of the project.

Because the Medellín and Bogota CALs existed prior to USDOL funding, ENS and the CAL directors seem more confident that they will survive beyond the end of the project, albeit with seriously diminished capabilities. The Bucaramanga CAL appears to have made progress toward sustainability through its work with local unions. Cartagena is, without question, the most vulnerable CAL at this point and the least likely to sustain its activities beyond the end of project funding.

3.6.3 Lessons Learned and Promising Practices

- Although unions are an important partner and offer operational support, they do not seem to have the resources to take ownership of the CAL project and turn it into a national sustainable strategy. Before opening a CAL, the design should identify possible strong partners and invest the most resources in those relationships to ensure sustainability.
- One of the visions for the CAL project was to open a CAL in each department by 2017.⁵⁴ It seems unlikely that this will be achieved under the current management arrangements because the CUT and the CTC federations are not taking ownership of the project at the national level.

⁵⁴ ENS, Document on CAL Redesign; Document on Sustainability Plan.

4. CONCLUSIONS AND RECOMMENDATIONS

This section presents the evaluation team’s conclusions about the project’s overall implementation and progress by area of analysis based on the mid-term findings. It also provides a list of recommendations that ENS can implement before the end of project funding.

4.1 Overarching Conclusions

4.1.1 Validity of Project Design

The project design was based on the experience of the CAL in Medellín, which has been in operation since 2003 under a partnership between ENS and the regional Central Unitaria de Trabajadores (CUT) and Confederación de Trabajadores de Colombia (CTC) unions. The project envisioned two main mechanisms to assist workers in presenting legal claims to the relevant authorities:

1. Individual level: Assist workers who visit the CAL offices or the mobile CALs to file claims.
2. Strategic level: Pursue the most strategic or emblematic cases brought to the CALs to set legal precedents and clarify legal norms or business practices that violate labor rights.

Initial assumptions made by ENS regarding workers’ commitment to defend their labor rights and universities’ willingness to support CAL services through agreements held true. However, ENS’s initial optimism at the time of designing the project has been tempered by the fact that many strategic cases presented to the Ministry of Labor have not been resolved in the timeframe stipulated by law.

Although the project’s logical framework links activities, outputs, and outcomes in a cohesive manner, the PMP lacks key elements to make it a fully functional tool to measure achievement of outcomes. The most important limitation is the lack of clearly defined target goals (e.g., what is the minimum percentage of favorable outcomes needed for the project to be considered successful). In addition, it is unclear how Outcome 1 indicators related to “acquisition of knowledge” by CAL staff or workers are being compiled and measured.

4.1.2 Relevance and Strategic Fit

The project design was based on ENS’s knowledge, resources, and studies, as well as the experience of the Solidarity Center, which works with vulnerable groups on labor issues. An additional needs assessment was not necessary to determine the needs of project beneficiaries because of the accumulated years of experience of ENS and the Solidarity Center in working with these sectors. The CALs focus on labor rights enables them to provide specialized services, particularly for low-income workers.

The top reasons for seeking CAL services have not changed substantially since the start of the project (i.e., payment claims, legal counseling, severance payments, and right to petition claims). The Ministry of Labor routinely refers workers in need of legal assistance to the CALs. However, CALs are unable to help workers pursue cases in ordinary courts because law students are not

legally allowed to represent them in courts or arbitration. Despite these limitations, workers reported a high level of satisfaction with CAL services. Even when they had not experienced a satisfactory resolution to their cases, workers still perceived CALs to be the only dependable legal resource for them.

4.1.3 Project Progress and Effectiveness

Currently, there is no finalized PMP that includes outcome indicators with targets that signal success. As a result, the effectiveness analysis for the project was limited. The evaluation team focused on the progress of the activities related to each outcome using the 2014 Work Plan and Technical Progress Reports to USDOL. However, data was not reported consistently across CALs and reporting periods. At the time of this report, the project is expected to end on December 26, 2015. Activities related to Outcome 1 are on target to be completed by this date, but Outcome 2 activities, which are claims filed to the administrative and legal authorities, will need more time to be resolved.

Two important activities related to Outcome 1 are the implementation of mobile CALs and training efforts with CAL students and workers. Mobile CALs are key to reaching agricultural workers in priority sectors. Although the Work Plan includes the number of mobile CALs to be conducted each year, it does not specify a target number of workers. Success in the different sectors has been mixed and has depended on the ability of unions to make headway in the sector. In addition, CALs rely on university law students to provide legal assistance to workers. CAL directors are in charge of induction training as well as additional monthly trainings, which are progressing adequately. CALs also offer trainings to union workers as a strategy to strengthen unions. ENS is helping to develop a Workers' Rights Handbook and distribute booklets to the four CALs. This activity is off schedule; although an online version of the handbook exists, it has not been finalized and the technical language used in the current version is not suitable for non-professional workers.

In addition to trainings, the progression and success of Outcome 1 depend on data collection and monitoring. Modifications to the CAL database seem to have stalled, and it is unclear when they will be completed. Further, limited resources have restricted the ability of the lawyers and student interns to systematically and consistently conduct case follow-up, which is meant to be tracked and monitored through the CAL database.

Taking on collective strategic cases (Outcome 2) is a critical part of the CALs' work. However, many strategic cases presented to the Ministry of Labor have not been resolved in the timeframe stipulated by law. As a result, ENS is making slower-than-anticipated progress on the activities and outputs associated with Outcome 2.

4.1.4 Efficiency in the Use of Project Resources

After an initial delay in disbursement of funds, project resources have been spent according to plan. However, individual activities have used more resources than originally expected, particularly data collection of CAL cases and CAL establishment. For evaluation purposes, project costs are grouped into three broad categories: (1) project management costs; (2) ENS research costs for strategic

cases; and (3) CAL operations costs. Even though CAL operations costs are the largest cost category, CALs operate with minimal staffing. This is particularly true for the Bogotá CAL, which was originally allocated the same funding amount as the smaller CALs even though it assists five times as many workers. ENS has tried to correct this imbalance between CAL staff and demand by funding an assistant lawyer to the CAL director. However, at the time of this evaluation it was unclear whether this strategy will be sufficient in the long-term.

New CALs started operating in March 2014; however, expenditures were mostly centralized at ENS until February 2015, which caused inefficiencies around the timely payment of services such as Internet and electricity. ENS instituted a new policy to increase the amount of funds disbursed to each CAL to cover basic operating expenses and the cost of the mobile CALs. This more decentralized model seems more effective at allowing CALs to better plan for expenditures and manage their resources.

4.1.5 Effectiveness of Management Arrangements

Communication among CAL directors appears timely and fluid. The directors have created a Whatsapp group and call each other freely to ask questions and discuss issues. Communication between ENS and the CALs, however, remains an issue for all CALs except Medellín (which is located near ENS headquarters). Planned monthly meetings between ENS and the CALs, which began in March 2014, were generally held on a regular basis, but as of the time of the site visit, in March 2015, they had not been maintained during calendar year 2015 due to competing demands on ENS staff time. These monthly meetings are important primarily to maintain communication with ENS and for CAL directors to be kept informed of project developments. Without regular meetings, CAL directors feel isolated from project-wide decision-making processes.

4.1.6 Impact Orientation and Sustainability

ENS's strategy to transfer the management of the CAL project to the CUT and CTC unions is not progressing as originally planned. This strategy did not take into account the relative weakness of Colombian labor federations or other potential issues arising from transferring management to unions. Colombia has a few strong labor unions, but because union members represent less than 5 percent of the working population, the unions have limited resources.

Although the PMP did not include sustainability indicators, it seems clear that the vision of creating a unified national strategy by 2017 will not be fulfilled with the current approach, especially because each CAL is responsible for its own sustainability plan. Although ENS does not believe it is appropriate to turn to the national or local governments for financing, particularly given the level of mistrust between some workers' organizations and the government, there may still be other funding possibilities to pursue. For example, ENS could engage in partnerships with university research centers to finance the students, for example, and arrange for free office space from local governments.

4.2 Key Recommendations for ENS

The following recommendations are based on the evaluation team’s findings and conclusions. They focus on areas of the project that can be feasibly addressed before the project end date on December 26, 2015.

4.2.1 Project Design and Performance Monitoring Framework

- a. Reassess the project’s PMP and create target outcome indicators that are realistic given the CALs’ current capacity to collect information.
- b. Reevaluate priorities and assign additional resources to:
 - a. Assist workers at the CALs and represent them in the judicial system, or
 - b. Find other ways to obtain resolution to the emblematic cases.
- c. Ensure that reporting to DOL is consistent across CALs and time periods and establish appropriate reporting categories and definitions.
- d. Update the Work Plan document either monthly or quarterly to report progress to date of project activities and annual target.

4.2.2 CAL Database and Workers’ Rights Handbook

- a. Improve the CAL database to facilitate better data collection, analysis, and sharing of workload among the CALs.
- b. Ensure that the Workers’ Rights Handbook is useful for and accessible to its audience.

4.2.3 Student Trainings and Feedback

- a. Develop standard training materials, such as PowerPoint presentations or case studies to be shared among all students, as well as looking for opportunities to identify and implement best practices. These materials can be adapted during trainings as needed.
- b. Reassess the usefulness of a written test to assess acquired knowledge after training completion as described in the Project Document, given the current CAL capacity and resource limitations. Instead, CALs should continue to determine training needs based on their students’ background and level of knowledge.

4.2.4 Resource Management

- a. Look for less expensive and more accessible technological platforms (e.g., call center, Skype, online chats) to help manage expenses related to follow-up.
- b. Explore ways to reduce CAL operational costs—for instance, by identifying the most frequently requested services by workers (e.g., *liquidaciones*) and creating a step-by-step roadmap of how students should help workers in these cases.

- c. Reexamine the allocation of funds to account for maintenance of IT equipment for all CALs and costs associated with conducting follow-up calls.

4.2.5 Project Communication

- a. Explore modes to better engage and connect with the CALs. ENS should be mindful of the CALs' desire to feel well connected and well informed about strategy.
- b. Hold regular meetings with the CALs, aside from any meetings that might involve other partners, to keep the CALs better integrated in the project.

4.2.6 Sustainability

- a. Reevaluate the project's priorities to identify the project's sustainability needs, as there are several possibilities still left to explore.
- b. Better integrate people and organizations that are benefiting from its services into the sustainability plan, particularly if ENS is still interested in turning the CAL project into a national initiative. For example, the CALs are often described as a "seedbed" for future labor lawyers because of their highly regarded internship program. ENS can explore possible funding sources from university research centers or law departments.
- c. Consider charging a fee for at least some of the services the CALs offer workers as many other NGOs have done.
- d. Continue working with specific labor unions (perhaps the stronger, larger ones in their area) to encourage them to start providing services to workers, both union members and unaffiliated workers and to take on additional management responsibilities, to ease the CAL workload.
- e. Continue looking for borrowed or inexpensive space in Bogotá, and for larger space (also borrowed or inexpensive) to accommodate the increased demand for services, especially in Cartagena and Bucaramanga.

APPENDIX A: SCHEDULE OF EVALUATION ACTIVITIES

Evaluation Activity	Site	Date
Document review	Desk review	October–December 2014.
Observation of CAL	Bogota	11–13 December 2014
Observation of CAL	Bucaramanga	22 and 23 January 2015
Interview with CAL Director	Bogota	7 March 2015
Interview with CUT and CTC representatives	Bogota	7 March 2015
Interview with Solidarity Center Director	Bogota	7 March 2015
Interview with ILO technical advisor	Bogota	7 March 2015
Focus group with CAL students	Bogota	7 March 2015
Focus group with CAL clients (female and male clients separately)	Bogota	8 March 2015
Interview with CAL Director	Medellin	9 March 2015
Interview with CUT and CTC representatives	Medellin	10 March 2015
Interviews with ENS Academic Director, Expert on Project Planning, Expert on Research and Project Coordinator	Medellin	9 March 2015
Focus group with CAL students	Medellin	9 March 2015
Focus group with CAL clients (female and male clients separately)	Medellin	10 March 2015
Interview with CAL Director	Cartagena	11 March 2015
Interview with CUT and CTC representatives	Cartagena	11 March 2015
Focus group with CAL students	Cartagena	11 March 2015
Focus group with CAL clients (female and male clients separately)	Cartagena	12 March 2015
Interview with CAL Director	Bucaramanga	13 March 2015
Interview with CUT and CTC representatives	Bucaramanga	13 March 2015
Focus group with CAL students	Bucaramanga	13 March 2015
Focus group with CAL clients (female and male clients separately)	Bucaramanga	14 March 2015

APPENDIX B: INTERVIEW AND FOCUS GROUP GUIDES

Interview Guide: CAL Director

Informed Consent

Have interviewee read and sign the informed consent form. Give interviewee an unsigned copy of the form to keep for his or her records.

Outline with Timings

Time in each section (in minutes)	Topic	Elapse time at the end of section (in minutes)
3	Introduction	3
2	Interviewee Background	5
5	Validity of the Project Design	10
10	Relevance and Strategic Fit	20
12	Progress and Effectiveness of Program Strategy	32
5	Efficiency in the Use of Project Resources	37
10	Effectiveness of Management Arrangements	47
8	Impact Orientation and Sustainability	55
3	Recommendations and Lessons Learned	58
2	Conclusion	60

Introduction (3 minutes)

The purpose of this interview is to discuss your ongoing activities related the Escuela Nacional Sindical (ENS) with regard to the Centros de Atención Laboral (CALs), including challenges, successful strategies, perceived outcomes, and sustainability plans.

This interview will last approximately 60 minutes.

With your permission, we will audio record the discussion to assist with note-taking. **No one outside the evaluation team will have access to this recording.**

This interview will work best if you do most of the talking. Feel free to speak openly and candidly about your experiences and perspectives regarding this project. Your participation in this interview is voluntary. If, at any time, you wish to discontinue participation, you may do so without penalty.

The data gathered through these interviews will be reported in an aggregate manner, highlighting informational points from specific CALs and not from particular individuals. **You will not be identified by name.**

Do you have any questions for me before we begin? Okay, let's get started.

Interviewee Background (2 minutes)

1. What is your title?
2. How long have you been with the CAL?
3. What are your main responsibilities in your position?

Validity of the Project Design (5 minutes)

4. Do you think the planning and organization of the CALs was well planned and realistic in terms of its objectives, desired outcomes, targets, and timeframe? Why or why not?
5. From your perspective, were critical factors that may influence the CAL's success taken into account when designing the project? These include labor law regulation, economic policy for job creation, civil displacement by internal conflict, and the efficiency of the justice system. If so, how?
6. Were the initial assumptions of the CAL project clearly defined and articulated? For example, assumptions such as: workers are interested in improving their working conditions and trust ENS; the country maintains relative political stability and the government demonstrates political will to improve labor rights.
 - a. Are the initial assumptions still valid? Have they changed over time?
7. What are the strengths of the project's design? What are its weaknesses?

Relevance and Strategic Fit (10 minutes)

8. Was an assessment of workers' legal needs conducted before the CAL project design was completed?
 - a. To what extent did the assessment inform the project design?
 - b. Were the legal needs of workers assessed using other methods?
9. Have there been changes in labor regulations or laws that affect how it provides legal services? If yes, how well has the project reacted and accommodated to those changes? Please explain.
10. Since the project began, have workers' legal needs changed over time in a way that has affected the project?
 - a. If so, how has the project responded to changing needs?
11. What has this CAL done to assist or support workers experiencing illegal indirect hiring?
 - a. What challenges has the CAL experienced in educating workers about illegal hiring practices?
 - b. What challenges has the CAL faced in supporting workers who have experienced illegal hiring?
12. What has this CAL done to engage and serve workers who have experienced violence?

- a. What obstacles has the project experienced in engaging and serving workers who have experienced violence?
13. What has this CAL done to engage and serve special populations, such as women, youth, union members, workers with disabilities, or ethnic/racial minorities?
- a. What obstacles has the project experienced in engaging and serving these populations?

Progress and Effectiveness of Project Strategy (12 minutes)

14. Are the project's planned activities proceeding on schedule? Please explain.
- a. What has helped stay on schedule and what has made it difficult??
15. What outputs or outcomes has the project achieved so far?
- a. Are expected results occurring as planned?
 - b. What has helped achieve desired outcomes and what has made it difficult?
16. How does the CAL measure and monitor project effectiveness?
- a. Are there sufficient project indicators to measure outputs and outcomes?
 - b. Has the process for measuring effectiveness changed over time?
 - c. How does the CAL use the collected data? How could it be used better?
17. Have the project's activities reached the target worker population in the sectors of interest as planned, both in terms of type and number of workers?
- a. What have been the obstacles and facilitators?
18. What type of training and learning activities are offered to CAL lawyers?
- a. How does the CAL determine the training needs of its lawyers?
 - b. How does training address the needs and process for accurate and complete documentation of legal claims?
 - c. What resources are available to lawyers to learn about previous cases and best practices? For example, is there an online library or database of previous cases that student lawyers can consult?
19. What outreach efforts has the CAL implemented?
- a. What have been the objectives of the outreach efforts?
 - b. Do you think these efforts have achieved their desired objectives?
 - c. How can these efforts be improved?

Efficiency in the Use of Project Resources (5 minutes)

20. To your knowledge, to what extent are the planned activities being implemented according to the budget?

- a. What obstacles in allocating budget resources have arisen? How were they overcome and at what cost?
21. Has the financial management model, whereby ENS manages and allocates financial resources, been effective for CAL performance at the local level? Why or why not?
- a. What improvements could be made to the financial management model to increase effectiveness at the local level?
22. How well do you think the project has used its financial and human resources?
- a. What improvements could be made?

Effectiveness of Management Arrangements (10 minutes)

23. How are policies and other information communicated from ENS to your CAL? Among the other CALs?
- a. Is this effective? How can it be improved?
24. What challenges, if any, has the CAL faced in operating with a primarily student (and therefore transient) workforce?
- a. How has the CAL overcome these challenges?
25. What challenges, if any, has the CAL faced in recruiting and obtaining high quality student lawyers to provide legal services for workers?
- a. How has the CAL overcome these challenges?
26. What strategies are used to manage periods of high demand for legal services?
- a. What improvements could be made to avoid management challenges during periods of high demand?
27. How does the CAL manage resource constraints (e.g., computers, printers, space), if any?
28. What indicators are used to evaluate practices within the CAL offices?
- a. Have there been any obstacles to improving practices? How have they been resolved?
29. Has the CAL developed standard operating procedures and tools? If so, please explain.
- a. Are the tools and procedures consistent across all CALs?

Impact Orientation and Sustainability (8 minutes)

30. From your perspective, which CAL activities and processes will be sustainable beyond grant funding and which will not be sustainable?
31. How has the CAL engaged other stakeholders (e.g., workers, unions, government, and local organizations) to sustain the CAL services after the project funding ends?
- a. Do you anticipate that referrals to the CAL will be sustainable beyond grant funding?

32. Moving forward, what strategies will the CAL pursue in order to ensure long-term sustainability?

Recommendations and Lessons Learned (3 minutes)

33. What lessons have been learned and how can they be taken into account for future projects?

34. Knowing what you know now, is there anything you would do differently in order to have a more successful outcome?

Conclusion (2 minutes)

35. Is there anything that I did not ask about that you would like to share with me, or do you have any additional thoughts about what we have discussed today?

Interview Guide: Union Leaders CUT and CTC

Informed Consent

Have participants read and sign the informed consent form. Give participants an unsigned copy of the form to keep for his or her records.

Outline with Timings

Time in each section (in minutes)	Topic	Elapse time at the end of section (in minutes)
3	Introduction	3
2	Interviewee Background	5
10	Validity of the Project Design	15
5	Relevance and Strategic Fit	20
10	Progress and Effectiveness of Program Strategy	30
5	Efficiency in the Use of Project Resources	35
5	Effectiveness of Management Arrangements	40
15	Impact Orientation and Sustainability	55
3	Recommendations and Lessons Learned	58
2	Conclusion	60

Introduction (3 minutes)

The purpose of this focus group is to discuss your ongoing activities related to the Centros de Atención Laboral (CALs), including challenges, successful strategies, perceived outcomes, and sustainability plans.

This focus group will last approximately 60 minutes.

With your permission, we will audio record the discussion to assist with note-taking. **No one outside the evaluation team will have access to this recording.**

This interview will work best if you do most of the talking. Feel free to speak openly and candidly about your experiences and perspectives regarding this project. Your participation in this interview is voluntary. If, at any time, you wish to discontinue participation, you may do so without penalty.

The data gathered through these interviews will be reported in an aggregate manner, highlighting informational points from specific CALs and not from particular individuals. **You will not be identified by name.**

Do you have any questions for me before we begin? Okay, let's get started.

Participant Background (2 minutes)

1. What is your title?
2. What are your main responsibilities in your position, particularly related to the CAL project?

Validity of the Project Design (10 minutes)

3. According to our information, the CALs have undergone a process of redesign of their strategy. Could you briefly explain the new strategy and the reasons behind the redesign?
 - a. Please explain how the current cities (Bucaramanga and Cartagena) were chosen to establish the new CALs and if any other cities are being considered for the future.
4. From your perspective, were critical factors that may influence the CAL's success taken into account when designing the project? These include labor law regulation, economic policy for job creation, civil displacement by internal conflict, and the efficiency of the justice system. If so, how?
5. Were the initial assumptions of the CAL project clearly defined and articulated? For example, assumptions such as: workers are interested in improving their working conditions and trust ENS; the country maintains relative political stability and the government demonstrates political will to improve labor rights.
6. How are the target goals defined and set for the project? Is the timeframe to achieve these goals realistic?

Relevance and Strategic Fit (5 minutes)

7. How does the project assess workers' training or legal needs?
 - a. To what extent did the assessment inform the project design?
 - b. Have their training or legal needs changed over time? If so, how has the project responded to changing needs?
8. Have there been changes in labor regulations or laws that affect how it provides legal services? If yes, how well has the project reacted and accommodated to those changes?

Progress and Effectiveness of Project Strategy (10 minutes)

9. How do the CALs and ENS measure and monitor CAL's effectiveness?
 - d. Has the process for measuring effectiveness changed over time?
 - e. How do the CALs and ENS use the collected data? How could it be used better?
10. Are the project's planned activities proceeding on schedule? Please explain. *(Note: Ensure that they talk about plan to integrate CALs and changes to database)*
 - b. What has helped stay on schedule and what has made it difficult?
11. Have the project's activities reached the target worker population in the sectors of interest, both in terms of type and number of workers?

- a. What have been the obstacles and facilitators?
12. How are the unions involved in the CALs' outreach activities?
- a. What have been the objectives of the outreach efforts?
 - b. Do you think these efforts have achieved their desired objectives?
 - c. How can these efforts be improved?
13. Are there any other CAL activities where your presence (or the union's) is expected? Please explain.

Efficiency in the Use of Project Resources (5 minutes)

14. To your knowledge, to what extent are the planned activities being implemented according to the budget?
- b. What obstacles in allocating budget resources have arisen? How were they overcome and at what cost?
15. Has the financial management model, whereby ENS manages and allocates financial resources, been effective for CAL performance at the local level? Why or why not?
- a. What improvements could be made to the financial management model to increase effectiveness at the local level?
16. How well do you think the project has used its financial and human resources?
- a. What improvements could be made?

Effectiveness of Management Arrangements (5 minutes)

17. Please describe the purpose of the Steering Committee meetings (Juntas) and your (or the union's) role on this committee.
- a. Where and how often does the Steering Committee meet?
18. What indicators are used to evaluate practices within the CAL offices?
- b. Have there been any obstacles to improving practices? How have they been resolved?

Impact Orientation and Sustainability (15 minutes)

19. What level of funding from the unions is currently being provided to the CALs?
- a. How are these levels going to progress in the future?
20. How has ENS or the CALs engaged other stakeholders (e.g., workers, unions, government, and local organizations) to sustain the CAL services after the project funding ends?
21. Is the CAL strategy currently integrated into the CUT-CTC's strategic plans? Please explain.
- a. Is CUT-CTC funding from the national government earmarked for the management of the CALs?

- b. Are CALs performance reports presented to the CUT-CTC's executive committees at the departmental and national level? If so, how often?
- 22. Could you explain what activities have taken place to transition the management of the project from ENS to the unions?
- 23. From your perspective, which CAL activities and processes will be sustainable beyond grant funding and which will not be sustainable?
- 24. Moving forward, what strategies will the CAL pursue in order to ensure long-term sustainability?

Recommendations and Lessons Learned (3 minutes)

- 25. What lessons have been learned and how can they be taken into account for future projects?
- 26. Knowing what you know now, is there anything you would do differently in order to have a more successful outcome?

Conclusion (2 minutes)

- 27. Is there anything that I did not ask about that you would like to share with me, or do you have any additional thoughts about what we have discussed today?

Interview Guide: Steering Committee Member

Informed Consent

Have interviewee read and sign the informed consent form. Give interviewee an unsigned copy of the form to keep for his or her records.

Outline with Timings

Time in each section (in minutes)	Topic	Elapse time at the end of section (in minutes)
3	Introduction	3
2	Interviewee Background	5
5	Validity of the Project Design	10
10	Relevance and Strategic Fit	20
12	Progress and Effectiveness of Program Strategy	32
5	Efficiency in the Use of Project Resources	37
10	Effectiveness of Management Arrangements	47
10	Impact Orientation and Sustainability	57
3	Conclusion	60

Introduction (3 minutes)

The purpose of this interview is to discuss the ongoing activities related to the Escuela Nacional Sindical Centros de Atención Laboral (ENS CALs), including challenges, successful strategies, perceived outcomes, and sustainability plans.

This interview will last approximately 60 minutes.

With your permission, we will audio record the discussion to assist with note-taking. **No one outside the evaluation team will have access to this recording.**

This interview will work best if you do most of the talking. Feel free to speak openly and candidly about your experiences and perspectives regarding this project. Your participation in this interview is voluntary. If, at any time, you wish to discontinue participation, you may do so without penalty.

The data gathered through these interviews will be reported in an aggregate manner, highlighting informational points from specific CALs and not from particular individuals. **You will not be identified by name.**

Do you have any questions for me before we begin? Okay, let's get started.

Interviewee Background (2 minutes)

1. What is your title?
2. How long have you been with your current organization?
3. What are your main responsibilities in your position, particularly related to the CAL project?
 - a. Have your responsibilities changed or evolved over the course of the CAL project?

Validity of the Project Design (5 minutes)

4. Do you think the planning and organization of the CALs was well planned and realistic in terms of its objectives, desired outcomes, targets, and timeframe? Why or why not?
5. Were critical factors that may influence the CALs' success taken into account when designing the project? These include labor law regulation, economic policy for job creation, civil displacement by internal conflict, and the efficiency of the justice system. If so, how?
6. Were the initial assumptions of the CAL project clearly defined and articulated? For example, assumptions such as: workers are interested in improving their working conditions and trust ENS; the country maintains relative political stability and the government demonstrates political will to improve labor rights.
 - a. Are the initial assumptions still valid? Have they changed over time?
7. What are the strengths of the project's design? What are its weaknesses?

Relevance and Strategic Fit (10 minutes)

8. Was an assessment of workers' legal needs conducted before the CAL project design was completed?
 - a. To what extent did the assessment inform the project design?
 - b. Were the legal needs of workers assessed using other methods?
9. Have there been changes in labor regulations or laws that affect how it provides legal services? If yes, how well has the project reacted and accommodated to those changes? Please explain.
10. Have workers' legal needs changed over time in a way that has affected the project?
 - b. If so, how has the project responded to changing needs?
11. What have the CALs done to assist or support workers experiencing illegal indirect hiring?
 - c. What challenges has the project faced in supporting workers who have experienced illegal hiring?
12. What have the CALs done to engage and serve workers who have experienced violence?
 - a. What obstacles has the project experienced in engaging and serving workers who have experienced violence?

13. What have the CALs done to engage and serve special populations, such as women, youth, union members, workers with disabilities, or ethnic/racial minorities?
 - a. What obstacles has the project experienced in engaging and serving these populations?

Progress and Effectiveness of Project Strategy (12 minutes)

14. Are the project's planned activities proceeding on schedule? Please explain.
 - c. What have been the obstacles and facilitators?
15. What outputs or outcomes has the project achieved so far?
 - c. Are expected results occurring as planned?
 - d. What have been the obstacles and facilitators?
16. How do the CALs measure and monitor project effectiveness?
 - f. Are there sufficient project indicators to measure outputs and outcomes?
 - g. Has the process for measuring effectiveness changed over time?
 - h. How do the CALs use the collected data? How could it be used better?
17. Have the project's activities reached the target worker population in the sectors of interest as planned, both in terms of type and number of workers?
 - b. What have been the obstacles and facilitators?
18. What type of training and learning activities are offered to CAL lawyers?
 - a. How do the CALs determine the training needs of its lawyers?
 - b. How does training address the needs and process for accurate and complete documentation of legal claims?
 - c. What resources are available to lawyers to learn about previous cases and best practices? For example, is there an online library or database of previous cases that student lawyers can consult?

Efficiency in the Use of Project Resources (5 minutes)

19. To what extent are the planned activities being implemented according to the budget?
 - c. What obstacles in allocating budget resources have arisen? How were they overcome and at what cost?
20. Approximately, what percentage of the project funds have been used for each activity? For example, what percentage of the funds has been allocated for CAL offices and what percentage has been allocated for mobile efforts?
21. How well do you think the project has used its financial and human resources?
 - a. What improvements could be made?

Effectiveness of Management Arrangements (10 minutes)

22. What kind of political, technical, and administrative support does ENS provide to the CALs? What kind of support does the steering committee provide to the CALs?
 - a. Is this effective? How can it be improved?
23. What challenges, if any, have the CALs faced in operating with a primarily student (and therefore transient) workforce?
 - d. How have the CALs overcome these challenges?
24. What challenges, if any, have the CALs faced in recruiting and obtaining high quality student lawyers to provide legal services for workers?
 - e. How have the CALs overcome these challenges?
25. What strategies are used to manage periods of high demand for legal services?
 - f. What improvements could be made to avoid management challenges during periods of high demand?
26. How do the CALs manage resource constraints (e.g., computers, printers, space), if any?
27. What indicators are used to evaluate practices within the CAL offices?
 - c. Have there been any obstacles to improving practices? How have they been resolved?

Impact Orientation and Sustainability (10 minutes)

28. In what ways, if any, will the CALs' activities be sustained beyond grant funding?
 - a. If *sustaining activities*, what resources or investments will be necessary to sustain them? Where will those resources/investments come from?
 - b. If *not sustaining activities*, what makes the project unsustainable?
28. Are there financial commitments from other sources to ensure the continuation of project?
 - a. Which elements (activities and products) of the project are self-sufficient and which rely on external financial support for their continued operation?
29. How has the CAL engaged other stakeholders (e.g., workers, unions, government, and local organizations) to sustain the CAL services after the project funding ends?
 - a. Do you anticipate that referrals to the CAL will be sustainable beyond grant funding?
30. Moving forward, what strategies will the CAL pursue in order to ensure long-term sustainability?

Recommendations and Lessons Learned (3 minutes)

31. What lessons have been learned and how they can be taken into account for future projects?

32. Knowing what you know now, is there anything you would do differently in order to have a more successful outcome?

Conclusion (2 minutes)

33. Is there anything that I did not ask about that you would like to share with me, or do you have any additional thoughts about what we have discussed today?

Interview Guide: ENS Project Expert

Informed Consent

Have interviewee read and sign the informed consent form. Give interviewee an unsigned copy of the form to keep for his or her records.

Outline with Timings

Time in each section (in minutes)	Topic	Elapse time at the end of section (in minutes)
3	Introduction	3
3	Interviewee Background	6
8	Validity of the Project Design	14
12	Relevance and Strategic Fit	26
10	Progress and Effectiveness of Program Strategy	36
5	Efficiency in the Use of Project Resources	41
10	Impact Orientation and Sustainability	51
5	Recommendations and Lessons Learned	56
4	Conclusion	60

Introduction (3 minutes)

The purpose of this interview is to discuss the ongoing activities related to the Escuela Nacional Sindical Centros de Atencion Laboral (ENS CALs), including challenges, successful strategies, perceived outcomes, and sustainability plans.

This interview will last approximately 60 minutes.

With your permission, we will audio record the discussion to assist with note-taking. **No one outside the evaluation team will have access to this recording.**

This interview will work best if you do most of the talking. Feel free to speak openly and candidly about your experiences and perspectives regarding this project. Your participation in this interview is voluntary. If, at any time, you wish to discontinue participation, you may do so without penalty.

The data gathered through these interviews will be reported in an aggregate manner, highlighting informational points from specific CALs and not from particular individuals. **You will not be identified by name.**

Do you have any questions for me before we begin? Okay, let's get started.

Interviewee Background (3 minutes)

1. What is your title?
2. How long have you been with ENS?
3. What are your main responsibilities in your position?
4. Describe your involvement with the CAL project, if any.

Validity of the Project Design (8 minutes)

5. Do you think the planning and organization of the CALs was well planned and realistic in terms of its objectives, desired outcomes, targets, and timeframe? Why or why not?
6. Were critical factors that may influence the CALs' success taken into account when designing the project? These include labor law regulation, economic policy for job creation, civil displacement by internal conflict, and the efficiency of the justice system. If so, how?
7. What are the strengths of the project's design? What are its weaknesses?

Relevance and Strategic Fit (12 minutes)

8. Do you think the project meets workers' legal needs? Why or why not?
 - a. How can the project improve to better meet the needs of workers?
9. Have there been changes in labor regulations or laws that affect how the CALs provide legal services? If yes, how well has the project reacted to and accommodated those changes? Please explain.
10. In your opinion, how has the CAL project affected the landscape of labor rights advocacy in Colombia?
 - a. How can the project improve to better complement or advance labor rights advocacy in the country?
11. Do you think the project is effectively assisting or supporting workers who experience indirect illegal hiring? Why or why not?
 - b. How can the project improve to better address this issue?
12. Do you think the project is effectively engaging and serving workers who have experienced violence? Why or why not?
 - c. How can the project improve to better address this issue?
13. Do you think the project is effectively engaging and serving underserved or special populations, such as women, youth, union members, workers with disabilities, or ethnic/racial minorities?
 - d. How can the project improve to better serve these populations?

Progress and Effectiveness of Project Strategy (10 minutes)

14. From your perspective, what outputs or outcomes has the project achieved so far?

15. Do you think the project's activities have reached workers in sectors of interest, including ports, sugar cane, mining, flowers, and African palm? Why or why not?
 - a. How can the project improve to better serve these worker populations?
16. *If monitoring and evaluation expert:* How does the CAL project monitor and evaluate progress?
 - i. Are there sufficient project indicators to measure outputs and outcomes?
 - j. Has the process for measuring effectiveness changed over time?
 - k. How do the CALs use the collected data? How could it be used better?
17. What are the strengths of the project's progress in terms of targeting and implementation? What are its weaknesses?

Efficiency in the Use of Project Resources (5 minutes)

18. To your knowledge, has the financial management model, whereby ENS manages and allocates financial resources, been effective for CAL performance at the local level? Why or why not?
 - e. What improvements could be made to the financial management model to increase effectiveness at the local level?
19. How well do you think the project has used its financial and human resources?
 - b. What improvements could be made?

Impact Orientation and Sustainability (10 minutes)

20. From your perspective, which CAL activities and processes will be sustainable beyond grant funding and which will not be sustainable?
21. In your opinion, how effective have ENS and the CALs been at engaging stakeholders (e.g., workers, unions, government, and local organizations) to sustain the CAL services after the project funding ends?
 - a. How can ENS and the CALs better engage and coordinate with labor rights stakeholders to sustain services?
22. Moving forward, what strategies should the CALs pursue in order to ensure long-term sustainability?

Recommendations and Lessons Learned (5 minutes)

23. What lessons have been learned and how they can be taken into account for future projects?
24. Knowing what you know now, is there anything you would do differently in order to have a more successful outcome?

Conclusion (4 minutes)

25. Is there anything that I did not ask about that you would like to share with me, or do you have any additional thoughts about what we have discussed today?

Interview Guide: Local Expert

Informed Consent

Have interviewee read and sign the informed consent form. Give interviewee an unsigned copy of the form to keep for his or her records.

Outline with Timings

Time in each section (in minutes)	Topic	Elapse time at the end of section (in minutes)
2	Introduction	2
3	Interviewee Background	5
10	Validity of the Project Design	15
15	Relevance and Strategic Fit	30
10	Progress and Effectiveness of Program Strategy	40
10	Impact Orientation and Sustainability	50
5	Recommendations and Lessons Learned	55
5	Conclusion	60

Introduction (3 minutes)

The purpose of this interview is to discuss the Escuela Nacional Sindical Centros de Atencion Laboral (ENS CALs), particularly your opinion about the project's relevance to labor rights in Colombia, challenges, successful strategies, perceived outcomes, and sustainability plans.

This interview will last approximately 60 minutes.

With your permission, we will audio record the discussion to assist with note-taking. **No one outside the evaluation team will have access to this recording.**

This interview will work best if you do most of the talking. Feel free to speak openly and candidly about your experiences and perspectives regarding this project. Your participation in this interview is voluntary. If, at any time, you wish to discontinue participation, you may do so without penalty.

The data gathered through these interviews will be reported in an aggregate manner, highlighting informational points from specific CALs and not from particular individuals. **You will not be identified by name.**

Do you have any questions for me before we begin? Okay, let's get started.

Interviewee Background (3 minutes)

1. What is your title and place of employment?
2. Briefly describe your involvement with labor rights in Colombia.
3. Describe your involvement with the CAL project, if any.

Validity of the Project Design (10 minutes)

4. From your perspective, do you think the planning and organization of the CALs was well planned and realistic in terms of its objectives, desired outcomes, targets, and timeframe? Why or why not?
5. Do you think critical factors that may influence the CALs' success were effectively taken into account when designing the project? These include labor law regulation, economic policy for job creation, civil displacement by internal conflict, and the efficiency of the justice system. If so, how?
6. What are the strengths of the project's design? What are its weaknesses?

Relevance and Strategic Fit (15 minutes)

7. Do you think the project meets workers' legal needs? Why or why not?
 - a. How can the project improve to better meet the needs of workers?
8. Have there been changes in labor regulations or laws that affect how it provides legal services? If yes, how well has the project reacted to and accommodated those changes? Please explain.
9. In your opinion, how has the CAL project affected the landscape of labor rights advocacy in Colombia?
 - b. How can the project improve to better complement or advance labor rights advocacy in the country?
 - c. *If government representative*: How would you describe the CALs' relationship with the COLabora project? How can it be improved?
10. Do you think the project is effectively assisting or supporting workers who experience indirect illegal hiring? Why or why not?
 - d. How can the project improve to better address this issue?
11. Do you think the project is effectively engaging and serving workers who have experienced violence? Why or why not?
 - e. How can the project improve to better address this issue?
12. Do you think the project is effectively engaging and serving underserved or special populations, such as women, youth, union members, workers with disabilities, or ethnic/racial minorities?
 - f. How can the project improve to better serve these populations?

Progress and Effectiveness of Project Strategy (10 minutes)

13. From your perspective, what outputs or outcomes has the project achieved so far?
14. Do you think the project's activities have reached workers in sectors of interest, including ports, sugar cane, mining, flowers, and African palm? Why or why not?
 - g. How can the project improve to better serve these worker populations?
15. What are the strengths of the project's progress in terms of targeting and implementation? What are its weaknesses?

Impact Orientation and Sustainability (10 minutes)

16. In your opinion, how effective have ENS and the CALs been at engaging stakeholders (e.g., workers, unions, government, and local organizations) to sustain the CAL services after the project funding ends?
 - h. How can ENS and the CALs better engage and coordinate with labor rights stakeholders to sustain services?
17. Moving forward, what strategies should the CALs pursue in order to ensure long-term sustainability?

Recommendations and Lessons Learned (5 minutes)

18. What lessons can be learned from the project and how they can be taken into account for future projects?
19. Knowing what you know about the project, is there anything you would do differently in order to have a more successful outcome?

Conclusion (5 minutes)

20. Is there anything that I did not ask about that you would like to share with me, or do you have any additional thoughts about what we have discussed today?

Focus Group Guide: CAL Clients

Informed Consent

Have participants read and sign the informed consent form. Give participants an unsigned copy of the form to keep for his or her records.

Outline with Timings

Time in each section (in minutes)	Topic	Elaste time at the end of section (in minutes)
5	Introduction	5
5	Participant Background	10
25	Accessing the CAL	35
30	Received Services from the CAL	60
15	Satisfaction with the CAL	80
10	Conclusion (including distribution of incentives)	90

Introduction (5 minutes)

The purpose of this focus group is to discuss your experiences accessing and receiving services from the Escuela Nacional Sindical Centros de Atención Laboral (ENS CALs).

This focus group will last approximately 90 minutes.

With your permission, we will audio record the discussion so we can fill anything we miss in our notes. **No one outside the evaluation team will have access to this recording.**

The focus group will work best if you do most of the talking. Feel free to speak openly and candidly about your experiences and perspectives regarding this project. Your participation is voluntary. If, at any time, you wish to discontinue participation, you may do so without penalty.

We will be doing groups like this in different cities. The information we collect in these group conversations will be used to write a report. The report will put together the information from all the groups, highlighting informational points from specific CALs but not from particular individuals. **You will not be identified by name.**

To thank you for your participation, we will provide 30,000 pesos at the end of the discussion. Please make sure to see me after the focus group to receive your thank you gift.

Do you have any questions for me before we begin? Okay, let's get started.

Participant Background (5 minutes)

1. What is your first name or nickname?
2. In which labor sector do you work?
3. Are you a member of or affiliated with a labor union?

Accessing the CAL (25 minutes)

4. How did you first hear about the CAL?
5. What brought you to visit or contact the CAL for the first time?
6. Do you remember what you thought of the CAL before visiting for the first time? What did you expect before you visited?
7. Have you contacted the CAL for services more than once? If so, how many times have you contacted or sought services from the CAL?
 - a. If you contacted the CAL more than once, was it for the same purpose each time or for different purposes? Please explain.
 - b. Did the CAL meet your expectations?
8. Do you think some workers are hesitant to contact the CAL for legal assistance? Why or why not?
 - c. From your point of view, what is the biggest deterrent for workers to file a complaint?
9. For women: Do you think some women workers are hesitant to contact the CAL for legal assistance? Why or why not?
 - d. What is the biggest deterrent for women workers to file a complaint?
10. What challenges, if any, did you experience when accessing CAL services?

Receiving Services from the CAL (30 minutes)

11. What services have you received from the CAL?
12. How did the CAL help you with your legal claim?
13. Which actions did you take in order to file your legal claim?
 - e. If you could not (or chose not to) file a legal claim, why?
14. What has been the outcome of the legal claim that you filed?
 - f. Are you satisfied with the outcome?
15. Approximately, how long did it take to receive an outcome on your legal claim?
 - g. Did you experience any delays or obstacles?
16. Have you received services through the mobile CAL? If so, what services did you receive?

17. Have you heard of trainings provided by the CAL for workers? If so, where did you hear about them?
18. Have you attended any training provided by the CAL? Please explain.
 - h. What did you expect from the training? Did it meet your expectations?
 - i. For women: Did the training include any information for domestic workers specifically? Pregnant or lactating workers? What about on sexual harassment?
19. Did you suffer any retaliation in the workplace following the pursuit of a legal claim and/or trying to seek the CAL's assistance?

Satisfaction with the CAL (10 minutes)

20. Overall, did you have a positive or negative experience with the CAL? Please explain.
21. Would you recommend CAL services to a family member or friend if he or she had a problem at work?
22. How can the CAL improve to better meet your legal assistance needs?
23. How can the CAL improve to better meet the legal assistance needs of other workers?
 - j. For women: How can the CAL improve to better meet the legal needs of women workers?

Conclusion (5 minutes)

24. Is there anything that I did not ask about that you would like to share with me, or do you have any additional thoughts about what we have discussed today?

Focus Group Guide: CAL Lawyers

Informed Consent

Have participants read and sign the informed consent form. Give participants an unsigned copy of the form to keep for his or her records.

Outline with Timings

Time in each section (in minutes)	Topic	Elapse time at the end of section (in minutes)
5	Introduction	5
10	Participant Background	15
15	Background of the CAL	30
25	Service Provision to CAL Clients	55
25	Project Progress and Management Arrangements	80
5	Recommendations and Lessons Learned	85
5	Conclusion	90

Introduction (5 minutes)

The purpose of this focus group is to discuss your ongoing activities related to the Centros de Atención Laboral (CALs), including challenges, successful strategies, and perceived outcomes.

This focus group will last approximately 90 minutes.

With your permission, we will audio record the discussion to assist with note-taking. **No one outside the evaluation team will have access to this recording.**

The focus group will work best if each of you participates actively. Feel free to speak openly and candidly about your experiences and perspectives regarding this project. We are not looking for agreement; it's fine if you don't agree with someone else in the group—just tell us how you see things. Your participation is voluntary. If, at any time, you wish to discontinue participation, you may do so without penalty.

The data will be reported in an aggregate manner, highlighting informational points from specific CALs and not from particular individuals. **You will not be identified by name.**

Do you have any questions for me before we begin? Okay, let's get started.

Participant Background (10 minutes)

1. To begin, please, I'd like to hear a little bit about each of you. Let's go one by one and please tell us:
 - a. What is your first name or nickname?
 - b. How long have you been with the CAL?
 - c. Are you a student? If so, at which university are you studying?
 - d. What are your main responsibilities in your position?

Background of the CAL (15 minutes)

The first few questions are about the CAL's purpose and its ability to respond to changes in labor rights law.

2. Please explain in your own words the objectives and desired outcomes of the CAL.
 - a. What is the CAL doing to meet these objectives and desired outcomes?
 - b. Do you think the CAL has achieved or will achieve its objectives? How could the CAL improve its services?
3. Have you experienced any changes in labor regulations or laws that affect how you or the CAL provide legal services?
 - a. If so, how has the CAL managed these changes?
4. Have workers' legal needs changed over time in a way that has affected the project?
 - c. If so, how has the CAL responded to changing needs?

Service Provision to CAL Clients (25 minutes)

Next, I'd like to learn more about the type of services you provide and the legal cases that you see.

5. What are the most common workers' rights violations that workers report at the CAL?
6. Do you know approximately what percentage of workers file a complaint after visiting the CAL?
7. How much time does it take for a typical claim to be resolved? If there is not a typical case, what would you say is the minimum and maximum time it takes for the claim to be resolved?
8. From your experience, what factors contribute to positive outcomes in legal cases? What factors contribute to negative outcomes?
9. Describe a particularly challenging case that you have worked on. Why was it challenging? What was the result?
10. How do you assist workers who have experienced illegal indirect hiring practices?
 - a. What obstacles have you experienced in improving the knowledge and understanding of illegal hiring practices?
11. How do you engage and serve workers who have experienced violence?

- b. What obstacles have you experienced in engaging and serving workers who have experienced violence?
12. How do you engage and serve underserved or target populations, such as women, youth, union members, workers with disabilities, or ethnic/racial minorities?
- c. What obstacles have you experienced in engaging and serving these populations?
13. What outreach efforts has the CAL implemented?
- d. Do you think these efforts have achieved their desired objectives?
 - e. How can these efforts be improved?

Project Progress and Management Arrangements (25 minutes)

The next set of questions are about the CAL's progress in terms of meeting its objectives and the strategies to support CAL lawyers.

14. How does the CAL measure and monitor effectiveness of legal services?
- a. Is there a system to track outcomes of legal cases? (*Probe for use of database*)
15. Does the CAL use standardized tools and protocols to determine the type of legal instruments to pursue? Please explain.
16. What kind of technical and administrative support do you receive as a CAL lawyer?
- a. Is the support you receive effective and sufficient? How can it be improved?
17. What is the most frustrating part of your job? What is the most rewarding part?
18. Are there any resources that the CAL does not have that would be beneficial to you?
19. What training have you received from the CAL? How frequently do you receive training?
- a. Do you think the training has been effective and adequate? How can it be improved?
 - b. How does the CAL determine the training needs of its lawyers?
 - c. How does training address the needs and process for accurate and complete documentation of legal claims?
 - d. What resources are available to lawyers to learn about previous cases and best practices? For example, is there an online library or database of previous cases that student lawyers can consult?
20. What strategies are used to manage periods of high demand for legal services?
- b. What improvements could be made to avoid management challenges during periods of high demand?

Recommendations and Lessons Learned (5 minutes)

We are now on the last section, which is about recommendations and lessons learned.

21. What lessons have been learned and how they can be taken into account for future projects?

Conclusion (5 minutes)

22. Lastly, is there anything that I did not ask about that you would like to share with me, or do you have any additional thoughts about what we have discussed today?