



Ministry of Labour, Human Resource Development and
Training

Annual Report on Performance Year 01 July 2022- 30 June 2023

2022 - 2023



Contents

Part I – About The Ministry	4
Minister’s Statement.....	5
Role and functions of Ministry	6
Brief Overview of the Sections/Units of the Ministry	7
Statutory Bodies under the purview of the Ministry	8
About Our People	9
Total HR for the Ministry	9
Staffing	11
Organigram.....	14
Gender Policy	15
Gender Policy Statement.....	15
Part II – MINISTRY/DEPARTMENT ACHIEVEMENTS & CHALLENGES	17
Research and Legislation	17
Major amendments in the legal framework.....	17
Workers’ Rights Act	17
Regulations.....	18
Labour Standard Units	20
Brief Overview of Sections/Units	25
The Inspection and Enforcement Section	25
The Special Migrant Workers Unit	26
Workfare Programme Unit.....	27
The Conciliation and Mediation Section	27
Information, Education and Communication Section	29
Occupational Safety And Health Division.....	30
Activity of the Occupational safety and Health Division for period July 2022 to June 2023	33
World Day for Safety & Heath at Work	35
Trends, Challenges and Way Forward	36
Improving Legislative Framework	39
Improving National Safety and Health Culture	40
Registry Of Associations	41

Commission For Conciliation And Mediation.....	44
National Remuneration Board	46
Redundancy Board	47
National Employment Department.....	49
Risk Management, Citizen Oriented.....	57
Initiatives & Good Governance	57
Part III – FINANCIAL PERFORMANCE	58
Part IV – WAY FORWARD.....	62
Trends and Challenges	62
Strategic Direction.....	63

PART 1 ABOUT THE MINISTRY

VALUES

OUR CORE VALUES

Integrity:
We are guided by the highest standards of professional ethics

Quality:
We are result-oriented and are committed to provide services of the highest quality in a timely manner.

Team spirit:
We promote and demonstrate team spirit in achieving organisational goals.

MISSION

Mission

Promote decent work, support employers and workers in creating a safe, conflict-free and productive workplace and facilitate access to gainful employment.

VISION

Vision

That all Mauritians have access to gainful and productive employment and that the work environment be safe and conflict-free

Minister's Statement

It is with a renewed sense of satisfaction that I contribute to this edition of the Annual Report of the Ministry of Labour, Human Resource Development and Training.

During the past twelve months, we have been consolidating major pillars of the *Workers' Rights Act* and our focus remained the protection of the rights of our workforce. For example, in 2022, we have amended the law to integrate the *reinstatement* option in case a worker's employment has been unjustly terminated. Then, the definition of "worker" has been broadened and now includes a person who is classified as a service provider but who personally performs the same or similar work of a comparable worker employed in the same enterprise or industry.

Moreover, clarifications have been made concerning the allowance equal to three times the basic rate per hour payable to a worker who is required to work, irrespective of whether from home or at his workplace when a cyclone warning class III or IV is in force. Leave to care for a sick child has been introduced in the legislation, hence now a worker earning a monthly basic salary equal or less than MUR 50,000 is allowed to take up to 10 days' paid leave during every period of 12 consecutive months to be calculated at his option against his annual, sick or vacation leaves. Furthermore, it is now strictly prohibited to terminate employment on the basis of a worker's poor performance if the worker's performance is being affected as a result of an injury sustained out of and in the course of work.

In conclusion, I would like to thank all my collaborators, officers and staff who have delivered magnificently all along the year.

Hon. Sodesh Satkam CALLICHURN,

Minister of Labour, Human Resource Development and Training.



Role and functions of Ministry

The Ministry of Labour, Human Resource Development and Training aims at providing an effective and efficient service to members of the public and the working community in ensuring their rights at work in a conducive working environment.

The key functions of the Ministry include:

- a) promoting industrial peace and harmony and to protect the fundamental rights and dignity of workers;
- b) enhancing productivity and the general well-being of the workforce through improvement in the standards of safety and health and prevention of occupational diseases and accidents at the workplace;
- c) regulating the functioning of associations and trade unions;
- d) facilitating employment of jobseekers, providing assistance and guidance with regard to employment prospects and facilitating the employment of non-citizens, where required;
- e) regulating the operation of recruitment agencies involved in the recruitment of Mauritians for employment locally and/or overseas and the recruitment of non-citizens for employment in Mauritius;
- f) monitoring the performance of parastatal bodies/units operating under its aegis;
- g) promoting human resource development in line with economic and social objectives and stimulating a culture of training and lifelong learning;
- h) promoting research, enhanced knowledge and excellence in technical, vocational education and training; and
- i) providing quality guidance and counselling to students and the public at large.

Brief Overview of the Sections/Units of the Ministry

The Ministry comprises several Divisions and Units at its headquarters, which are mainly responsible for policy formulation and implementation as well as monitoring of labour, industrial relations, safety and health, employment and training programmes.

LABOUR AND IR DIVISION

- ensure compliance with labour legislation both in respect of Mauritians and migrant workers and institutes such civil or criminal proceedings as deemed necessary and conduct such proceedings in the Industrial Court for or in the name of a worker
- provides a conciliation service to promote the settlement of industrial disputes reported to the Minister

HUMAN RESOURCE DEVELOPMENT AND TRAINING

- register jobseekers, including laid-off workers and place them in gainful employment
- collection and dissemination of Labour Market Information
- enforce the Non-Citizens (Employment) (Restriction) Act and issue work permits to migrant workers
- enforce the Recruitment of Workers Act and issue Recruitment License to Recruitment Agencies.

OCCUPATIONAL SAFETY AND HEALTH DIVISION

- enforcement of legislation pertaining to occupational safety and health
- ensures continual enhancement of safety and health standards at workplaces

NATIONAL REMUNERATION BOARD

- make recommendations to the Minister regarding minimum re-muneration and terms and conditions of employment in the private sector

COMMISSION FOR CONCILIATION AND MEDIATION

- provide conciliation, mediation and advisory services for promoting the improvement of industrial relations in the workplace

REGISTRY OF ASSOCIATIONS

- conferring legal status on associations and trade unions
- ensuring compliance to the Registration of the Associations Act

REDUNDANCY BOARD

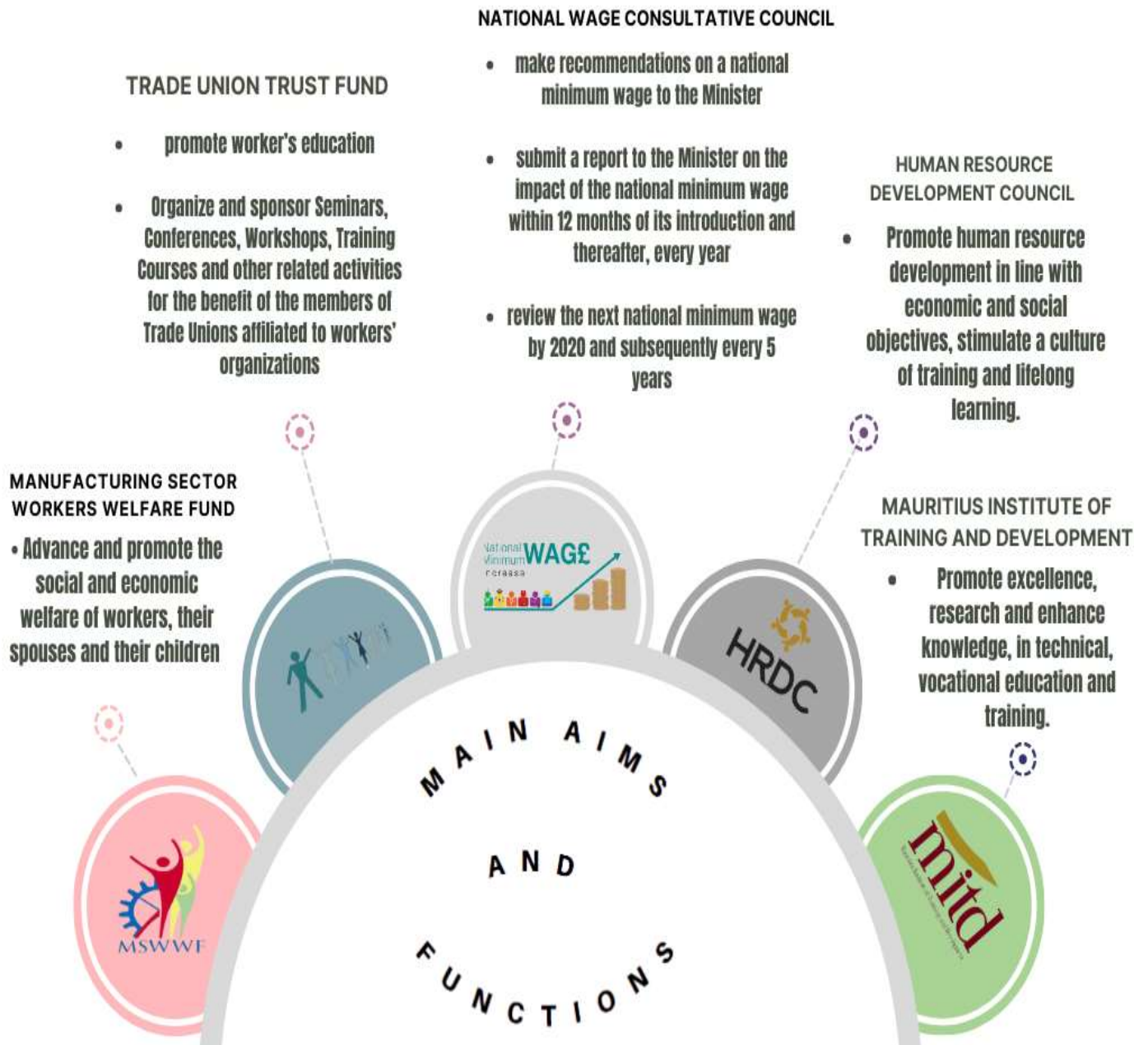
- deal with all cases of reduction of workforce and closure of enterprises for economic, financial, structural, technological or any other similar reasons.

CAREER GUIDANCE

- Provide quality guidance and counselling to students and the public at large
- Provide career information

Statutory Bodies under the purview of the Ministry

There are six parastatal bodies operating under the aegis of the Ministry. Their main aims and functions are as follows:



About our People

The Ministry of Labour, Human Resource Development and Training is headed by two Permanent Secretaries, each responsible for the Labour Division and Human Resource Development and Training Division, respectively. They are both assisted in their functions by officers of the administrative, technical cadre and those of the general services.

Accordingly, for the financial year 2022/2023, the Ministry had **664** funded positions including contractual officers and advisers.

Human Resources

Job Title/Category	Labour Division	HRDT Division
Minister	1	
Permanent Secretary	1	1
Deputy Permanent Secretary	1	1 (Ag.)
Assistant Permanent Secretary	1	3
Manager, Financial Operations	1	-
Assistant Manager, Financial Operations	1	-
Manager, Human Resources	2	-
Assistant Manager, Human Resources	-	1
Human Resource Executive	2	1
Registrar of Associations	1	-
Deputy Registrar of Associations	1	-
Chairperson, National Remuneration Board	1	-
Vice Chairperson, National Remuneration Board	1	-
Director, Labour and Industrial Relations	1	-

Deputy Director, Labour and Industrial Relations	1 (Ag.)	-
Director, Occupational Safety and Health	1	-
Deputy Director, Occupational Safety and Health	1	-
Head Specialist Support Services	1	-
President, Commission for Conciliation and Mediation	1	-
Vice President, Commission for Conciliation and Mediation	1	-
Assistant Manager (Procurement & Supply)	1	-
Assistant Manager, Internal Control	1	-

Total Funded positions 2022-2023	
Labour Division	Number
Management and General	164
Labour and Industrial Relations	143
Occupational Safety and Health	74
Registry of Associations	24
Commission for Conciliation and Mediation	2
National Remuneration Board	8
Redundancy Board	1
Total	416

STAFFING

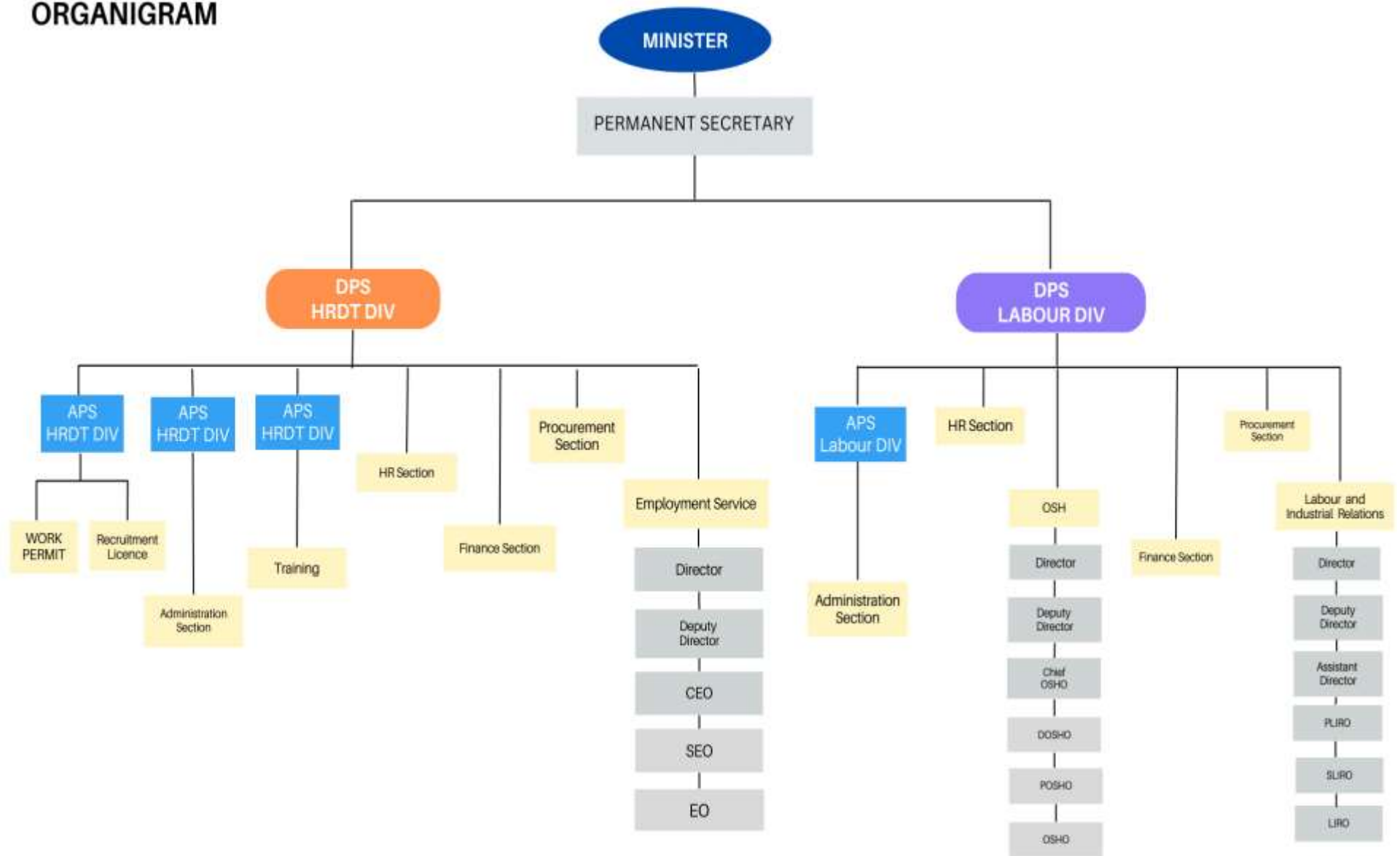
Labour Division			
Job Title/Category	Male	Female	Total
Labour	57	86	143
Occupational Safety and Health	19	55	74
Registry of Associations	4	12	16
Administrative	1	2	3
Adviser	6	-	6
Officers on Contract	4	1	5
National Remuneration Board	2	6	8
Financial Operations	2	4	6
Procurement and Supply	1	2	3
Internal Control	1	1	2
HR Cadre	2	2	4
General Service	13	62	75
Senior Transcriber	-	2	2
Transcriber	-	2	2
Receptionist	1	4	5
Head Office Auxiliary	2	-	2
Office Auxiliary/Senior Office Auxiliary	10	15	25
Handy Worker	7	10	17
General Worker	1	1	2
Driver	3	-	3

HRDT DIVISION			
Job Title/Category	Male	Female	Total
Director, NED	1	-	1
Principal Careers Counsellor	-	1	1
Senior System Analyst	-	1	1
Senior Careers Counsellor	-	1	1
Careers Counsellor	3	2	5
Human Resource Analyst	2	-	2
Chief Employment Coordinator	1	3	4
Assistant System Analyst	-	1	1
Office Management Executive	1	6	7
Financial Operations	1	2	3
Principal Procurement & Supply Officer	-	1	1
Senior Employment Counselling Officer	-	12	12
Assistant Procurement & Supply Officer	-	-	-
Office Supervisor	-	1	1
Confidential Secretary	-	2	2
Head Office Auxiliary	1	-	1
Office Auxiliary/Senior Office Auxiliary	2	12	14
Driver	1	-	1
General Service	30	112	142
Receptionist /Telephone Operator	1	3	4
General Worker	3	9	12

NUMBER OF STAFF

Labour Division			
Cadre	Male	Female	Total
Labour	47	84	131
Occupational Safety and Health	23	43	66
Registry of Associations	7	13	20
Administrative	2	1	3
Adviser	6	-	6
Officers on Contract	3	1	4
NRB	2	6	8
Financial Operations	2	3	5
Procurement and Supply	1	2	3
Internal Control	1	1	2
HR Cadre	2	2	4
General Service	19	59	78
Shorthand	-	4	4
Receptionist	1	4	5
Head Office Auxiliary	2	-	2
Office Auxiliary/Senior Office Auxiliary	12	12	24
Handy Worker	9	10	19
General Worker	1	1	2
Driver	5	-	5
STM	1	8	9

ORGANIGRAM



GENDER POLICY

Gender Policy Statement

There is an acknowledgement that women's rights are human rights and there is a broad acceptance that gender equality is a critical and indispensable component of human development in Mauritius to achieve the Sustainable Development Goals (SDGs) in a holistic manner.

Gender equality refers to equal access to social goods, services and resources, and equal opportunities in all spheres of life for women and men. However, gender equality does not necessarily result in equal outcomes for men and women, as they have different needs and priorities. Gender equality is the process of being fair to women and men. Women and men should not only be given equal access but they should be given the means for benefiting from this equality.

This philosophy is even enshrined in section 3 of our Constitution, which stipulates that "in Mauritius there have existed and shall continue to exist without discrimination by reason of race, place of origin, political opinions, colour, creed or sex...".

As regards the Ministry of Labour, Human Resource Development and Training, provisions have been made in section 5 of the Workers' Rights Act to the effect that no worker should be discriminated on grounds of gender and sexual orientation in the course of his employment. Section 26 of the Act also provides for equal remuneration for work of equal value. The Occupational Safety and Health Act 2005 on the other hand, ensures that the specific needs of women at work are catered for. As such, section 39 of the Act provides for sanitary conveniences for employees of each sex while section 42 for special accommodation for clothing for each sex. Furthermore, the Workers' Rights Act (WRA) ensures special facilities for pregnant women at work.

The National Remuneration Board (NRB), set up under section 90 of the Employment Relations Act 2008 (EReA), is responsible for making recommendations on minimum remuneration and other terms and conditions of employment for workers in the private sector. While reviewing Remuneration Regulations, the NRB remains guided by the principles outlined at section 97 of EReA and in so far as is consistent with the contextual evolution of the sectors of activity, ensures that wage determination, job appellations and classifications are based on principle of

“equal remuneration for work of equal value” as outlined in ILO Convention No. 100 and section 26 of WRA.

As a commitment to the advancement of its gender equality agenda, the Ministry even ensures gender disaggregated data in terms of target groups and amount of money spent on all genders.

Furthermore, a Gender Cell has also been set up at the Ministry. It comprises representatives of administration, technical, human resource and finance cadres. The Cell has a mandate to institutionalise gender mainstreaming in the plans and activities of the Ministry. It also provides a platform for dialogue where views and concerns on gender mainstreaming issues are shared. Consideration is also being given to the amendment brought to the Statutory Bodies (Accounts and Audit) Act which requires Statutory Bodies under the aegis of the Ministry to have at least one woman on their Board of Directors.

Part II – MINISTRY/DEPARTMENT ACHIEVEMENTS & CHALLENGES

LABOUR AND INDUSTRIAL RELATIONS DIVISION

Research and Legislations :

- Workers' Rights Act
- Employment Relations Act
- National Wage Consultative Council Act
- End of Year Gratuity Act
- Workmen's Compensation Act
- Remuneration Regulations

Major amendments in the legal framework during period under review (July 2022 – June 2023)

Workers' Rights Act

The Workers' Rights Act was amended in the Finance (Miscellaneous Provisions) Act 2021 with the main objective to –

- (a) The status of a worker or an atypical worker is given to a person other than a consultant, who is classified by an employer as a freelance or a service provider who personally performs a duty which is of the same or similar nature to a worker;
- (b) The process of application for a protective order following an enquiry carried out by the Ministry is facilitated and the scope for the application of a protective order has been broadened by including payment of a gratuity on retirement;
- (c) The definition of receivership has been aligned with that of insolvent as specified in the provision regarding the Wage Guarantee Fund Account;
- (d) A worker who is required to work from home, or any other place where he has been assigned duty or to stay at his place of work when a cyclone class III or IV is in force is also entitled to the cyclone allowance;
- (e) The payment of food allowance has been extended to workers employed on shift or otherwise and whose normal hours of work in a day exceeds 10 hours;
- (f) The refund of transport expenses to a worker to be equivalent to the amount incurred in respect of the mode of transport used (either bus or light rail);
- (g) Irrespective of his salary, a worker who is paid a petrol allowance, to be granted an increase of 10%, up to a maximum of Rs 2,000 in a month;
- (h) A new provision regarding leave to take care of a sick child, whereby a worker can avail himself of up to 10 days from his paid leave entitlement has been introduced;

- (i) The ceiling of 90 days for the accumulation of untaken sick leave has been removed;
- (j) A worker who has not fully recovered from the injury sustained out of and in the course of his work is protected against termination of employment on ground of performance;
- (k) A worker should be given an opportunity to answer a charge in an oral hearing where he has given a written explanation in a charge of misconduct or poor performance;
- (l) A worker who still in employment should be given an opportunity to answer a charge of misconduct where an employer is aware of his conviction by the court in respect of a charge of alleged misconduct, which is subject to criminal proceedings;
- (m) The Redundancy Board is given the discretion to make its determination in cases where a worker makes an application to the Board for reinstatement or for payment of severance allowance;
- (n) Where the Redundancy Board has been notified of an intended reduction of workforce or closure, the Board can make an order for the employer not to reduce his workforce or close his enterprise where the Board considers that the reasons for such decision are unjustified;
- (o) The threshold for the computation of the refund as injury allowance is aligned to the rate specified in the Social Contribution and Social Benefits Act;
- (p) The rate of contribution made by an employer on behalf of his workers to a private pension scheme and the SIPF should not be less than the prescribed PRGF rate and the issue of non-payment of contributions and past services is addressed;
- (q) A more efficient administration of the PRGF is ensured by providing that a worker should be paid in the first instance 90% of his retirement benefits on the date of his retirement. The balance is to be paid after completion of the benchmarking exercise;
- (r) The payment of lump sum in respect of past services in cases of retirement and death to be paid directly to the worker or the heirs of the deceased worker; and
- (s) A worker can voluntarily retire before the age of 60 where he has already completed 436 months' service.

Regulations

2. The following main Regulations were also made under the Workers' Rights Act and the Employment Relations Act –
 - (a) The process of collective bargaining has been improved by providing information regarding terms and conditions of workers to recognized trade unions;
 - (b) Dispute resolution has been facilitated by providing for the disputes of rights registered by a worker at the Ministry which have remained unresolved, to be referred to the Commission for Conciliation and Mediation;

- (c) The circumstances where a worker, whose employment has been terminated, can report a labour dispute to claim reinstatement has been clarified; and
- (d) The reinforcement of the definition of discrimination by including the terms gender, place of origin, age and impairment.

3. Wage Relativity Adjustment in 17 sectors

To address the issue of wage relativity disruption in Remuneration Regulations following the implementation of the National Minimum Wage, 17 Remuneration (Amendment) Regulations (as per **Annex**) were made by the Minister on 10 August 2022, granting a staggered increase in wages up to a maximum of Rs1000 to certain categories of workers as from 01 July 2022.

The Amendment Regulations have come into operation on 01 July 2022.

4. The Workers' Rights (Prescribed Period)(Amendment) Regulations 2022

The Workers' Rights (Prescribed Period) (Amendment) Regulations 2022 has been made by the Minister on 4 July 2022 and has come into operation on 01 July 2022.

5. The Workers' Rights (Additional Remuneration)(2023) Regulations 2023

The Workers' Rights (Additional Remuneration)(2023) Regulations 2023 was made by the Minister on 12 January 2023 and has come into operation on 01 January 2023.

6. The Workers' Rights (Payment of Special Allowance 2023) Regulations 2023

The Workers' Rights (Payment of Special Allowance 2023) Regulations 2023 was made by the Minister on 12 January 2023 and has come into operation on 01 January 2023.

7. The National Minimum Wage (Amendment) Regulations 2023

The National Minimum Wage (Amendment) Regulations 2023 was made by the Minister on 12 January 2023 and has come into operation on 01 January 2023.

8. The Export Enterprises (Remuneration)(Amendment) Regulations 2023

The Export Enterprises (Remuneration)(Amendment) Regulations 2023 was made by the Minister on 12 January 2023 and has come into operation on 01 January 2023.

9. The Media Employees (Remuneration) Regulations 2023

The Media Employees (Remuneration) Regulations 2023 which was made by the Minister on 28 March 2023 and which has come into operation as from 1 February 2023 has replaced the Newspapers and Periodicals Employees (Remuneration) Regulations 2019.

LABOUR STANDARDS UNIT

ACHIEVEMENTS FOR PERIOD JULY 2022 TO JUNE 2023

1. Reply to a questionnaire on the Abrogation of the following instruments made to the ILO on 15 September 2022.

(a) International Labour Convention proposed for abrogation:

Seafarers' Welfare Convention, 1987 (No. 163)

(b) 4 Conventions and 1 Protocol proposed for withdrawal:

- i. Social Security (Seafarers) Convention, 1946 (No. 70)
- ii. Accommodation of Crews Convention, 1946 (No. 75)
- iii. Social Security (Seafarers) Convention (Revised), 1987 (No. 165)
- iv. Labour Inspection (Seafarers) Convention, 1996 (No. 178)
- v. Protocol of 1996 to the Merchant Shipping (Minimum Standards) Convention, 1976

(c) 18 Recommendations proposed for withdrawal:

- i. National Seamen's Codes Recommendation, 1920 (No. 9)
- ii. Unemployment Insurance (Seamen) Recommendation, 1920 (No. 10)
- iii. Labour Inspection Recommendation, 1923 (No. 20)

Ministry of Labour, Human Resource Development and Training

- iv. Labour Inspection (Seamen) Recommendation, 1926 (No. 28)
- v. Seamen's Welfare in Ports Recommendation, 1936 (No. 48)
- vi. Seafarers' Social Security (Agreements) Recommendation, 1946 (No. 75)
- vii. Seafarers (Medical Care for Dependants) Recommendation, 1946 (No. 76)
- viii. Bedding, Mess Utensils and Miscellaneous Provisions (Ships' Crews) Recommendation, 1946 (No. 78)
- ix. Ships' Medicine Chests Recommendation, 1958 (No. 105)
- x. Medical Advice at Sea Recommendation, 1958 (No. 106)
- xi. Social Conditions and Safety (Seafarers) Recommendation, 1958 (No. 108)
- xii. Seafarers' Welfare Recommendation, 1970 (No. 138)
- xiii. Crew Accommodation (Air Conditioning) Recommendation, 1970 (No. 140)
- xiv. Crew Accommodation (Noise Control) Recommendation, 1970 (No. 141)
- xv. Prevention of Accidents (Seafarers) Recommendation, 1970 (No. 142)
- xvi. Merchant Shipping (Improvement of Standards) Recommendation, 1976 (No. 155)
- xvii. Seafarers' Welfare Recommendation, 1987 (No. 173)
- xviii. Labour Inspection (Seafarers) Recommendation, 1996 (No. 185)

2. Reports on Ratified Conventions submitted to ILO on 31 August 2022 under Article 22 of the ILO Constitution on the following instruments:-

- (i) C029 - Forced Labour Convention, 1930 (No. 29);
- (ii) C032 - Protection against Accidents (Dockers) Convention (Revised), 1932 (No. 32);
- (iii) C105 - Abolition of Forced Labour Convention, 1957 (No. 105);
- (iv) C108 - Seafarers' Identity Documents Convention, 1958 (No. 108);
- (v) C137 - Dock Work Convention, 1973 (No. 137);
- (vi) C138 - Minimum Age Convention, 1973 (No. 138); and
- (vii) C182 - Worst Forms of Child Labour Convention, 1999 (No. 182).

3. Reports on Unratified Conventions and Recommendations under Article 19 of the ILO Constitution submitted to the ILO on 28 February 2023 for the year 2023 on the following instruments:-

2023

- (i) Labour Administration Convention, 1978 (No. 150); and
- (ii) Labour Administration Recommendation, 1978 (No. 158)

It is to be noted that despite Mauritius has already ratified the above convention, there is still an obligation to provide updates on the recommendations.

4. ILO Mission in Mauritius

On 24 August 2022 in the course of an official ILO Mission in Mauritius, Dr. Coffi Agossou ILO Director CO discussed and agreed that the draft report of the Second Generation Decent Work Country Programme should be revisited with a view to addressing the impacts of the pandemic.

The DWCP II which started in 2016 and which was due to be finalised in 2019 was unfortunately delayed following the outbreak of the Covid-19 pandemic in 2020 and 2021.

However, on the basis of changes of priorities and other strategies at national level the Hon. Minister approved that a new Country Context Analysis be carried out for Mauritius to draft a fresh second MDWCP II.

The ILO has agreed to provide the necessary technical assistance to formulate the Second Generation Decent Work Country Programme for Mauritius (MDWCP II). However, Mauritius will bear the costs for consultancy services.

5. MDWCP II

A procurement exercise was held in May 2023, for the recruitment of a National consultant. However, the Bid received by the Ministry was much above the estimated cost and was considered non – responsive, hence the exercise was cancelled. A new bidding exercise is presently being relaunched at procurement level.

6. International Labour Conference (ILC)

- (i) Preparation of a 'Brief' containing relevant documents and information on the 111th Session of the International Labour Conference which is being held in Geneva from 05 to 16 June 2023. A tripartite delegation from Mauritius headed by the Honourable Minister of Labour is attending the same.

Note: Preparation of documents for delegates (Hon Minister, PS and Ag DD) for parallel meetings (Non – aligned Movement, African Group Meetings) to be held in Geneva during the ILC.

- (ii) The Hon Minister and the Deputy Director, Mrs S. Jeetoo attended the International Labour Conference held in Geneva from 05 to 16 June 2023.

7. African Regional and Labour Administration Centre (ARLAC)

(a) Meeting of Senior Officials of ARLAC hosted by Mauritius

The Committee of Senior Officials responsible for labour/employment/manpower issues held its 18th Annual Meeting in Port Louis, Mauritius from 11 – 13 October 2022. ILO representatives were present alongside delegates from Botswana, Egypt, Eswatini, Ghana (virtually), Kenya, Malawi, Namibia, Nigeria, Sierra Leone, South Africa, Sudan, Zambia and Zimbabwe; For the first time Mauritius was given the responsibility to chair the Meeting and be its chairperson until October 2023.

(b) 19th Committee of Senior Officials

- The 19th Committee of Senior Officials was held on 07 March 2023 in Addis Ababa, Ethiopia. The Deputy Director of the LIR attended same on behalf of the Chairperson of the Committee, the Ag Permanent Secretary of the MLHRDT.

(c) 20th Committee of Senior Officials

- The 20th Committee of Senior Officials was held on 12 June 2023 in the ILO Headquarters, Geneva. The Deputy Director of the LIR attended same on behalf

of the Chairperson of the Committee, the Ag Permanent Secretary of the MLHRDT.

- The Committee provided recommendations on several items for consideration and adoption by the Governing Council of the 49B Governing Council Meeting.
- The next Committee of Senior Officials will be held in Lesotho from the 9 to 13 October 2023.

(d) 49th and 49B Governing Council Meeting

- Preparation of all documents for the meeting of the committee of Senior Official which is a precursor of the Governing Council Meeting and preparation of all documents for the 49th Governing Council Meeting for Ministers Responsible for Labour/Employment/Manpower Issues in Anglophone Africa which has been held in Ethiopia (6-10 March 2023). During the meeting, the Ministerial High-Level Symposium on Social Protection (Labour Protection) was also held on 08 March 2023.
- Preparation of all documents for the meeting of the committee of Senior Official and meeting of the Governing Council Meeting Ministers Responsible for Labour/Employment/Manpower Issues in Anglophone Africa which would be held in Geneva (12-13 June 2023).
- The 49B ARLAC Governing Council Meeting (GCM) was held at the ILO Headquarters, Geneva on the 13 June 2023 and the Deputy Director attended same.

8. Adoption of SADC Protocol on Employment and Labour

The SADC Secretariat, with support from the International Labour Organisation (ILO), convened a Labour and Employment Experts meeting for labour administration officers and legal officers, from 5-7 September 2022 in Johannesburg, South Africa, to consider the draft SADC Protocol on Employment and Labour.

The main purpose of the meeting was to validate the draft Protocol on Employment and Labour, which had been noted by the Ministers of Employment and Labour and Social Partners at their meeting of 28-30 March 2022. The draft SADC Protocol on Employment and Labour was adopted by Member States including **Mauritius**.

9. Tripartite Consultative Meeting on the Social and Solidarity Economy

The Tripartite Consultative Meeting on the Social and Solidarity Economy (SSE) in Africa was convened in Cape Town, South Africa from 3-4 November 2022.

The broad objective of the Consultative Meeting was to review and validate the Ten-Year SSE Strategy for the African Union (2023-2032) for its formal adoption by the AU Policy Organs – Executive Council and Assembly of Heads of States and Governments, and in particular to engage and solicit the views of Social Partners on the Ten-Year Strategy and its Implementation Plan.

The meeting was attended by Social Partners from the following AU Member States: *Algeria, Benin, Botswana, Comoros, Eswatini, Ethiopia, Ghana, Kenya, Libya, Madagascar, **Mauritius**, Mozambique, Namibia, Niger, Rwanda, South Africa, South Sudan, Togo, Uganda and Zimbabwe.*

Brief Overview of Sections/Units:

The Labour and Industrial Relations Division comprise the following sections/ units: -

- Inspection and Enforcement Section, divided into seven regions, each headed by one Assistant Director.
- Research and Legislation/Information, Education and Communication /Labour Standards Sections, under the supervision of an Assistant Director.
- Special Migrant Workers Unit/Workfare Programme Unit/Conciliation and Mediation Section, supervised by one Assistant Director.
- The Prosecution Unit.

Ministry of Labour, Human Resource Development and Training

The Inspection and Enforcement Section (IES)

The section comprises **17** regional Labour Offices scattered all over the island. All the Labour Offices operate on a full-day basis. IES customers report at this section to seek information on labour laws or to register complaints. Complaints received are of different nature such as termination of employment, non-payment of wages/bonus/allowances, and reduced payment of wages, workplace violence and other disputes relating to rights of workers. This section also carries out inspections throughout the island to ensure compliance with labour laws.

The Research and Legislation/Information, Education and Communication/ Labour Standards Sections

These are specialized units and their primary functions are as follows –

- Research and Legislation section – responsible for the drafting of labour legislation;
- Labour Standards section- responsible for reporting to the International Labour Office and other international organizations on behalf of the Government; and
- Information, Education and Communication section – responsible for the dissemination of information to the public as well as for the education of social partners. The section is also responsible for the capacity building of technical staff of the Ministry.

The Special Migrant Workers Unit (SMWU)/Workfare Programme Unit (WPU)/ Conciliation and Mediation Section (CMS)

Special Migrant Workers Unit

- The Special Migrant Workers Unit is specifically responsible for the enforcement of labour legislation for the protection of the rights of migrant workers in Mauritius. There are currently about 37,473 migrant workers in Mauritius. Prior to the issuing of a work permit by the Employment Division, the Special Migrant Workers Unit vets the contract of employment of the migrant workers in line with the prevailing labour legislation. The Unit also carries out inspections to ensure that the conditions of employment of migrant workers are not less favourable than local workers.

ONE STOP SHOP (OSS)

A One-Stop-Shop (OSS) service has been implemented with the Special Migrant Workers Unit as from 01st November 2022, with the following attributions:

- to provide at a single point, dedicated services relating to rights of migrant workers, including those pertaining to labour rights,
- Occupational Safety and Health issues and also Work and Residence Permits;
- to act as an interface with relevant authorities/Departments on other issues affecting migrant workers and to ensure proper follow-up actions until such matters are resolved;
- to work in close collaboration with the Occupational Safety and Health Division or Police Department with regard to cases of injury at work or accident involving migrant workers;
- to take appropriate action to deal with cases where migrant workers have been forcibly required to work for another employer;
- to deal with cases of trafficking in persons and referral to appropriate authorities; and
- to deal with labour- related complaints such as non-payment of wages, reduced payment of wages, etc.

Workfare Programme Unit (WPU)

- All the applications from laid-off workers for registration to the Workfare Programme are worked out by officers of the Enforcement Section and transmitted to the WPU for processing and referral to the Ministry of Social Integration, Social Security and National Solidarity for the payment of the Transition and Unemployment Benefit to the workers concerned.

Conciliation and Mediation Section (CMS)

- The CMS provides a conciliation service upon representations made to the Ministry by workers' representatives or workers themselves under section 68 of the Employment Relations Act, prior to reporting a dispute to the Commission for Conciliation and Mediation.

The Prosecution Unit

The unit processes criminal and civil cases of non-compliance with the law in view of prosecution.

Achievements

The Inspection and Enforcement Section

The Inspection and Enforcement Section of the Labour and Industrial Relations Division carried out **6,119** inspections during the period under review. For the same period, a total of **22, 985** complaints were dealt with, compromising **3,999** cases brought forward from 30 June 2022 and **18,986** new cases registered. Out of the **22,985** cases, **18,951** cases were disposed of and a sum of **Rs 166,136,226.50** recovered on behalf of workers.

The Special Migrant Workers Unit

As regards migrant workers, the Special Migrant Workers Unit carried out **431** inspections at workplaces during the period under review. For the same period, a total of **217** complaints were dealt with, out of which **27** cases were brought forward from 30 June 2022 and **190** new cases were reported by migrant workers. Out of these **217** cases, **209** were settled and a sum of **Rs. 5, 500,232.27** recovered on their behalf.

Furthermore, **28,330** contracts of employment of Migrant Workers were vetted.

Workfare Programme Unit

Over period July 2022 – June 2023, **5,429** laid off workers were admitted into the Workfare Programme and a total amount of **Rs 357,784,468** was disbursed as Transition Unemployment Benefit.

The Prosecution Unit (Court Cases)

- During the period under review, **417** new civil cases were referred to the Industrial Court. In addition, **958** cases were already before the court as at 30 June 2022. Out of these **1, 375** cases, **641** were disposed of and a total sum of **Rs 19, 279, 523.72** was recovered on behalf of workers; and

- **61** criminal cases were dealt with during the period, out of which **16** convictions were secured and fines amounting to **Rs. 54, 400** were imposed by the court along with **Rs 3, 100** as costs.

The Conciliation and Mediation Section

For the period under review, a total of **475** representations were dealt with at the Conciliation and Mediation Section, out of which **147** were brought forward from June 2022 and **328** new representations were received. Out of these **475** cases, **360** were disposed of. Furthermore, **62** Collective Agreements were registered during the said period at the level of the section.

Information, Education and Communication Section

Sensitization campaigns for stakeholders and training programmes for capacity building of the technical cadre of the Ministry

During the period under review the Section conducted some **135** talks island wide and sensitized some **2,045** workers (**1,118** males and **927** females) on various labour issues.

Furthermore, the Section mounted some **252** training sessions with a view to enhancing capacity of the technical cadre of the Division on the provisions of the labour legislation.

The Section also responded to some **2,365** requests for information on the various provisions of the labour legislation from the social partners and members of the public in general.

OCCUPATIONAL SAFETY AND HEALTH DIVISION

The mission of the Occupational Safety and Health Division is to enhance the standards of occupational safety and health at workplaces through prevention of occupational accidents and diseases thereby leading to improved productivity at level of enterprises, enhancement of national competitiveness thereby contributing to the growth of the Gross Domestic Product. To achieve its mission, the Occupational Safety and Health Division has the responsibility to ensure that the provisions of the **Occupational Safety and Health Act 2005** and related regulations (*list at Annex*) are complied with at the workplace and that adequate safety and health measures are taken to address new and emerging challenges and hazards. The Division is also involved in enhancing the national safety and health culture by conducting regular training/sensitization programmes for stakeholders including employees (private/public sectors), employers, safety and health officers and trade unions; disseminating information on occupational safety and health as well as preparing and distributing guidelines on various occupational safety and health topics.

The Occupational Safety and Health Division presently comprises of **62** technical staff in post and is supported by **13** staff of the General Services Cadre.

BRIEF OVERVIEW OF THE OCCUPATIONAL SAFETY AND HEALTH DIVISION

The Occupational Safety and Health Division consists of seven sections with distinct functions as detail hereunder: -

Enforcement Sections (North and South), which are involved in, amongst others:

- (a) enforcement of the occupational safety and health legislation through visits at factories and places of work, including the Public Sector, and make appropriate recommendations for remedial actions to be taken by employers;
- (b) investigation into complaints;
- (c) conducting noise surveys in enterprises;

- (d) issuing of prohibition orders at any place of work or any activity carried on therein or which are about to be carried on therein, involves a risk of serious bodily injury and of imminent danger;
- (e) establishment of contraventions for breach of legislation;
- (f) deponing as witness in court;
- (g) processing and issuing certificates of registration of factories;
- (h) processing and registration of steam boilers; and
- (i) processing and issuing of Factory Building Permits.

Construction Section, which is involved in:

- (a) enforcement of occupational safety and health legislation through visits at construction sites and giving appropriate recommendations to employers;
- (b) investigating into complaints;
- (c) conducting noise surveys;
- (d) issuing of prohibition orders where there is a risk of serious bodily injury and of imminent danger;
- (e) establishment of contraventions for breach of legislation;
- (f) deponing as witness in court; and
- (g) processing and issuing of Scaffold Contractor's Permits.

Employees' Lodging Accommodation Section, which is involved in:

- (a) enforcement of the occupational safety and health legislation through visits in lodging accommodations and make appropriate recommendations for remedial measures to be taken by employers;
- (b) investigating into complaints;
- (c) establishment of contraventions for breach of legislation; and
- (d) deponing as witness in court; and
- (e) processing and issuing Lodging Accommodation Permits.

The Accident and Prosecution Section consists of the Accident Unit and the Prosecution Unit which are involved in the following activities:

1. Accident Unit:

- (a) investigating into all notifiable occupational accidents and dangerous occurrences reported to the Occupational Safety and Health Division and giving appropriate recommendations to employers to prevent recurrence;
- (b) proposing court actions in case of breach of occupational safety and health legislation; and
- (c) deponing as witness in court.

2. Prosecution Unit:

- (a) processing all prosecution files referred by other sections;
- (b) lodging information at the level of the Industrial Court;
- (c) liaising with the Office of the Director of Public Prosecution and the Attorney General's Office; and
- (d) standing as prosecutor at the level of the Industrial Court.

Specialist Support Services Unit which is responsible to:

- (a) carry out inspections and investigate into accidents and dangerous occurrences in the field of chemical, electrical, civil and mechanical engineering and giving appropriate recommendations to employers;
- (b) investigating into complaints;
- (c) provide training and prepare guidelines on specialised topics; and
- (d) deponing as witness in court.

Occupational Safety and Health Training and Information Centre, amongst others, carries out the following activities:

- (a) examination of Convention of the International Labour Organisation on occupational safety and health with a view to ratification.

- (b) processing matters related to International Labour Organisation, South African Development Community, International Organisation for Migration and other international organizations;
- (c) examining and submitting views and comments on all draft legislations, documents submitted by other Ministries or organisations;
- (d) preparing draft legislation on occupational safety and health;
- (e) preparing and distributing guidelines on occupational safety and health topics;
- (f) planning, organising and conducting national seminars on occupational safety and health at its training centre and on site;
- (g) processing and issuing of certificates of registration to practice as Safety and Health Officers;
- (h) compilation of statistical information for the Occupational Safety and Health Division;
- (i) analysing notifiable accidents at work with a view to develop policy and strategy to improve standard of occupational safety and health;
- (j) compiling and finalising budget proposal for the Occupational Safety and Health Division; and
- (k) organising activities to commemorate the World Day for Safety and Health at Work on 28 April.

ACTIVITIES OF THE OCCUPATIONAL SAFETY AND HEALTH DIVISION FOR PERIOD JULY 2022 TO JUNE 2023

Enforcement Sections (North and South) conducted the following activities:

- **1,256** visits at factories, places of work and buildings;
- **115** complaints investigated into; and
- **7** Prohibition Orders issued.

Note: As at 30 June 2023, **3,740** factories were registered.

Construction Section undertook the following activities:

- **1,202** visits;
- **24** complaints investigated into; and

- **12** Prohibition Orders issued.

Note: As at 30 June 2023, **57** Scaffold Contractors held a valid Scaffold Contractor's Permit.

Activities carried out by the Employees' Lodging Accommodation Section:

- **1,534** visits;
- **19** complaints investigated into; and
- **994** lodging accommodation permits issued.

Note: As at 30 June 2023, there were **2,086** lodging accommodations with a valid Lodging Accommodation Permit.

Specialist Support Services Unit carried out the following activities:

- **114** visits; and
- **2** complaints investigated into.

Activities carried out by the Accident and Prosecution Section:

1. Accident Unit:

- investigated into **15** fatal accidents, **175** notifiable non-fatal accidents and **6** dangerous occurrences; and
- carried out **433** visits in relation to investigation into accidents at work and dangerous occurrences.

2. Prosecution Unit:

- **160** cases (**207** counts) lodged at the level of the Industrial Court; and
- **164** judgments (**223** counts) have been delivered and fines paid by contraveners amounted to **Rupees 1,236,000**.

Occupational Safety and Health Training and Information Centre (OSHTIC) carried out the following activities:

- organised **1** National Tripartite Workshop on fundamental occupational safety and health conventions;
- organized **27** national seminars consisting of **140** training sessions at its Centre;
- conducted **85** training sessions on site;
- sensitized **3,716** persons on different occupational safety and health topics; and
- issued certificates of registration to **92** Safety and Health Officers.

Note: As at 30 June 2023, **571** Safety and Health Officers were registered at the Occupational Safety and Health Division.

The Occupational Safety and Health Division also carried out the following activities:

- **6** meetings of the Advisory Council for Occupational Safety and Health were held to discuss occupational safety and health matters;
- **18** inspections in relation to asbestos;
- **30** noise surveys;
- organised **6** seminars on Drugs and HIV/AIDS at the workplace;
- **2,505** visits and **6** complaints in relation to COVID-19; and
- **1,774** visits at factories, places of work and employees' lodging accommodations in relation to the Clean-Up Mauritius and Embellishment Campaign.

World Day for Safety and Health at Work

To commemorate the World Day for Safety and Health at Work 2023, several activities were organised by the Occupational Safety and Health Division which were as follows:

- (a) Two one-full-day seminars were organised for officers of this Ministry which were held on the 12th and 13th of April 2023. 12 male and 22 female officers from the different Divisions of the Ministry were sensitised on the provisions of the Occupational Safety and Health Act 2005, risk assessment, office safety and stress management.
- (b) A one-full-day seminar was organised for Office Management Executive/Office Management Assistant in the Public Sector which was held on the 19th of April 2023. 4 male

and 17 female participants were sensitised on the provisions of the Occupational Safety and Health Act 2005, risk assessment, office safety and stress management.

- (c) A 'National Tripartite Workshop on the International Labour Organisation's (ILO) Fundamental Conventions' on occupational safety and health was held at the Gold Crest Hotel, Quatre-Bornes. The objective of the workshop was to enable tripartite constituents to become more knowledgeable on the two fundamental conventions namely, the Occupational Safety and Health Convention, 1981 (No.155) and the Promotional Framework for Occupational Safety and Health, 2006 (No 187).
- (d) A full-day brainstorming session was held on 28 April 2023 for all technical officers of the Occupational Safety and Health Division. The theme for this year focuses on safety and health being a fundamental right.
- (e) 3,000 posters of the International Labour Organisation were printed and distributed to all stakeholders. The poster was also uploaded on the website of the Ministry to be made available to a wide number of stakeholders.
- (f) The message of the Ministry on this occasion was also conveyed to all Government Email Subscribers (GES) through the Postmaster together with a soft copy of the International Labour Organisation poster.

Guidelines

The Occupational Safety and Health Division has come up with '*Guidelines on Manual Handling*' which was launched by the Honorable Minister Soodesh Callichurnon the occasion of the World Day for Safety and Health at Work 2023 during the National Tripartite Workshop held on 27 April 2023. The guidelines are available on the website of the Ministry and are being widely distributed to stakeholders.

Capacity Building of Staff

Staff of the Occupational Safety and Health Division received training as indicated below:

1. Online Course – ‘*Asbestos and other fibres*’ by British Occupational Hygiene Society, United Kingdom : 1 officer
2. Training on ‘*Health Security and Protection of workers*’, India : 2 officers
3. Online Course – ‘*Maritime Labour Convention*’ by International Training Centre of the International Labour Organisation, Turin : 1 officer
4. Online Course – Training on ‘*Occupational Safety and Health in Construction Industry Management*’, Malaysia : 2 officers
5. Online Course – Seminar on ‘*Strengthening Occupational Safety and Health Measures of Public Sector for Mauritius*’, China : 10 officers
6. Online Course – Training on ‘*Training of Inspectors on Labour Conditions on Board Fishing Vessels*’ - International Labour Organisation : 1 officer
7. Training course on ‘*National Occupational Safety & Health Programme*’, Turin, Italy : 1 officer

TRENDS, CHALLENGES AND WAY FORWARD

1. Trends and Challenges

- (a) Providing adequate occupational safety and health coverage to all employees in all sectors/ places of work;
- (b) Capacity building of technical staff in specific subjects;

- (c) The field of occupational safety and health is very dynamic and subject to constant changes in technology, work processes, work patterns and emergence of new hazards. New challenges in the field of occupational safety and health includes:
- (i) safety and health issues related to work-from-home;
 - (ii) safety and health of an ageing workforce;
 - (iii) hazards arising from activities in new and emerging sectors such as blue economy (e.g. fish farms, aquaculture), green economy (e.g. wind farms, solar farms, recycling plants), artificial intelligence and robotics being used in industries;
 - (iv) light rail transit systems; and
 - (v) maritime labour.

2. Way Forward

With a view to addressing the above-mentioned challenges, there is a need to take several actions such as:

(a) Reviewing of the National OSH Profile

With a view to having an accurate and up-to-date occupational safety and health situation of Mauritius and in line with the International Labour Organisation Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), Mauritius is in the process of reviewing its National Occupational Safety and Health Profile with the assistance of the ILO. The national Occupational Safety and Health Profile will help in identifying challenges in the field of occupational safety and health and propose measures to address same through an updated National Occupational Safety and Health programme.

(b) Improving Legislative Framework

With a view to ensuring that the legal framework is up-to-date and addresses existing and new risks, the Occupational Safety and Health Division is enhancing its legislative framework by:

(i) preparing new legislation:

- The Occupational Safety and Health (Refuse Collection Works) Regulations to cater for the safety and health of employees in the refuse collection sector;
- The Occupational Safety and Health (Display Screen Equipment) Regulations 2023 to regulate the use of display screen equipment at places of work so that adequate preventive and protective measures are put in place to protect workers from safety and health problems associated with the use of display screen equipment;
- The Occupational Safety and Health (Fees and Registration) Regulations 2023 which aim at increasing ease of doing business and to be in-line with the computerisation project of the Occupational Safety and Health Division.

(ii) amending existing legislation:

- The Occupational Safety and Health (Employees' Lodging Accommodation) Regulations 2011, which aim at establishing safety and health norms for employees' lodging accommodations, are in the process of being amended in order to enhance the requirements relating to health, safety and fire standards in the lodging accommodations.
- The Occupational Safety and Health (Safety of Scaffolds) (Amendment) Regulations 2023 which aims at further improving safety and health standards relating to the use of scaffolds on construction sites.

- The Occupational Safety and Health (Control of Asbestos at Work) Regulations 2014 is being amended through the Occupational Safety and Health (Control of Asbestos at Work) (Amendment) Regulations 2023 so as to be in-line with the computerisation project of the Occupational Safety and Health Division.

(c) Improving National Safety and Health Culture

With the continuous changes in the world of work, technology and work patterns, the Occupational Safety and Health Division regularly prepares relevant guidelines so as to ensure that stakeholders are sensitised on these new challenges/risks.

(d) Computerisation

The computerisation of the Occupational Safety and Health Division, which is in progress, will help to provide a more efficient and effective service delivery on safety and health matters.

(e) Capacity Building of Staff

With a view to ensuring a high level of service delivery, provision of adequate training to members of staff of the Occupational Safety and Health Division is high on the agenda of the Ministry. In this regard, training opportunities in the fields of asbestos at work, scaffold and Maritime Labour Convention, amongst others, are being explored.

(f) increase in the number of Technical Staff

Presently, there are **78** Technical staff on establishment and only **69** posts have been funded.

REGISTRY OF ASSOCIATIONS

Legislations:

- Registration of Associations Act 1978
- Employment Relations Act 2008

Registry of Associations

- conferring legal status on associations and trade unions
- ensuring compliance with the Registration of the Associations Act and the Employment Relations Act

Aims and Objectives

- To register associations, trade unions and their respective rules to enable these organizations to have a legal status
- To ensure that these organizations operate within their respective legal framework.

Legislations Enforced

In line with the provisions of the Registration of Associations Act, the Registry of Associations is headed by a Registrar who ensure compliance with the Act as well as relevant sections of the Employment Relations Act and the Sports Act.

Services provided and Activities

- Registration of associations, trade unions and of their rules;
- Registration of amendments to the rules of registered associations and trade unions;
- Keeping of:
 - Register of Associations
 - Register of Trade Unions
- Provision on request by associations and trade unions, of copies of rules, annual returns, list of officers;
- Enquiring into complaints made by members of registered associations and trade unions against their organizations;
- Inspection of books, accounts and records of associations and trade unions;
- Publication of returns of trade unions including membership strength; and

Ministry of Labour, Human Resource Development and Training

- Conducting outreach/training sessions.

Achievements covering the period 01 July 2022 to 30 June 2023

Number of registrations	303
Number of amendments of rules registered	122
Number of inspections carried out	536
Number of complaints received	143
Number of complaints disposed of	37
Number of registrations cancelled	669
Number of outreach sessions	57
Number of cases referred to court	0

Computerisation of the Registry of Associations

With a view to obtaining a web-enabled software for harnessing Information and Communication Technologies (ICT) to enhance the operations and service delivery of the Registry of Associations, the processes of the Registry of Associations have been computerized and the system is live since 26 September 2016. The computerized system enables the Division to reduce the time taken to process applications of registration of associations from 8 weeks to 35 days.

Legislations

The Finance (Miscellaneous Provisions) Act 2018 amended the Registration of Associations Act, to, *inter alia*, empower the Registrar of Associations to undertake educational programs so as to raise and deepen awareness among all associations as well as the donor community on the potential vulnerabilities of the sector to terrorism financing abuse and terrorism financing risks and the measures that associations can take to protect themselves against such abuse.

The Anti-Money Laundering and Combatting the Financing of Terrorism and Proliferation (Miscellaneous Provisions) Act 2019 amended the Registration of Associations Act *inter-alia* to include measures related to good governance.

Anti-Money Laundering and Combatting the Financing of Terrorism (AML/CFT)

In compliance with the Financial Action Task Force (FATF) Recommendations on Non Profit Organisations (NPO), the Registrar of Associations has conducted targeted risk-based inspections of associations which are at risk of terrorist financing and advising them of measures that such associations can take to protect themselves.

COMMISSION FOR CONCILIATION AND MEDIATION

The Commission for Conciliation and Mediation (CCM) is an ISO certified institution. The Employment Relations Act 2008, as amended, provides two avenues for an aggrieved worker or employer to apprise the CCM. He can either report a labour dispute under Section 64 or seek advice generally on any employment and industrial issue under Section 88.

In both situations, the CCM endeavours to promote good industrial relations by engaging all its skills and efforts with a view to help parties settle their case.

Although the CCM works within the legal framework of the Employment Relations Act 2008, as amended, it aims, with minimum legal formalities, at crystallising a dispute into an agreement while maintaining the mutual trust between employer and worker.

Cases dealt with by the Commission

Year	Month	Number of Disputes brought forward	Number of Disputes dealt with (including new disputes reported)	Number of Disputes disposed
2022	July	127	154	8
2022	August	146	184	10
2022	September	174	207	16
2022	October	191	202	31
2022	November	171	175	9
2022	December	166	180	14
2023	January	166	230	43
2023	February	188	251	7
2023	March	246	273	72

2023	April	201	221	8
2023	May	213	232	11
2023	June	221	245	61

- **347** formal meetings were held with a view to conciliating parties to the labour disputes.
- **200** informal meetings were held with disputants and management and to deal with Representations.
- **49** Agreements were signed at the CCM between parties concerned.
- **19** Representations had been received and **36** meetings were held to deal with Representations.

As at **30 June 2023**, there were **184** labour disputes still pending before the Commission due to the reporting of new labour disputes and postponements requested by parties.

NATIONAL REMUNERATION BOARD

Section 90 of the Employment Relations Act 2008 provides for the setting up of the National Remuneration Board (NRB). Its objectives are Inter-alia, to make investigations and to submit recommendations on minimum remuneration and other specific terms and conditions of employment in sectors which are referred to it by the Minister.

Private Media Industry

- 20 interviews were conducted
- 7 Public Hearings and Board Meetings were held.

The Final Recommendations submitted on 18 July 2022.

Special Education Needs Sector

- Hearings have been held and 6 survey/interviews completed and 5 Public Hearings and Board Meetings were held.

The Final Recommendations submitted on 27 January 2023.

Catering and Tourism Industries

Public Hearings and Financial Analysis of Accounts of Operators in progress.

Occupation-based Minimum Wage Determination

Following amendment, the NRB has been continuously working in close collaboration with different stakeholders/department as well as the consultant appointed for this purpose in order to fine tune the process and address the hurdles encountered with the new approach and finding practical solutions thereto.

REDUNDANCY BOARD

The Redundancy Board has been set up under section 73 of the Workers' Rights Act 2019. It deals with all cases of reduction of workforce and closure of enterprises for economic, financial, structural, technological or any other similar reasons.

The Board consists of:

- (a) a President;
- (b) a Vice-President;
- (c) a representative of the Ministry of Labour, Human Resource Development and Training;
- (d) a representative of the Ministry responsible for the subject of finance and economic development;
- (e) a representative of employers;
- (f) a representative of workers;
- (g) an economist; and
- (h) an accountant.

The law provides that no one is to be appointed President or Vice-President of the Board unless he is qualified for appointment as a Judge of the Supreme Court or has held judicial office. The Board makes orders in relation to the reduction of workforce or closing down of enterprise. It also makes orders for requiring the attendance of any person for the production of any document as it may determine. It takes evidence on oath.

The Board may sit in one or more Divisions at any time and any place in Mauritius. Its proceedings are to be completed within 30 days from the date of notification by the employer and such period may be extended by agreement of both parties.

Since the 1st of July 2022 up until 30th of June 2023, the total number of cases before the Board was **329** out of which **327** cases have been disposed and **2** cases are in progress. The **328** cases concerned **575** employees (intended to be reduced).

Out of the **329** cases, there are **12** cases (258 employees) of Reduction of Workforce/Closure of Enterprise and **317** cases (**317** employees) of Application for Reinstatement / Severance Allowance.

Overall, out of the **329** Cases Disposed of, **10** cases were settled, **2** cases were Set Aside, **7** cases were Withdrawn. In total **4** Orders were delivered which were deemed justified.

Details of Reduction of Workforce/ Closure of Enterprise

Out of the **12** cases of Reduction of Workforce/Closure of Enterprise, **10** cases have been disposed of and **2** cases were still in progress before the Board. **1** Order was delivered where reduction of workforce were unjustified.

Details of Application for Reinstatement / Severance Allowance

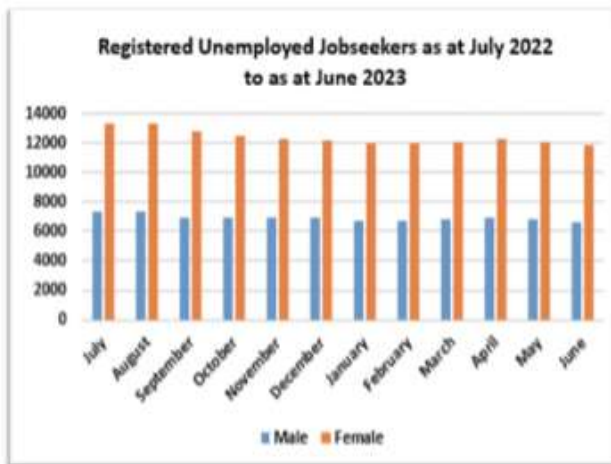
Out of the **317** cases of Application for Reinstatement/Severance Allowance, - All cases were disposed of while **3** Orders were delivered which were considered unjustified.

NATIONAL EMPLOYMENT DEPARTMENT

Training

The National Employment Department has been set up under the National Employment Act 2017 and has main objectives to address the needs of the labour market, promote employment and facilitate training and employment of jobseekers.

(a) As at July 2022, 20,625 unemployed jobseekers (Male: 7,312 Female: 13,313) were registered with the National Employment Department. Whereas as at end of June 2023, this figure evolved to 18,573 unemployed jobseekers (Male: 6,673 Female: 11,900) as depicted in the graph below:



(b) 5,509 jobseekers were placed in various sectors such as Textile, Other Manufacturing, Trade, Hospitality and ICT during the period July 2022 to June 2023.

(c) A total of 44,636 vacancies were notified to the Department for the same period.

(d) 11,472 youth and 545 employers were registered under the Youth Employment Programme. 485 youth were placed in private companies and 435 others in the Public Sector.



(e) 473 women and 80 employers were registered under the Back to Work Programme. 109 women were placed in private companies. 10 women successfully completed the training course in Care of Elderly and Disabled persons.



(f) 18 companies have participated in the Dual Training Programme and 27 trainees were still following courses. Since the start of the programme, 155 trainees have obtained permanent employment after completion of their training.

Training

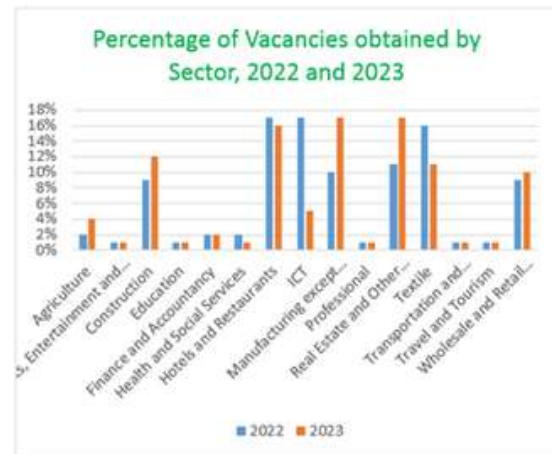


(g) Under the Trainee Engineer Scheme, 96 Trainee Engineers were placed in private companies and 75 in the Public Sector too.



h) A Labour Market Survey (LMS) 2023 was conducted from February 2023 to June 2023. The response rate was 11% and 6,384 vacancies were registered. 51% of the vacancies were from the Hotels and Restaurants and Information, manufacturing Except Textile and Real Estate and other Businesses.

During the Labour Market Survey 2023, Textile, Fur and Leather Machine Operators (12%), Waiters and Bartenders (6%), Cleaners (5%) and Customer Service Clerks (4%), Manufacturing Helpers(12%), Refuse Workers(8%), Construction Skilled Workers(7%), Cleaners and Helpers(7%) and Food Processing Workers(7%) were the most available jobs obtained from employers who responded.



National Employment Department

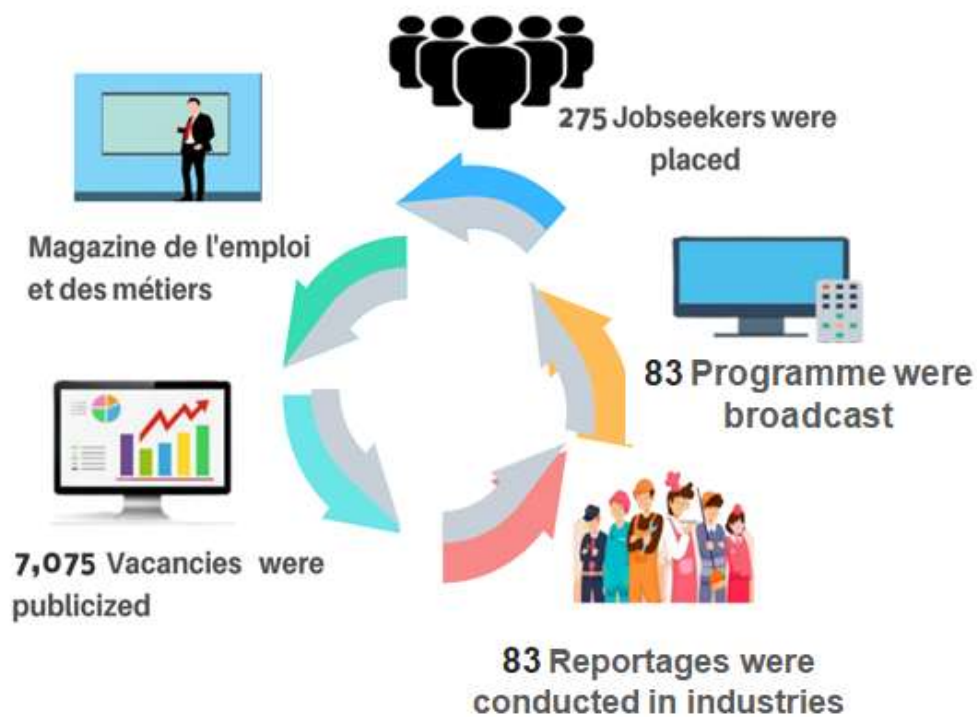
i) The project of re-structuring of the Employment Information Centres (EICs) has been completed for 11 EICs. 2 EICs remained to be re-structured, namely Quatre Bornes and Rose Belle. Necessary is being done for the restructuring.

The Employment Information Centres conducted 2,846 job canvassing with employers and processed 43,684 vacancies. Employment Counselling (Entretien de Suivi) were conducted with 1,040 jobseekers, while 89 workshops (Ateliers) were conducted with 290 jobseekers to increase their employability skills.

j) 368 work permit inspections and 50 recruitment license inspections were carried out by EIC Officers.

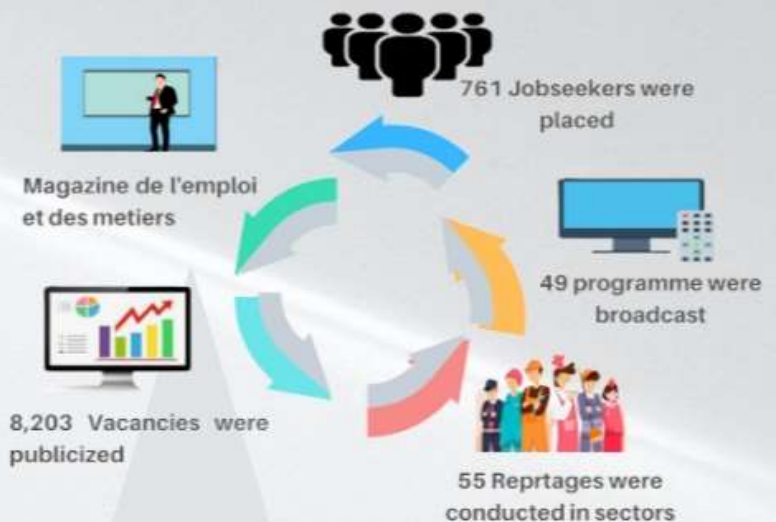


Through the TV programme "Magazine de L'Emploi et des Métiers", 46 programmes were broadcast, 7,075 vacancies publicized and 275 jobseekers were placed. 83 reportages were conducted on different sectors and occupations to show the evolution of the labour market.





Through the TV programme “Magazine de L’Emploi et des Métiers’, 49 programmes were broadcast, 8,203 vacancies publicized and 761 jobseekers were placed. 55 reportages were conducted on different sectors and occupations to show the evolution of the labour market. A new contract agreement has been signed between the Ministry and the MBC



k) Cooperation with Pole emploi



- The Ministry has been assisted by Pole Emploi, France through the Agence Française de Development, for the restructuring of the Employment Service since October 2015.
- The cooperation between Pole Emploi and the Employment Service has been developed on the following axes:
 - Improvement of the infrastructure
 - Training of staff
 - Delivery of Service
 - IT Development

The training of the current staff through the assistance of Pole Emploi has continued until December 2021 on additional service deliveries such as New Ateliers, Virtual Counselling and e-Recruitment.

Labour Migration

1) Overseas Employment Opportunities

Since 2020, the Ministry is participating in several labour migration projects for the recruitment of Mauritians to work in Canada. For period 01 July 2022 to 30 June 2023, a total of 134 Mauritians have been offered a job with various employers in Canada.

2) Recruitment by Chatters Ltd Partnership

Chatters Limited Partnership, a Canadian chain hair and beauty salon with 115 locations across Canada has selected 22 hairstylists from Mauritius on 28 October 2022 under the Francophone Mobility Program (FMP) to work in Alberta, British Columbia and Ontario.

3) Recruitment by Villa Saint Georges

Villa Saint Georges, a residential home for seniors in Quebec, Canada has for the period 01 July 2022 to 30 June 2023 recruited a total of 16 Mauritians.

4) Recruitment by Phoenix GMI (Quebec)

A recruitment agency from Quebec, Phoenix GMI that was registered on the website of the Ministry: <https://mauritiusjobs@govmu.org> in December 2021 has been advertising vacancies on the website since January 2022.

For the period 01 July 2022 to 30 June 2023, a total of 96 candidates from Mauritius comprising of 93 male and 3 female have been offered a job with 19 different employers in Quebec.

5) Awareness campaign

To sensitize and prevent the public from being swindled by illegal and fraudulent recruitment agencies, this Ministry is continuously publishing communiqués on the press, Magazine de l'emploi et des Métiers, its Facebook account and the website <https://mauritiusjobs.govmu.org> as follows:

- Ne payez pas des frais de recrutement pour un emploi au Canada,
- Évitez d'être victime de fraude ou d'abus si vous choisissez de travailler à l'étranger
- Attention aux fausses agences de recrutement offrant du travail à l'étranger

6) Workfare Programme

The role of the National Employment Department (NED) is to facilitate redeployment of laid-off workers for those who have opted for job placement. The laid-off workers are eligible to a Transitional Unemployment Benefit (TUB) for a period of maximum 12 months.

The number of laid-off workers registered at the NED under the Workfare Programme for period 01 July 2022 to 30 June 2023 stood at 3,714 (2,305 Male, 1,409 Female). For the period 01 July 2022 to 30 June 2023, 422 laid-off workers (268 Male, 154 Female) were placed into gainful employment.

The Ministry is pursuing its efforts to inform jobseekers including laid-off workers about available vacancies when they report to EICs, on its website <https://mauritiusjobs.govmu.org> and via communiqué on MBC TV and Radio.



The National Employment Department has participated in “Ensam avec CSU” activities in the following regions:

1	Saturday 02 July 2022	St Pierre Market
2	Saturday 09 July 2022	Plaine Magnien Social Welfare Centre
3	Saturday 16 July 2022	Triolet Village Hall
4	Saturday 23 July 2022	Flacq Coeur de Ville
5	Saturday 30 July 2022	Chamouny Village Hall
6	Saturday 06 August 2022	Goodlands Farmers Service Centre
7	Saturday 13 August 2022	Centre Municipal Emmanuel Anquetil, La Tour Koenig
8	Saturday 20 August 2022	Riviere du Rempart Youth Centre
9	Saturday 27 August 2022	Riviere des Anguilles Social Hall
10	Saturday 03 September 2022	Municipality Vacoas/Phoenix
11	Saturday 10 September 2022	Swaraj Bhawan, Lallmatie
12	Saturday 17 September 2022	Le Mome Community Centre
13	Saturday 24 September 2022	Victoria Urban Terminal
14	Saturday 01 October 2022	Plaisance Shopping Village
15	Saturday 08 October 2022	Roche Bois Social Welfare Centre
16	Saturday 15 October 2022	Lady Sushil Ramgoolam Social Welfare Centre Complex, Caroline
17	Saturday 22 October 2022	Municipality of Quatre Bornes
18	Saturday 29 October 2022	Bagatelle Mall
19	Saturday 05 November 2022	Simla Way, Tombeau Bay
20	Saturday 12 November 2022	Metro Station, Curepipe
21	Saturday 19 November 2022	Metro Station, Rose Hill (next to Post Office)
22	Saturday 26 November 2022	Riche Terre Mall
23	Saturday 03 December 2022	Swami Sivananda State Secondary School (Girls), Bambous
24	Saturday 11 February 2023	St. Pierre Market
25	Saturday 25 February 2023	Terre Rouge Multipurpose Complex
26	Saturday 04 March 2023	Bo'Valon Mall, Mahebourg
27	Saturday 11 March 2023	Riviere du Rempart Youth Centre
28	Saturday 18 March 2023	Municipality of Vacoas/Phoenix
29	Saturday 25 March 2023	Victoria Urban Terminal

30	Saturday 01 April 2023	Metro Central Station, Curepipe
31	Saturday 08 April 2023	Coeur de Ville Flacq
32	Saturday 15 April 2023	So'flo Shopping Mall, Floreal
33	Saturday 29 April 2023	Taxi Stand Surinam
34	Saturday 06 May 2023	Tribeca Mall
35	Saturday 13 May 2023	Riche Terre Mall
34	Saturday 06 May 2023	Tribeca Mall
35	Saturday 13 May 2023	Riche Terre Mall
36	Saturday 20 May 2023	Plaisance Shopping Village
37	Saturday 27 May 2023	Coeur de Ville, Grand Bay
38	Saturday 03 June 2023	La City Trianon
39	Saturday 10 June 2023	Social Welfare Centre, Montagne Blanche
40	Saturday 17 June 2023	Dr Idrice Goomany Municipal Centre
41	Saturday 24 June 2023	Britannia Village Hall
	Last Wednesdays of the Month	
42	31-May-23	CAB Pamplemousses
43	31-May-23	CAB Mahebourg
44	31-May-23	CAB Rose Belle
45	31-May-23	CAB Q Bomes / Bambous
46	31-May-23	CAB Flacq
47	31-May-23	CAB Q. Militaire
48	28-Jun-23	CAB Pamplemousses
49	28-Jun-23	CAB Mahebourg
50	28-Jun-23	CAB Rose Belle
51	28-Jun-23	CAB Q Bomes / Bambous
52	28-Jun-23	CAB Flacq
53	28-Jun-23	CAB Q. Militaire

On 5 November 2022, One Radio Talk in collaboration with the Citizen Support Unit team was conducted on matters relating to "Promotion of Employment" at Tombeau Bay.

17. Careers Guidance Service Unit

The Careers Guidance Service Unit is responsible to help and guide individuals develop realistic strategies in the pursuit of Education, Training and Employment bearing in mind their personality, skills and interests.

The following activities were conducted between July 2022 to June 2023:

SN	Activities	Number of Beneficiaries
1	Providing career counselling	90 persons
2	Certification of documents	9,657 documents for 1,508 persons
3	Career education programmes in secondary schools	79 schools 16,906 students
4	Career Presentations/ Talks by Resource Persons to Grade 9 - 13 students	18 schools
5	Industrial/ Employers visit	39
6	Participation in workshops/ career fairs/ open days	6

Risk Management, Citizen Oriented

Initiatives & Good Governance

Internal Control Unit

The Internal Control Unit of the Ministry operates independently and assists management in accomplishing its objectives by bringing a systematic and disciplined approach to evaluate and improve the effectiveness of the organization's risk management, control, and governance processes.

Using a risk assessment model for audit selection, the Unit comprising one Assistant Manager, Internal Control prepared an annual audit plan for period July 2021 to June 2022, under which seven audits were performed, with priority given to areas where the risk was deemed to be higher.

Audit Committee

In accordance with the Charter issued by the Office of Public Sector Governance, the Ministry has set up an Audit Committee to assist the Accounting Officer in monitoring and reviewing both the risk control and the governance processes established in the Ministry. For the period under review, the Committee met on seven occasions.

Customer Care Service – a citizen oriented initiative

The Ministry is committed to provide the highest level of services in a timely manner. With this objective in mind, a special desk has been set up at the Head Office to provide support services and information to workers, employers, representatives of trade unions and members of the public. The same services are also provided in all the 16 Labour Offices and 13 Employment Information Centres located around the island.

Part III – FINANCIAL PERFORMANCE

(i) Budget for Financial Year 2022-2023

The Budget of the Ministry of Labour, Human Resource Development and Training is categorised under six Sub-Heads which represent the main sectors of its activities, namely:

Sub - Head	Sector
17-101	General
17-102	Labour and Employment Relations Management
17-103	Registration of Associations and Trade Unions
17-104	Employment Facilitation
17-105	Technical and Vocational Educational and Training
17-106	Human Resource Development

Funds to the tune of Rs **865.6** Million were appropriated to the Ministry for the financial year 2022/2023.

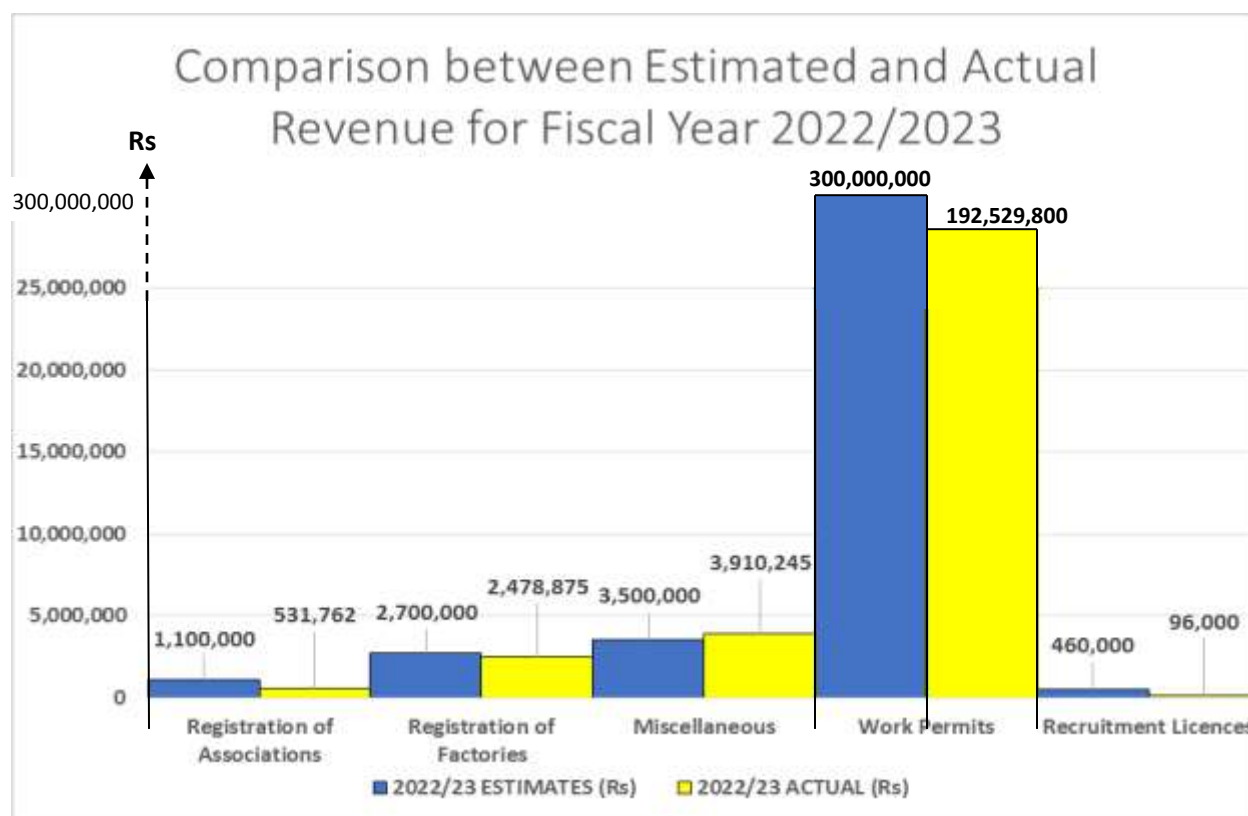
(ii) Statement of Revenue and Expenditure

The Statements of Revenue and Expenditure have been prepared from the Estimates 2022/2023 and data captured from the Treasury Accounting System (TAS).

A. Statement of Revenue (Table 1)

Item/Revenue	2021/2022 Actual (Rs)	2022/2023 Estimates (Rs)	2022/2023 Actual (Rs)
Registration of Associations	496,162	1,100,000	531,762
Registration of Factories	2,437,400	2,700,000	2,478,875
Miscellaneous	3,361,468	3,500,000	3,910,245
Work Permits	201,656,100	300,000,000	192,529,800
Recruitment Licences	408,000	460,000	96,000
Total	208,359,130	307,760,000	199,546,682

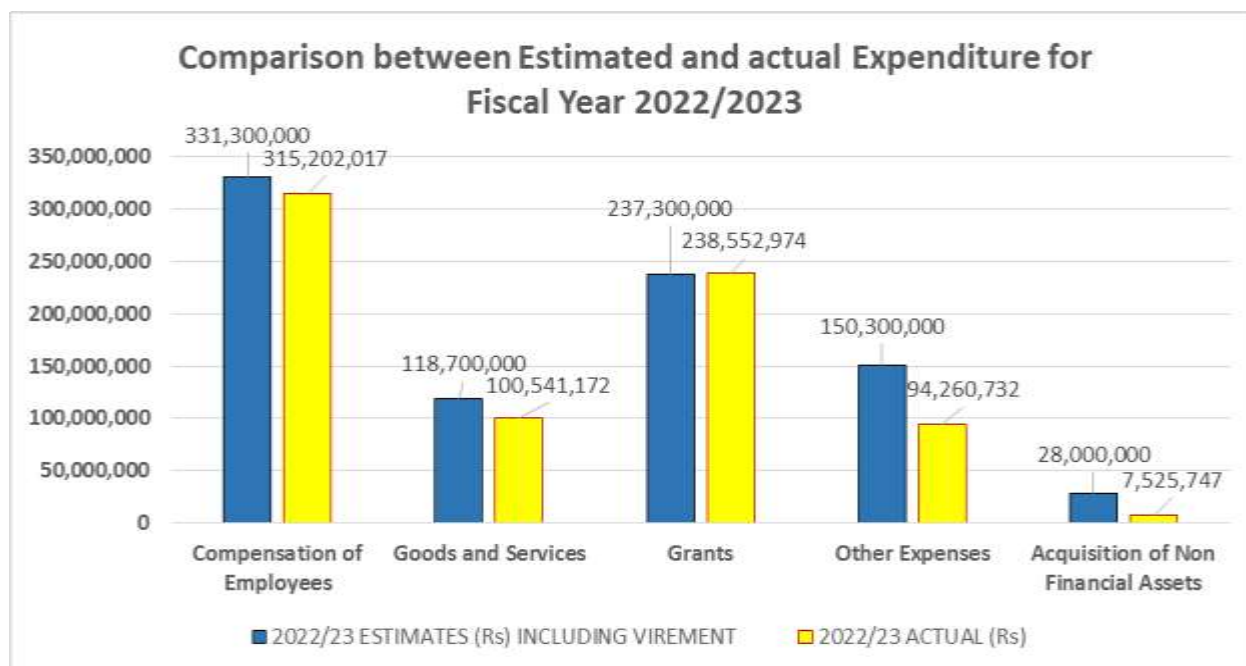
Graphical illustration on Revenue for 2022/2023



B. Statement of Expenditure (Table 2)

Particulars	2021/2022 Actual (Rs)	2022/2023 Estimates (Rs) (including Virements)	2022/2023 Actual (Rs)
Compensation on Employees	310,822,077	331,300,000	314,657,947
Goods and Services	94,432,463	118,700,000	92,549,015
Grants	236,634,900	237,300,000	238,512,974
Other Expenses	113,675,179	150,300,000	94,151,972
Acquisition of Non-Financial Assets	4,117,422	28,000,000	7,525,748
Total	759,682,061	865,600,000	747,437,656

Graphical illustration on Expenditure for 2022/2023



(iii) Analysis of major changes

A comparison of funds appropriated to the Ministry by the National Assembly for financial year 2021/2022 and 2022/2023 shows an overall decrease of 12M in Financial Year (FY) 2022/2023. In fact provisions under five of the six Sub Heads have been increased in FY 2022/2023. However, the decrease of provision of 17.3% under Sub Head 17-104 has caused an overall budget reduction of 1.36%. The budgetary provisions under the six Sub Heads of the Ministry for FY 2021/2022 and FY 2022/2023 are reproduced below:

Sub Head	Estimates 2021/2022 (Rs 000)	Estimates 2022/2023 (Rs 000)	Increase in Budget (Rs 000)
17-101: General	89,900	101,300	11,400
17-102: Labour and Employment Relations Management	183,200	211,300	28,100
17-103: Registration of Associations and Trade Unions	16,700	18,600	1,900
17-104: Employment Facilitation	365,700	302,500	(63,200)

17-105: Technical and Vocational Educational and Training	217,300	226,000	8,700
17-106: Human Resource Development	7,200	8,300	1,100
Total	880,000	868,000	(12,000)

As in FY 2021/2022, 86% of the budgeted provision was utilized in FY 2022/2023.

On the revenue side, a slight decrease of 4.3% has been witnessed in collections for FY 2022/2023 in comparison with figures for FY 2021/2022. This is attributed mainly to a decrease in the collection of fees for work permits to almost reach the pre-Covid figures have been noted under other revenue items.

Part IV – WAY FORWARD

Trends and Challenges

- ❖ Addressing skills mismatch in the labour market
- ❖ Youth unemployment rate remains above 25 percent
- ❖ Reluctance of Mauritian labour to participate in certain sectors
- ❖ Enhancing skills mobility due to changes in the labour market
- ❖ Strengthening regulatory mechanisms and enforcement actions to reduce the number of illegal foreign workers
- ❖ Enhance organisational capacity to effectively address complex issues in the modern work environment
- ❖ Enhance enforcement of legislation through increased inspections of workplaces, lodging accommodations, as well as registered associations
- ❖ Response to new challenges/hazards arising out of new and emerging sectors, new technologies and patterns of work
- ❖ Sustainability of Workfare Programme Fund

Some other challenges which will continue to exist are:

- ❖ Decreasing birthrate
- ❖ Ageing Population
- ❖ Regular improvement of legal and administrative framework
- ❖ Continual improvement of safety and health framework

Strategic Direction

Strategic Direction 2022-2025

- Address changing labour market conditions
- Promote employment opportunities across all sectors
- Improve manpower planning to support labour market policies
- Making Technical and Vocational Education and Training (TVET) an attractive pathway
- Increase compliance rate with labour legislation and promote harmonious industrial relations
- Improve working conditions and safety and health standards at all places of work