



Republic of Mauritius

MINISTRY OF LABOUR,  
HUMAN RESOURCE DEVELOPMENT  
AND TRAINING



# ANNUAL REPORT ON PERFORMANCE Fiscal Year 2020-2021



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Part I - ABOUT THE MINISTRY

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 foster teamwork and the sharing of information and resources.

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

This year again, the Annual Report of the Ministry of Labour, Human Resource Development and Training is being presented in a context influenced by the Covid19 pandemic. The last 12 months have been dedicated to ways and means to mitigate the effects of the economic disturbances caused by an invisible virus that has put the world to a halt.



We focussed on the well-being of the population, hence all the measures brought by Government aimed at allowing continuity in the world of work. The Ministry has been at the forefront of this effort by coming up with amendments and regulations (legal framework) meant to ease the restarting process of the economy whilst at the same time assuring that sanitary protocols are being followed properly at workplaces to protect our workforce.

The main priority remained saving a maximum of jobs and more than Rs 24 billion have been disbursed to that effect through the Government Wage Assistance Scheme (GWAS) and the self-employed assistance scheme (SEAS). We also reviewed and geared new training programmes specifically dedicated to those who lost their jobs. I wish to thank all the officers who have contributed in helping to redeploy workers, where and when it was possible. A special attention was once again given to the living conditions of migrant workers.

I would also like to highlight the smooth shift towards adoption of the work-from-home concept, something that is now inherent in our economy. It has to be said that vaccination against Covid-19 has been THE game-changer, allowing us to cohabit with a deadly virus. Another landmark achievement is the successful ratification of the ILO Convention on Violence and Harassment (No.190). This is proof of the commitment of my Ministry and this Government to protect workers against any form of violence at work. I reassure all workers that my Ministry shall always be by their side and would see to it that their rights are preserved.

To conclude, I would like to thank all my collaborators and staff who have worked relentlessly all along the year.

**Hon. Soodesh CALLICHURN,**

Minister of Labour, Human Resource Development & Training,

Minister for Commerce & Consumer Protection.

**Statement from the Permanent Secretary**

I am pleased to be associated with the presentation of the Annual Performance Report of the Ministry of Labour, Human Resource Development and Training for the financial year 2020/2021, which has been a very challenging period due to the impact of the COVID-19 pandemic.

Indeed, Government came up with bold measures in response to this global crisis and it is an undeniable fact that the array of measures taken has been monumental in preventing job loss. The period 2020/2021 was, nevertheless, marked by a considerable increase in the number of complaints registered from workers, requiring the prompt intervention of officers of the Labour Cadre so as to ensure that the provisions of the legislation were being complied with. Other measures implemented by the Ministry during the same period comprised the National Training and Reskilling Scheme for laid off/unemployed persons, in collaboration with the Human Resource Development Council, the Mauritius Institute of Training and Development and other stakeholders, including the private sector.

Furthermore, in view of the closing of borders, *ad-hoc* measures had to be taken to facilitate the continued stay and employment or repatriation of migrant workers, whose work permits had expired. On the other hand, the Safety and Health of employees at their respective workplaces and lodging accommodations was also ensured by the Occupational Safety and Health Division of the Ministry in spite of the resurgence of the Covid-19 pandemic.

On a concluding note, I would like to thank the Honourable Minister for his guidance and support and also commend the exemplary collaboration of all officers of the Ministry.

**K. Samlall**  
Permanent Secretary



### **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 the 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

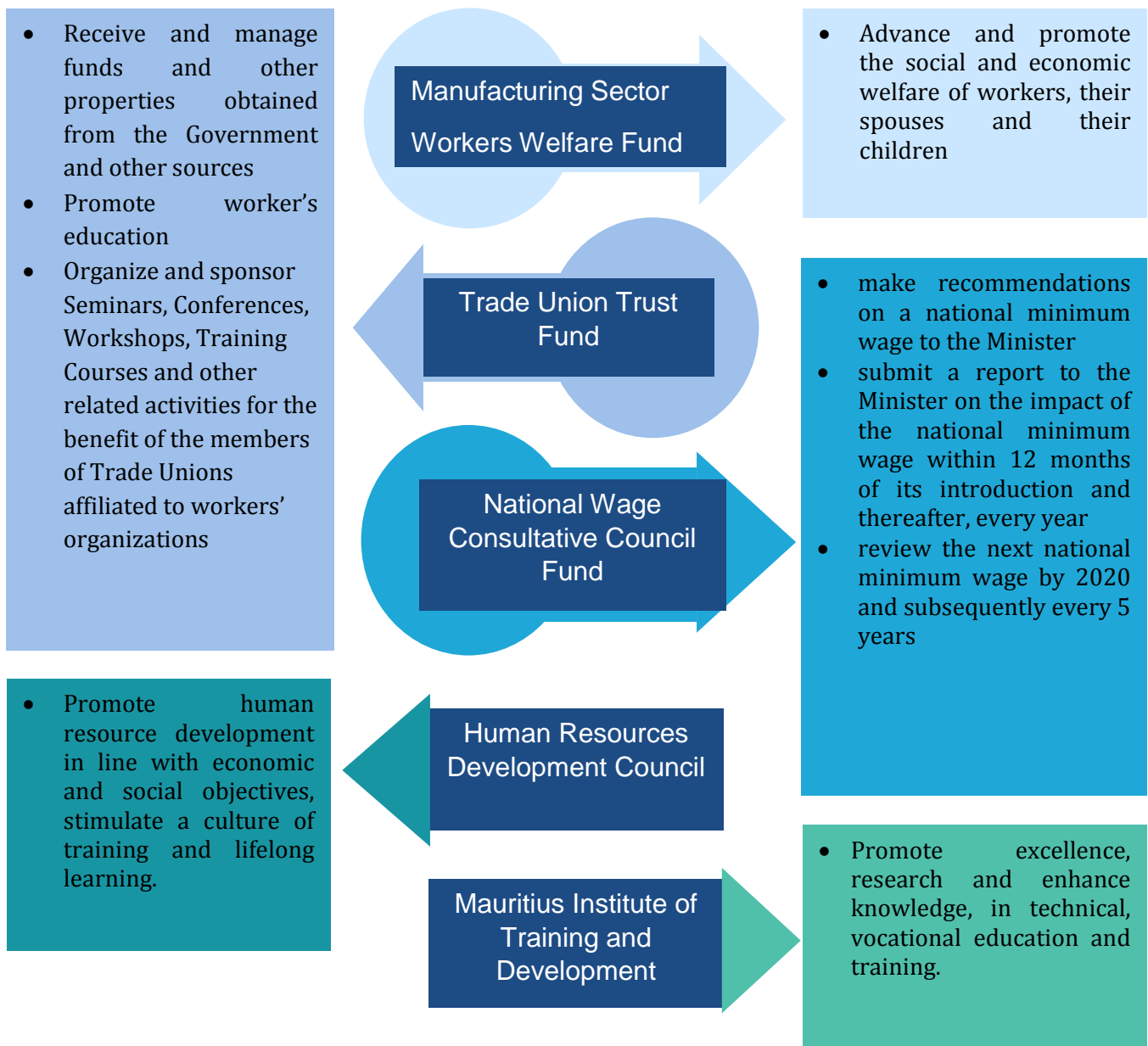
The Ministry comprises several Divisions and Units at its headquarters, which are mainly responsible for policy formulation and implementation as well as monitoring of labour, industrial relations, safety and health, employment and training programmes.

<p><b>Labour and IR Division</b></p> <ul style="list-style-type: none"> <li>➤ ensure compliance with labour legislation both in respect of Mauritian 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</li> <li>➤ provides a conciliation service to promote the settlement of industrial disputes reported to the Minister</li> </ul>	<p><b>National Remuneration Board</b></p> <ul style="list-style-type: none"> <li>➤ make recommendations to the Minister regarding minimum remuneration and terms and conditions of employment in the private sector</li> </ul>
<p><b>Employment Division</b></p> <ul style="list-style-type: none"> <li>➤ register jobseekers, including laid-off workers and place them in gainful employment</li> <li>➤ collection and dissemination of Labour Market Information</li> <li>➤ enforce the Non-Citizens (Employment) (Restriction) Act and issue work permits to migrant workers</li> <li>➤ enforce the Recruitment of Workers Act and issue Recruitment License to Recruitment Agencies.</li> </ul>	<p><b>Commission for Conciliation and Mediation</b></p> <ul style="list-style-type: none"> <li>➤ provide conciliation, mediation and advisory services for promoting the improvement of industrial relations in the workplace</li> </ul>
<p><b>Occupational Safety and Health Division</b></p> <ul style="list-style-type: none"> <li>➤ enforcement of legislation pertaining to occupational safety and health</li> <li>➤ ensures continual enhancement of safety and health standards at workplaces</li> </ul>	<p><b>Registry of Associations</b></p> <ul style="list-style-type: none"> <li>➤ conferring legal status on associations and trade unions</li> <li>➤ ensuring compliance to the Registration of the Associations Act</li> </ul> <p><b>Redundancy Board</b></p> <ul style="list-style-type: none"> <li>➤ deal with all cases of reduction of workforce and closure of enterprises for economic, financial, structural, technological or any other similar reasons.</li> </ul> <p><b>Career Guidance</b></p> <ul style="list-style-type: none"> <li>➤ Provide quality guidance and counselling to students and the public at large</li> <li>➤ Provide career information</li> </ul>



### 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:

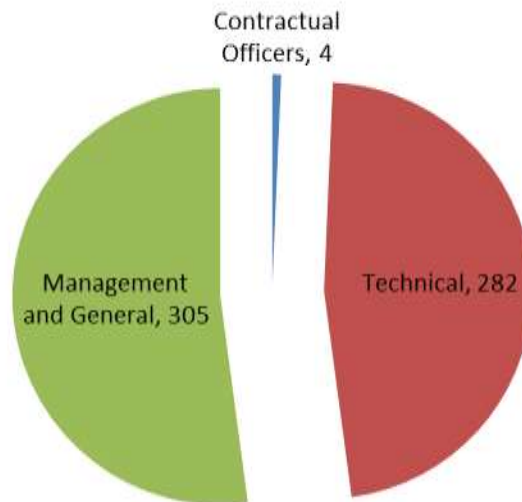


## About Our People

The Permanent Secretary is the Administrative Head of the Ministry of Labour, Human Resource Development and Training. He is assisted in his functions by two Deputy Permanent Secretaries and four Assistant Permanent Secretaries. He is also supported by the Director, Labour and Industrial Relations, Director, Occupational Safety and Health, Director, Employment Services, Registrar of Associations, President of Commission for Conciliation and Mediation, Chairperson National Remuneration Board, Chairperson, National Wage Consultative Council and the President of the Redundancy Board.

For the financial year 2020/2021, the Ministry had **589** funded positions (including **2** contractual officers), **2** additional contractual officers and **6** advisers.

Funded Positions in MLHRDT 2020/2021



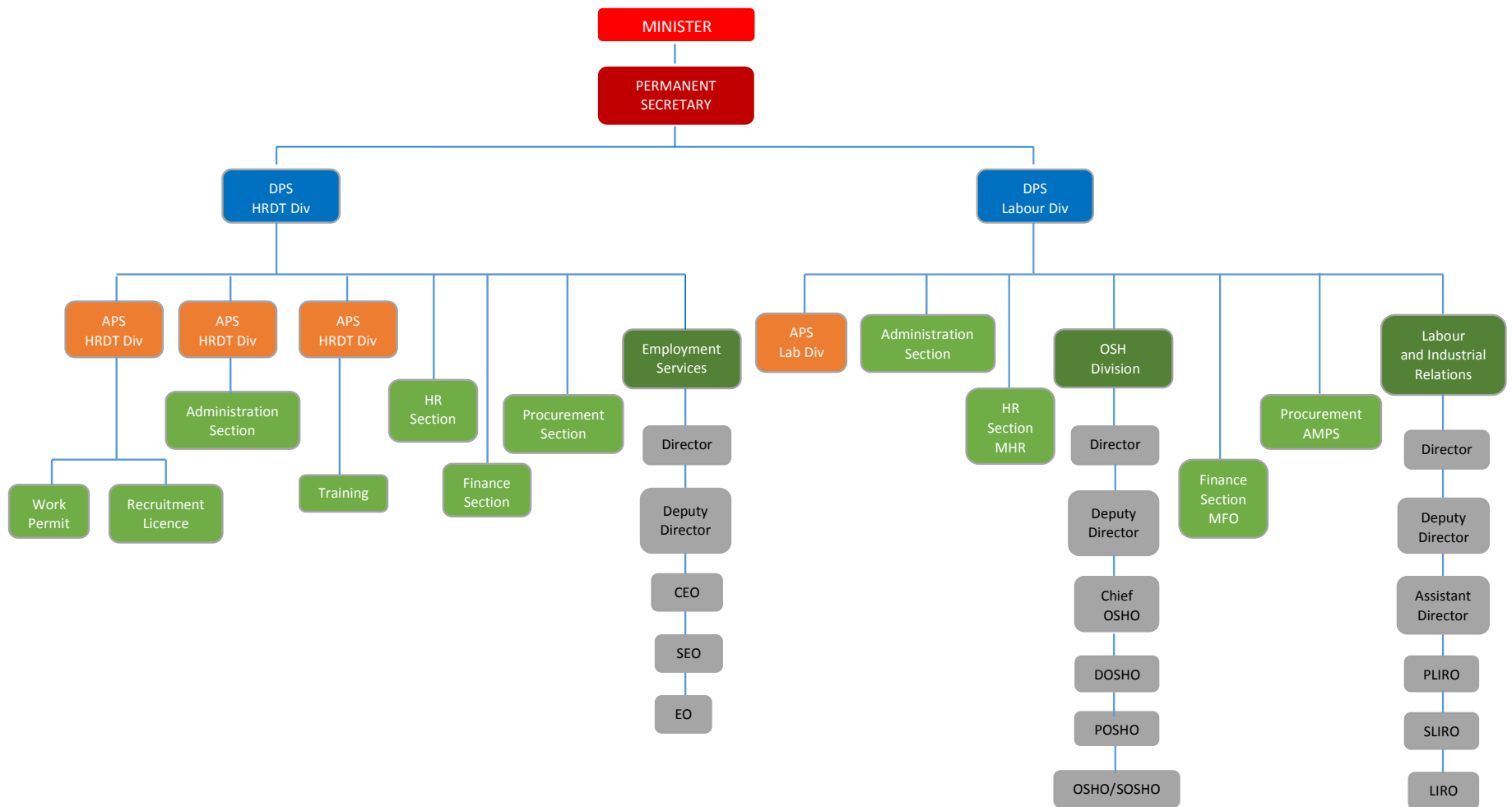
**Total HR for the Ministry**

<b>Job Title/Category</b>	<b>Number</b>
Minister	1
Permanent Secretary	1
Deputy Permanent Secretary	2
Assistant Permanent Secretary	4
Manager, Financial Operations	1
Assistant Manager, Financial Operations	1
Registrar of Associations	1
Chairperson, National Remuneration Board	1
Vice Chairperson, National Remuneration Board	1
Director, Labour and Industrial Relations	-
Deputy Director, Labour and Industrial Relations	*
Director, Occupational Safety and Health	1
Deputy Director, Occupational Safety and Health	1
Director, Employment Services	1
Deputy Director, Employment Services	1
Assistant Manager (Procurement & Supply)	1
Assistant Manager, Internal Control	1
Principal Financial Operations Officer	1
Financial Officer/Senior Financial Officer	3
Principal Procurement and Supply Officer	1
Procurement and Supply Officer/Senior Procurement and Supply Officer	1
Other Support Staff	279
<b>Total</b>	<b>305</b>

\*Note: At the start of the Financial Year 2020/2021, the post of Deputy Director was not funded. It was funded later during the year.

<b>Funded positions 2020/2021</b>	
<b>Sectors</b>	<b>Number</b>
Management and General	305
Labour and Industrial Relations	131
Occupational Safety and Health	69
Registry of Associations	22
Commission for Conciliation and Mediation	6
National Remuneration Board	6
Employment Services	50
<b>Total</b>	<b>589</b>

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 sex 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 provides a platform for dialogue where views and concerns on gender mainstreaming issues are shared. The gender focal point is responsible to ensure that gender is mainstreamed in all policies, programmes and activities of the Ministry.

A budget of Rs. 200,000 has been allocated to the Ministry to implement Gender Responsive Budgeting. The Cell has to report to the Ministry of Gender Equality, Child Development and Family Welfare on programmes being implemented within the Ministry to address women’s empowerment and gender equality.

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.

**NUMBER OF STAFF**

<b>LABOUR DIVISION</b>			
<b>Cadre</b>	<b>Male</b>	<b>Female</b>	<b>Total</b>
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

## COVID-19 PANDEMIC

### **Covid-19 measures adopted by the Ministry**

Following Government's decision for home confinement on 19 March 2020, the Labour Division of the Ministry provided an on-line "work from home" service to maintain a link with workers, trade unions and employers with a view to recording and attending to complaints and to clarify any queries on legal issues. Enquiries were also carried out in, exceptional circumstances, at places of work, to monitor the conditions of employment of workers, especially migrant workers. Employers were also encouraged to shift to work from home as far as possible. Furthermore, the labour legislation has been amended in the COVID-19 (Miscellaneous Provisions) Act 2020 on 15 May 2020 to further protect jobs.

Since the COVID-19 pandemic is still prevalent in Mauritius, the Ministry has taken several measures to ensure adequate and appropriate protection for workers at work, namely by:-

- (a) providing information and guidance to employers, employees, Safety and Health Officers and other stakeholders on sanitary, and safety and health measures to be observed in line with the protocol of the Ministry of Health and Wellness;
- (b) conducting regular inspections at places of work and lodging accommodations to ensure that sanitary, safety and health measures in relation to COVID-19 are being observed;
- (c) investigating promptly into all COVID-19 related complaints referred to the OSH Division; and
- (d) sensitizing participants through training programmes organized by the OSH Division on safety, health and sanitary measures to be observed in relation to COVID-19.

## Part II – MINISTRY/DEPARTMENT ACHIEVEMENTS & CHALLENGES

### LABOUR AND INDUSTRIAL RELATIONS DIVISION

#### Legislation

- 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*

#### **Workers' Rights Act**

The Workers' Rights Act was amended in the Finance (Miscellaneous Provisions) Act 2020 with the main objective to protect jobs by providing that an employer is not allowed to reduce his workforce unless he has applied for the financial assistance schemes provided by government institutions. Furthermore, with a view to ensuring that workers are paid the termination indemnity to which they are entitled within a reasonable delay, a worker can now make a claim of severance allowance for unjustified economic termination to the Redundancy Board, which is required to dispose a case within 30 days.

The provision for protecting workers against discrimination and violence at work was also reinforced. The term gender was included in the definition of discrimination to address the issue of gender based discrimination. Provision has also been made to



operationalise the application of vicarious liability as regards violence at work. An employer is now required to enquire into and take appropriate action within 15 days where a case of violence is reported to him. Otherwise, criminal action can also be instituted against him.

Measures have also been introduced to provide for the following:

- (i) the payment of remuneration to workers of both public and private sectors where, owing to climatic conditions, an order is issued by the National Crisis Committee requiring a person to remain indoor;
- (ii) protection of workers against potential abuse; and
- (iii) part time work was limited to a maximum period of 3 months where a worker is made to shift from full time to part time work.

As regards social protection, in the context of the contraction of the labour market due to the Covid-19 pandemic, payment of the Transition Unemployment Benefit (TUB) was extended to workers reckoning less than 6 months of employment for period ending 31 December 2020. The rate of TUB payable to workers reckoning more than 6 months' employment was also increased during period 01 April 2020 to 31 March 2021.

## **Regulations**

The following main Regulations were also made under the Workers' Rights Act and the Employment Relations Act.

- With a view to protecting jobs, the Workers' Rights (Prescribed Period) Regulations 2020 was made to first provide that an employer could not terminate the employment of any of his workers on economic grounds during period 01 June 2020 to 31 December 2020 unless the employer has applied for financial support. The period was thereafter extended to 30 June 2021 and subsequently to 31<sup>st</sup> December 2021.

- To reconcile work with family obligations, the Workers' Rights (Working from Home) Regulations 2020 was made by the Minister to set terms and conditions of employment for workers performing work under this new form of employment.
- The Workers' Rights (Additional Remuneration) (2021) Regulations was made in January 2021 to provide for the payment of Additional Remuneration to compensate workers for the loss of their purchasing power.
- The National Minimum Wage Regulations was amended in 2021 to prescribe the rate of the national minimum wage effective as from 01 January 2021.
- The Workers' Rights (Payment of Special Allowance) Regulations were made for year 2020 and 2021 to provide for the payment of special allowance by the MRA to workers drawing a salary of less than Rs 10,200 per month for year 2020 and Rs 10575 for year 2021.
- The Export Enterprises (Remuneration) Regulations was amended in September 2020 and in January 2021, following the grant of salary compensation, to adjust the rate prescribed in the Regulations on which overtime, attendance bonus and piece rate will be calculated.
- The Workers' Rights (Exempt Employers) Regulations 2021 was made, to exempt employers in the port and airport services, from the obligation to consult and negotiate with the representatives of workers, prior to proceeding to Redundancy Board.

**Brief Overview of Sections/Units:**

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

- Inspection and Enforcement Section, divided into six 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, headed by one Assistant Director.

**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 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 of migrant workers in Mauritius. There are currently about 36,415 (work permit and certificate of exemption) proxy for 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.

#### **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**

- 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 CCM.

### **The Prosecution Unit**

The unit is required to process 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 & IR Division carried out **195** inspections for the period under review. For the same period, a total of **45,444** cases were dealt with, out of which **7,765** cases have been brought forward up to 30 June 2021 and **37,679** cases were newly registered as at 30 June 2021 island wide. **39,303** were settled and a sum of **Rs 637,543,942** recovered on behalf of workers. **6141** cases were carried over as at June 2021.

### The Special Migrant Workers Unit

The Special Migrant Workers Unit carried out **448** inspections at workplaces and recovered a total amount of **Rs 2,444,144** on behalf of workers.

**628** complaints were reported by migrant workers, out of which **617** were settled and **Rs 11,664,136** recovered on their behalf.

Furthermore, **12,058** contracts of employment of migrant workers were vetted.

### Workfare Programme Unit

**9,911** laid-off workers were admitted to the Workfare Programme and a total amount of **Rs 1,472,144,881** was disbursed as Transition Unemployment Benefit.

### The prosecution Unit (Court cases)

- **456** new civil cases were referred to the Industrial Court; **650** cases were settled and a total sum of **Rs 16,100,499** was recovered on behalf of workers; and
- **31** new criminal cases were lodged in addition to **129** cases which were already before the Court. **14** cases of convictions were recorded and fines amounting to **Rs 34, 500** were imposed.

### **Conciliation and Mediation Section**

A total of **418 representations** were dealt with at the Conciliation and Mediation Section, out of which **179** were **brought forward** and **239** representations were new cases. A total of **302** cases were disposed of and **116** were carried over.

**21** Collective Agreements were registered during the period July 2020 to June 2021.

### **Information, Education and Communication Section**

Some **958** workers (**459** male and **499** female) were sensitized on labour issues and **153** training sessions were conducted for staff of the labour cadre. The Information, Education and Communication Section also attended to **3764** requests for information from members of the public.

### **Priorities and Way forward**

#### ***Ratification of Convention***

Following adoption by the International Labour Conference at its 108<sup>th</sup> session the Violence and Harassment Convention, 2019 (No 190) and the Violence and Harassment Recommendations, 2019 (No 206), the Ministry carried out a gap analysis with stakeholders to ascertain the level of compliance to the articles of the Convention. Thereafter, on 18<sup>th</sup> December 2020, Government agreed to the proposal for ratification of the instruments.

A submission paper was laid by the Ministry on the table of the National Assembly on 23 March 2021 and in June 2021, the Secretary for Foreign Affairs was requested to inform our Mission in Geneva that Mauritius was willing to ratify the Conventions.

In so doing, Mauritius took the step to become the seventh country in the world, the third in Africa and the first in the Indian Ocean to ratify the said Convention.

### **Mauritius Decent Work Country Programme**

The Ministry has sought technical assistance of the ILO with a view to finalise the Second Generation Decent Work Country Programme by end of this Year. The Decent Work Country Programme (Second Generation) for Mauritius brings together the social partners, through their respective activities under a centerpiece objective of promoting innovative, productive, gainful and decent work as well as enhancing working conditions of workers through better protection of rights at work with the unflinching support and technical assistance of the International Labour Organisation (ILO).

## **OCCUPATIONAL SAFETY AND HEALTH DIVISION**

Despite the challenges imposed by the COVID-19 pandemic, the Occupational Safety and Health Division has continued to carry out its activities so as to ensure safety and health at workplaces. The Division has the responsibility to ensure that the legal framework regarding occupational safety and health at work is up to date. It enforces the different legislation as at Annex 1. The Division is also involved in enhancing the national safety and health culture through the provision of training to all stakeholders, disseminating information on occupational safety and health as well as preparing and distributing guidelines on various occupational safety and health topics.

As at 30 June 2021, the number of technical staff in post was **66** out of a total of **82** on establishment. The Occupational Safety and Health Division (OSH) is also supported by **15** administrative staff.

### **BRIEF OVERVIEW OF THE OCCUPATIONAL SAFETY AND HEALTH DIVISION**

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

#### **Enforcement Units, which are involved in, amongst others,:**

- (a) enforcement of the occupational safety and health legislation through inspections at factories and workplaces and make appropriate recommendations for remedial measures;
- (b) registration of factories;
- (c) investigation into complaints on occupational safety and health; and
- (d) establishment of contraventions for breach of legislation.

**Construction Unit, which is involved in :**

- (a) enforcement of the occupational safety and health legislation through inspections at construction sites and make appropriate recommendations for remedial measures;
- (b) issuing of prohibition orders for hazardous activities observed in the course of visits;
- (c) investigating into complaints on occupational safety and health; and
- (d) establishment of contraventions for breach of legislation.

**Employees' Lodging Accommodation Unit, which is involved in:**

- (a) enforcement of the occupational safety and health legislation through inspections in lodging accommodations and make appropriate recommendations for remedial measures;
- (b) processing of applications for and issuance of Lodging Accommodation Permits;
- (c) investigating into complaints on occupational safety and health; and
- (d) establishment of contraventions for breach of legislation.

**Accident and Prosecution Unit, which is responsible in:**

- (a) investigating into all notifiable occupational accidents and dangerous occurrences reported to the Occupational Safety and Health Division and make appropriate recommendations to prevent recurrence;
- (b) the establishment of contraventions for breach of legislation; and
- (c) prosecuting employers before 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
- (b) provide specialised training programmes.

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

- (a) plan, organise and conduct national seminars on occupational safety and health at its training centre and on site ;
- (b) prepare draft legislation on occupational safety and health ;
- (c) prepare guidelines on occupational safety and health ;
- (d) registration of Safety and Health Officers ; and
- (e) examination of International Labour Organisation's Conventions on occupational safety and health .

**ACTIVITIES OF THE OCCUPATIONAL SAFETY AND HEALTH DIVISION FOR PERIOD JULY 2020 TO JUNE 2021**

**Enforcement Units conducted the following activities:**

- **3,096** inspections at factories, places of work and buildings; and
- **107** complaints investigated into.

Note: (1) as at 30 June 2021, there were **3,408** registered factories.

(2) **81** visits at the cleaning sites were carried out following the oil spillage of MV Wakashio.

**Construction Unit undertook the following activities:**

- **1,174** inspections;
- **18** complaints have been investigated into; and
- **12** prohibition orders have been issued.

Note: as at 30 June 2021, there were **34** registered Scaffold Contractors.

**Activities carried out by the Employees' Lodging Accommodation Unit:**

- **1,365** inspections ;
- **35** complaints have been investigated into; and
- **417** lodging accommodation permits have been issued.

Note: as at 30 June 2021, there were **1,829** registered lodging accommodations.

**Specialist Support Services Unit carried out:**

- **385** inspections; and
- investigation into **8** complaints.

**Activities carried out by the Accident Investigation Unit:**

- **9** fatal accidents and **190** notifiable non-fatal accidents have been notified to the accident unit; and
- **554** visits in relation to accident investigations have been carried out.

**Activities of the Prosecution Unit:**

- **233** cases (**316** counts) have been lodged; and
- **36** judgments (**45** counts) have been delivered and fines paid by contraveners amounted to Rupees **310,800**.

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

- Organized **17** national seminars;
- conducted **96** training sessions;
- sensitized **1,870** persons on different occupational safety and health topics; and
- registered **117** Safety and Health Officers.

Note: as at 30 June 2021, there were **553** registered Safety and Health Officers

**The OSH Division also carried out the following activities:**

- **5,272** visits were conducted and investigated into **25** complaints in relation to COVID-19
- **3,445** inspections have been carried out 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**

The ILO theme for the commemoration of the World Day for Safety and Health at Work on 28 April 2021, was: ***“Anticipate, prepare and respond to crises - Invest Now in Resilient Occupational Safety and Health (OSH) Systems”***. To commemorate the event, the following activities were carried out by the Occupational Safety and Health Division even though there was a lockdown since 10 March 2021:

- A message from the Ministry of Labour, Human Resource Development and Training, the ILO poster for the World Safety and Health Day 2021 and the summary of the ILO report were sent to **1,701** stakeholders as well as Ministries/Departments.

- The ILO poster for the World Safety and Health Day 2021 and the ILO report were posted on the Website of the Ministry.

### **Legislation**

For the period July 2020 to June 2021, the Occupational Safety and Health Division has come up with the following legislation:

- (a) Occupational Safety and Health (Employees' Lodging Accommodation) (Amendment) Regulations 2020; and
- (b) Occupational Safety and Health (Extension of Time During COVID-19 Period) Regulations 2020.

These legislations which were proclaimed on 17 July 2020 provided for no penalty to be charged to employers who have either not been able to renew their certificates of registration of a factory and Lodging Accommodation Permits or for non-submission of report of machines which expired during the lockdown period. The regulations enabled the employers to renew their Certificates and Permits, which expired during the COVID-19 period, without requiring them to pay a 50% surcharge on the renewal fee and submit their reports, which expired during the COVID -19 period, without being liable for sanctions.

## **TRENDS, CHALLENGES AND WAY FORWARD**

### **TRENDS AND CHALLENGES**

COVID-19 is continuing to be a threat to business continuity and safety and health of employees. It is a major challenge for the Occupational Safety and Health Division. Furthermore, other occupational risks cropping up as a result of technical innovation (such as Artificial Intelligence and Robotics), new sectors such as blue and green economy and new work patterns such as work from home, teleworking are major

challenges that need to be addressed in a timely manner so as to ensure the safety and health of workers.

## WAY FORWARD

### Improving Service Delivery

In order to improve the effectiveness and efficiency of the Occupational Safety and Health Division, the Ministry is embarking on the following projects:

- **Computerisation**

The Computerisation of the Occupational Safety and Health Division will provide a centralised access to up-to-date information and it will allow for more efficient and quicker response to address safety and health related problems.

- **Decentralisation**

With a view to providing proximity services, to its customers the Ministry is setting up a decentralised office for the OSH Division in the Upper Plaine Wilhems.

### Improving Legislative Framework

With a view to ensuring that the legal framework is up-to-date and addresses existing and new risks, the OSH Division regularly updates the relevant legislation.

- a) Following the outbreak of COVID-19 pandemic in Mauritius, the Ministry proposes to come up with the **Occupational Safety and Health (COVID- 19) Regulations** under the Occupational Safety and Health Act 2005 to ensure that safety, health and sanitary measures are being observed at workplaces.
- b) Furthermore, in order not to penalise employers who have either not been able to renew their certificates of registration of a factory and Lodging Accommodation Permits or submit report of machines which expired during the lockdown period,

amendments are being brought to existing occupational safety and health legislation through the:

- a. **Occupational Safety and Health (Employees' Lodging Accommodation) (Amendment) Regulations 2021**
- b. **Occupational Safety and Health (Extension of Time During COVID-19 Period) Regulations 2021**
- c) Besides existing hazards at the workplace, the world of work is facing new challenges and thus, the Ministry is proposing to bring some amendments to the existing Occupational Safety and Health Act 2005 through the **Occupational Safety and Health (Amendment) Bill**.
- d) The OSH Division has also initiated appropriate actions to reinforce the existing legal framework through the **Occupational Safety and Health (Refuse Collection Works) Regulations** to cater for the safety and health of employees in the refuse collection sector.
- e) The Occupational Safety and Health (Employees' Lodging Accommodation) Regulations 2011, which aims at establishing safety and health norms for employees' lodging accommodations, are being amended in order to enhance the requirements relating to health, safety and fire standards in the lodging accommodations through the **Occupational Safety and Health (Employees' Lodging Accommodation) (Amendment) Regulations**.

### **Reviewing of the National OSH Profile**

With a view to having an accurate and up to date occupational safety and health situation of Mauritius in line with the ILO 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

main objective is to implement an up to date National Occupational Safety and Health programme.

### **Decent Work Country Programme**

Under the Decent Work Country Programme (Second Generation) presently being finalised, the Occupational Safety and Health Division will implement several activities, aim at further enhancing the national occupational safety and health standard.

### **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 is coming up with several guidelines so as to sensitise stakeholders on safety and health issues in different types of activities and work environment.



## 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

The Registry of Associations, a division of the Ministry, is headed by the Registrar of Associations. The Registrar enforces the Registration of Associations Act and the Employment Relations Act as well as certain sections of 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;
- Conducting outreach/training sessions.

### Achievements covering the period 01 July 2020 to 30 June 2021

Number of registrations	366
Number of amendments of rules registered	315
Number of inspections carried out	568
Number of complaints received	87
Number of complaints disposed of	48
Number of registrations cancelled	230
Number of outreach sessions	68
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 computerised and the system is live since 26 September 2016. The computerised 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) Recommendation on NPOs, the Registrar of Associations has conducted:

- targeted risk-based inspections of associations at risk of terrorist financing abuse
- outreach sessions with associations on the potential vulnerabilities of the NPO sector to terrorism financing abuse and the measures that associations can take to protect themselves against such abuse.

**COMMISSION FOR CONCILIATION AND MEDIATION**

Where a labour dispute is reported to the President of the Commission, the Commission, comprising the President, the Vice-President and Technical Officers, with a view to promoting a settlement of the dispute,

- (a) makes proposal to the parties for the settlement of the dispute;
- (b) conciliates the parties;
- (c) mediates and makes recommendations to the parties; or
- (d) makes such investigations.

**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
<b>2020</b>	July	164	171	8
	August	163	184	14
	September	170	184	33
	October	151	166	46
	November	120	162	100
	December	62	91	22
<b>2021</b>	January	69	72	3
	February	69	82	14
	March	68	72	11
	April	61	64	1
	May	63	66	3
	June	63	73	4

- **176** formal meetings were held with a view to conciliating parties to the labour disputes.
- **189** informal meetings were held with disputants and management to deal with representations.
- **20** Agreements were signed at the CCM between parties concerned.
- **45** Representations had been received from 01 July 2020 to 30 June 2021.
- As at **30 June 2021**, there were **69** labour disputes still pending before the Commission due to the reporting of new labour disputes and postponements requested by parties.

### **Advisory Services**

The Employment Relations Act 2008, as amended, also provides that the Commission should “advise a party to a labour dispute on procedures to be followed in accordance with the Act”. Consequently, the Commission holds informal meetings with disputants with a view to sharing information and discussing issues relevant to the dispute.

**NATIONAL REMUNERATION BOARD**

The following sectors are currently being investigated into by the Board with a view to making appropriate recommendations for a new Remuneration (Order) Regulation:

- (a) The Special Education Needs Schools for which 5 Public Hearings were held and 12 interviews were conducted, followed by the preparation of a preliminary report to gauge the functionality and viability of this sector.
- (b) The Private Media Industry for which 7 Hearings were held and 13 interviews were conducted, followed by the preparation of a preliminary report to assess the implications of the changes being contemplated in the Newspaper and Periodicals Remuneration Regulations.
- (c) The Pre-primary School Employees and the Child Day Care sector where 2 hearings were held and 5 interviews were conducted.

In August 2019 amendments have been brought to section 91 of the Employment Relations Act 2008 (which have not yet been proclaimed) and same stipulates that the NRB shall determine minimum wage on an occupational basis as opposed to the current sectoral approach. In this context, the expertise of the ILO has been sought for:

- (a) the smooth transition from the current sectoral system to the new national occupational system; and
- (b) the capacity building and training of the technical staff of the NRB to conduct the transition process with minimal impact.

Hence, over and above its usual recommendations, the NRB has prepared a draft national classification of occupations as a first step towards the implementation of the new system and is awaiting expert guidance of the ILO on the way forward.

The office of the NRB is also collaborating with Statistics Mauritius in the reviewing and updating of the National Standard Industrial Classification Economic Activities in so far as they are relevant and pertinent to remuneration regulations, present and/or future.



## ***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 November 2019 to 30 June 2021, the total number of cases before the Board is **252** out of which **237** cases have been disposed and **15** cases are in progress. The 252 cases concern **3207** employees (intended to be reduced).

Out of the 252 cases, there are **148** cases (2886 employees) of Reduction of Workforce/ Closure of Enterprise and **104** cases (321 employees) of Application for Reinstatement/Severance Allowance.

All of the 148 cases of Reduction of Workforce/Closure of Enterprise have been disposed. Out of the 148 cases disposed, 2 Orders were delivered where reduction of workforce was not justified.

Out of the **104** cases of Application for Reinstatement/Severance Allowance, **89** cases have been disposed and **15** cases are in progress before the Board.

Out of the **89** cases disposed, **9** Orders were delivered where **7** applications for severance allowance were not justified and **2** were justified.

During the confinement period in 2020 and 2021, the Board was notified of **57** and **2** cases respectively which have been disposed.

**HUMAN RESOURCE DEVELOPMENT AND TRAINING DIVISION**

The Employment Division of the Ministry comprises three sections, namely, the Employment Service, the Human Resource Development and Training as well as the Work Permit Unit.

**Achievements for Employment Service for the period July 2020 to June 2021**

- 31,446 unemployed jobseekers (Male: 11,811, Female: 19,635) were registered as at end of July 2020. This number increased to 33,956 unemployed jobseekers (Male: 13,600, Female: 20,356) as at end of June 2021. This evolution is depicted in the graph below.



- 4,186 jobseekers were placed in various enterprises by the Employment Service.
- 7,664 youth and 411 employers were registered under the Youth Employment Programme. 735 youth were placed in private companies and 398 others in the Public Sector.



- Under the Back to Work Programme, 477 women and 59 employers were registered. 96 women were placed in private companies.



- 16 companies have participated in the Dual Training Programme and 50 trainees were still following the courses. As at now 138 trainees have obtained permanent employment after completion of their training under this programme.



6. Under the Trainee Engineer Scheme, 36 Trainee Engineers were placed in private companies and 39 others in the Public Sector.

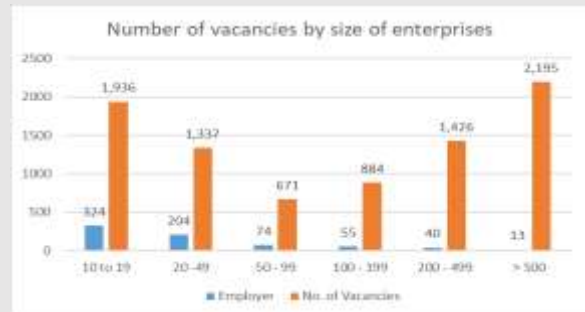


7.



A Labour Market Survey (LMS) 2021 was conducted from January 2021 to April 2021. The response rate was 16% and 4,679 vacancies were registered. The construction sector has shown intention for 21% of the vacancies. Most vacancies were obtained for Building Finishers and Related Trades Workers (36%). Textile

Machine Operators, Software Engineers and Building Finishers and Related Trades Workers were the most demanded jobs by 10%, 8% and 7% respectively.



8.

## EICs

The project of re-structuring of the Employment Information Centres (EICs) has been completed for 10 EICs. 3 EICs remained to be re-structured, that of Quatre Bornes, Rose Belle, and Mahebourg and actions are in progress.

The Employment Information Centres conducted 2,034 job canvassing with employers and recorded 5392 vacancies. Employment Counselling (Entretien de Suivi) were conducted with 973 jobseekers, while 174 workshops (Ateliers) were conducted to increase employability skills of jobseekers.

9. 92 work permit inspections and 41 recruitment license inspections were carried out by EIC Officers.

10.



Through the TV programme “Magazine de L’Emploi et des Métiers’, 42 programmes were broadcast, 5,031 vacancies publicized and 431 jobseekers were placed. 34 reportages were conducted on different sectors and occupations to show the evolution of the labour market. The Ministry will be renewing the contract agreement with the MBC so as to continue the broadcast of information on the labour market.



### 11. Cooperation with Pole emploi



The cooperation with Pole Emploi of France is ongoing. In this context, the Ministry has renewed and extended the contract until 31 December 2021 to complete all the projected activities.

Capacity building of the staff on service deliveries by Pole emploi experts are in still in progress. In parallel the IT Development is being enhanced under the guidance of an IT expert from Pole emploi. The phase 1 of the project has been completed in March 2021 and the second phase of the IT development will start as from August 2021.



12.


**Ensam avek CSU**

The Employment Service participated in “ensam avek CSU” activities at the following Citizen Advice Bureau:

SN	Date	Regions
1	Saturday 4th July 2020	CAB Office,Piton
2	Saturday 11th July 2020	CAB, Quartier Militaire
3	Saturday 18th July 2020	Goodlands Village Hall
4	Saturday 25th July 2020	CAB, Cite Vallijee
5	Saturday 1st August 2020	CAB, Bois des Amourettes
6	Saturday 8th August 2020	CAB, Montagne Blanche
7	Saturday 29th August 2020	CAB, Curepipe
8	Saturday 12th September 2020	Riviere du Rempart
9	Tuesday 15th September 2020	Vieux Grand Port Social Welfare Centre
10	Saturday 19th September 2020	District Council of Flacq
11	Saturday 26th September 2020	Social Security Office, Mahebourg
12	Saturday 3rd October 2020	Social Welfare Centre, Petite Riviere
13	Saturday 10th October 2020	Municipal Council, Quatre Bornes
14	Saturday 17th October 2020	Pointe-aux-Sables
15	Saturday 24th October 2020	Pamplemousses
16	Saturday 28th November 2020	Floreal
17	Saturday 5th December 2020	Tamarin
18	Saturday 12th December 2020	Royal Road, Route Nicolay
19	Saturday 6th February 2021	Rose –Belle Youth Centre
20	Saturday 20th February 2021	Grand-Bay
21	Saturday 27th February 2021	Midlands

### 13. Overseas Employment Opportunities

### Participation in Destination Canada Forum Mobilité 2021



The first edition of the Journées Quebec Maurice was organized by the Direction des Services D'Immigration of the Ministry of Immigration of Quebec in partnership with Ministry of Labour, HRD and Training in Mauritius in December 2020. The recruitment exercise was exclusively reserved to candidates from Mauritius.

Following the outbreak of the Covid- 19 pandemic the planned interviews in person in March 2020 were postponed and conducted online in a call centre from 7 to 19 December 2020.

Nearly 4000 candidates had applied for the 160 vacancies offered exclusively by 22 employers to Mauritians and residents in Mauritius for the Journées Quebec Maurice. The sectors and types of jobs on offer were mainly in the ICT sector, the manufacturing industry and food processing. Employers called some 200 candidates for a first interview online and some 50 of them were preselected for a second interview. 36 candidates had been offered an employment contract out of which, 34 accepted the offer. Another edition of Journées Quebec Maurice is scheduled for November 2021.

Destination Canada Forum Mobilité is an annual event organised by the Federal Government of Canada and is aimed at connecting Canadian employers and institutions outside the province of Quebec with potential candidates who wish to migrate to Canada.

The Ministry of Labour, HRD and Training participated in the virtual forum of the event from 26 to 28 February 2021. The Ministry had a virtual booth and answered queries from employers. A video clip presenting the skills in which Mauritians are trained was shown on the virtual booth. Some 700 visitors accessed the Ministry's booth.

As a result of the Forum, the Ministry has started a collaboration with the Centre Franco, an organisation regrouping French speaking schools in Ontario, which is recruiting primary and secondary teachers for these schools.



#### 14. Work Permit Unit

Work Permits are issued in line with the non-citizens (Employment Restriction) Act. For the period 2020-2021 (Financial Year), 31536 non-citizens were holders of a work permit and 4879 Certificates of Exemption were issued for the same period.

In the same vein, no new Recruitment Licence has been issued by this Ministry for the financial year 2020-2021.

##### Sectorwise by exemption and permit as at 30 June 2021

SECTOR	Certificate	Work Permit	Grand Total
AGRICULTURE, HUNTING AND FORESTRY	6	499	505
CONSTRUCTION	4454	5058	9512
EDUCATION	135	22	157
ELECTRICITY, GAS AND WATER SUPPLY		30	30
FINANCIAL INTERMEDIATION	65	44	109
FISHING	101	42	143
HEALTH AND SOCIAL WORK	5	205	210
HOTELS AND RESTAURANTS		440	440
INFORMATION TECHNOLOGY	7	136	143
MANUFACTURING		21950	21950
MINING AND QUARRYING		3	3
OTHER COMMUNITY, SOCIAL AND PERSONAL SERVICE	17	839	856
PRIVATE HOUSEHOLDS WITH EMPLOYED PERSONS		24	24
PUBLIC ADMINISTRATION AND DEFENCE; COMPULSORY SOCIAL SECURITY	86	37	123
REAL ESTATE, RENTING AND BUSINESS ACTIVITIES		272	272
TRANSPORT, STORAGE AND COMMUNICATIONS	1	224	225
WHOLESALE AND RETAIL TRADE, REPAIR OF MOTOR VEHICLES, MOTORCYCLES AND PERSONAL AND HOUSEHOLD GOODS	2	1711	1713
<b>Grand Total</b>	<b>4879</b>	<b>31536</b>	<b>36415</b>

15. Status on Implementation of Key Actions

Key Actions with Key Performance Indicators were stipulated in the Budget document 2020 -2021 and the status is given in the table below.

Key Action	Key Performance Indicator	Target (as per budget estimates)	Status
Facilitate placement opportunities for registered jobseekers	Number of persons placed by the Ministry of Labour, Human Resource Development and Training	5,000	4253 85% of the target has been achieved, despite Covid-19 prevalence.
Increase access to Technical Vocational Education and Training	Enrolment in MITD courses	1900	91.3% of the target has been achieved. Target could not be attained due to Covid-19 pandemic. The training calendar 2020 has been prolonged to allow trainees to complete their courses and assessments.

## **Risk Management, Citizen Oriented**

### **Initiatives & Good Governance**

#### **Internal Control Unit**

The Ministry has an Internal Control Unit as from September 2016 which 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 2020 to June 2021, 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 four 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.

**Follow-up on Implementation of Recommendations in the National Audit Report 2019-2020**

Page	Paragraph	Observation of Director of Audit	Follow-up Action by the Ministry
349	21.1 (a)	A report on performance has not been submitted in respect of the Ministry of Labour, Human Resource Development and Training for financial year 2019-20.	The Annual Report on performance for financial year 2019-2020 has been uploaded on the website of the Ministry.
349	21.1 (b)	Two statutory bodies falling under the aegis of the Ministry of Labour, Human Resource Development and Training have not submitted their financial statements for audit, namely: <ul style="list-style-type: none"> <li>(a) Trade Union Trust Fund for the Financial Year/Period 2015, 01.01.2016 to 30.06.2017, 2017-18 &amp; 2018-19</li> <li>(b) National Wage Consultative Council for the Financial Year/Period 01.09.2016 to 30.06.2017, 2017-18 &amp; 2018-19</li> </ul>	The Annual Reports of both the Trade Union Trust Fund and the National Wage Consultative Council have been submitted to the Director of Audit on 05 November 2021. Furthermore, the TUTF and the NWCC have been requested to submit their financial statements in a timely manner as per the statutory requirements.
349	21.1 (c)	The annual report including audited Financial Statements and Audit Report of the Manufacturing Sector Workers Welfare Fund for the financial year 2018-19, certified on 25 August 2020, has not yet been laid before the NA.	The Annual Report of the Manufacturing Sector Workers Welfare Fund for the financial year 2018-19 has been submitted to the National Assembly on 16 February 2021.

### Part III – FINANCIAL PERFORMANCE

The Budget of the Ministry of Labour, Human Resource Development and Training is categorised under six Sub-Heads which represent the main sectors of MLHRDT, 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 811 Million were appropriated to the Ministry for the financial year 2020/21.

#### (ii) Statement of Revenue and Expenditure

The Statements of Revenue and Expenditure have been prepared from the Estimates 2020/2021 and data captured from the Treasury Accounting System (TAS).

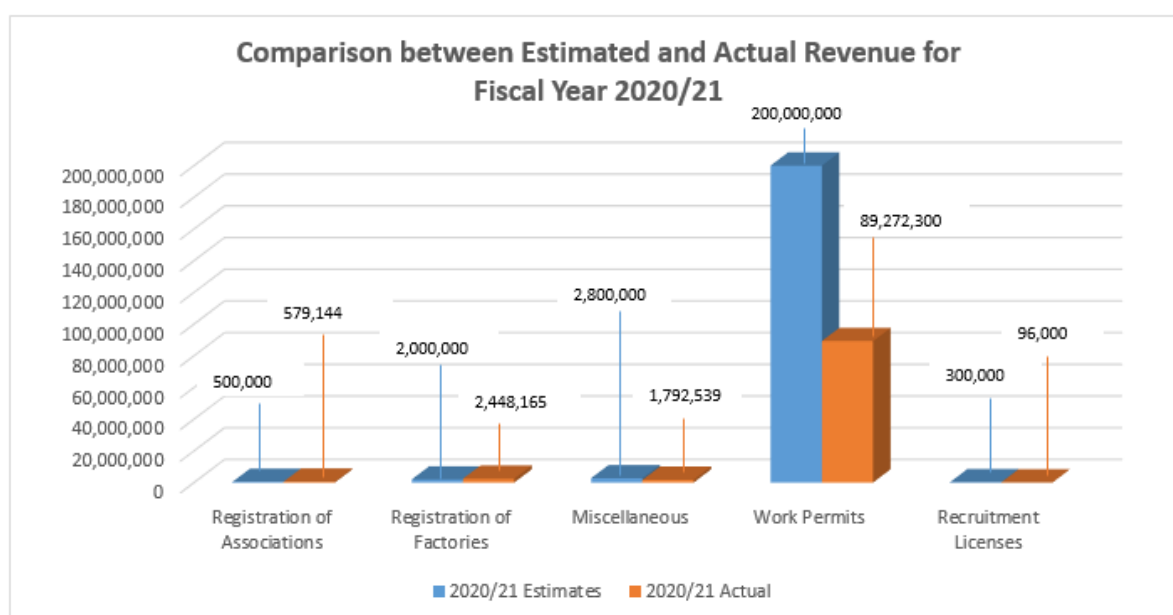
#### A. Statement of Revenue

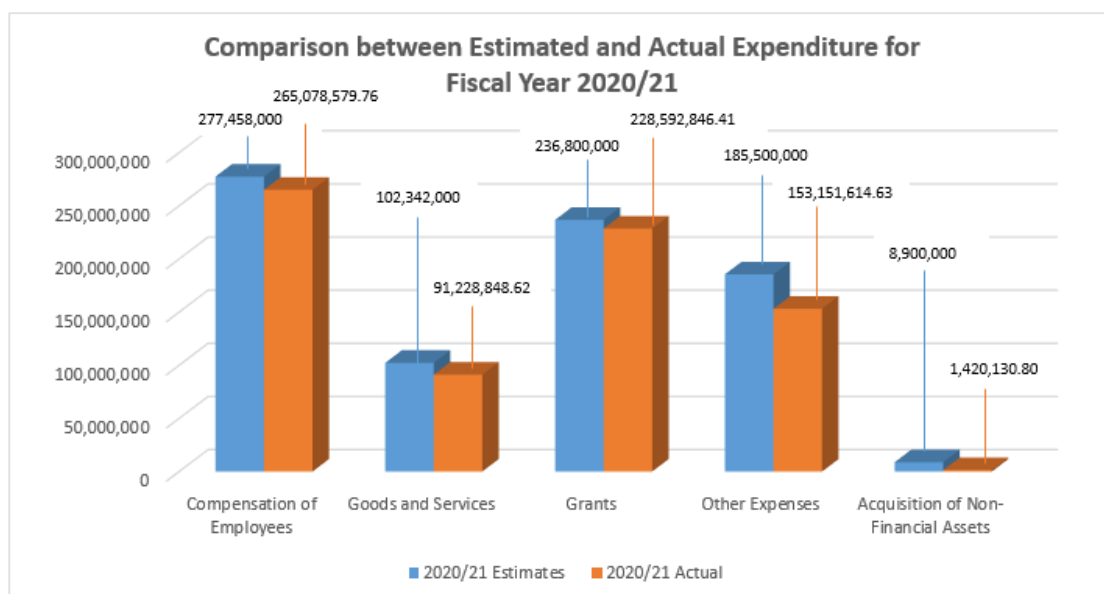
Item/Revenue	2019/20 Actual (Rs)	2020/21 Estimates (Rs)	2020/21 Actual (Rs)
Registration of Associations	505,177	500,000	579,144
Registration of Factories	2,426,795	2,000,000	2,448,165
Miscellaneous	2,806,936	2,800,000	1,792,539
Work Permits	151,971,500	200,000,000	89,272,300
Recruitment Licences	264,000	300,000	96,000

**B. Statement of Expenditure**

Particulars	2019/20 Actual (Rs)	2020/21 Estimates (Rs)	2020/21 Actual (Rs)
Compensation on Employees	265,060,182.48	277,458,000.00	265,078,579.76
Goods and Services	86,653,553.64	102,342,000.00	91,228,848.62
Grants	10,534,643.46	236,800,000.00	228,592,846.41
Other Expenses	104,175,212.48	185,500,000.00	153,151,614.63
Acquisition of Non-Financial Assets	5,426,583.89	8,900,000.00	1,420,130.80
<b>Total</b>	<b>469,450,175.95</b>	<b>811,000,000.00</b>	<b>739,472,020.22</b>

**Graphical illustration on Revenue and Expenditure for 2021/2021**





### (iii) Financial Analysis

A comparison of funds appropriated to the Ministry by the National Assembly for Financial Year 2019/20 and 2020/21 shows an overall decrease of Rs 92,742,000 under the six Sub Heads presented in the table below:

Sub Head	Estimates 2019/20 (Rs 000)	Estimates 2020/21 (Rs 000)	Budget reduction (Rs 000)
<b>20-101:</b> General	87,200	81,950	5,250
<b>20-102:</b> Labour and Employment Relations Management	198,900	179,610	19,290
<b>20-103:</b> Registration of Associations and Trade Unions	19,200	18,100	1,100
<b>20-104:</b> Employment Facilitation	341,700	298,700	43,000
<b>20-105:</b> Technical and Vocational Educational and Training	249,600	226,000	23,600
<b>20-106:</b> Human Resource Development	7,142	6,640	502
<b>Total</b>	<b>903,742</b>	<b>811,000</b>	<b>92,742</b>



Budget reduction mostly affected items falling under expenditure category “*Goods and Services*” in the different Sub Heads. Major impact was however noted under Sub-Head 20-104 Employment Facilitation where the annual allocation was decreased by 12.6% with significant cuts in the Employability Enhancement Programmes.

Budget allocation under Sub Heads 20-102 and 20-105 were also subject to reduction of 9.7% and 9.5 % respectively.

**91.2 %** of the budgeted provisions for FY 2020/2021 were utilized as compared to **72.8%** in FY 2019/2020.

On the revenue side, last year’s momentum has been maintained in the collection of revenue under items- Registration of Association and Registration of Factories. However, other revenue items namely Miscellaneous Revenues, Work Permit Fees and Recruitment Licence Fees have been directly affected by restrictions imposed under COVID 19 with decrease in revenue collections ranging from 36% to 68%.

## Part IV – WAY FORWARD

### **Trends and Challenges**

The ever changing world of work is being driven by accelerating connectivity, new talent models, and cognitive tools. As robotics, AI, the gig economy and crowds grow, jobs are being reinvented creating the “augmented workforce”. We must reconsider how jobs are designed and work to adapt and learn for future growth.

New trends such as robots, AI in the workplace, dispersed workforces, with people working from anywhere, anytime, and the constant need of employees to learn new skills are just part of what the future of work could entail. Organisations must adapt, regardless of functional, geographic or business boundaries. In face of the actual challenge imposed by the COVID-19 pandemic, work from home has become the norm in many countries. This concept was hugely adopted even in Mauritius as witnessed during the lock down.

Furthermore, new digital trends are redefining the relationship between the individual and the organisation. There is, therefore, need to record this trend and work with employers to navigate the future of work by offering advisory and implementation support for workforce transformation programs. This includes the need to adopt new technologies such as artificial intelligence (AI), chatbots and augmented reality.

To operate in this fast-moving environment, organisations must realign themselves constantly, implement innovative and creative solutions into everyday HR tasks and have the courage to take unusual, pioneering steps.

The challenges now and in the near future is to prevent closure of enterprises and preservation of jobs as there is no visibility how the current pandemic will unfold. In these testing times, there is also the need to look for new jobs for those who have been laid off due to closure of their enterprises.

Some other challenges which will continue to exist are:

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

## Strategic Direction

### Strategic Direction 2019-2020

- Promote new employment opportunities across all sectors and improve working conditions
- Ensure availability of labour in scarcity areas
- Expand employment opportunities abroad for Mauritians
- Provide better terms and conditions of employment to workers in line with the requirements of the labour market
- Combat labour trafficking
- Improve national occupational safety and health standards and ensure compliance with same
- Develop a timely and comprehensive database for manpower planning to support labour market policies

**LIST OF LEGISLATION**

	<b>Legislation</b>	<b>Made by Minister on</b>	<b>In Force</b>
1	Occupational Safety and Health Act 2005 – Act No. 28 of 2005	13/05/2005	Yes
2	Occupational Safety, Health and Welfare (First-Aid) Regulations 1989 – GN No. 65 of 1989	26/04/1989	Yes
3	Occupational Safety, Health and Welfare (Woodworking Machines) Regulations, 1989 – GN No. 66 of 1989	26/04/1989	Yes
4	Occupational Safety and Health (Fees and Registration) Regulations 2007 – GN No. 123 of 2007 (As amended)	29/08/2007	Yes
5	Occupational Safety and Health (Electricity at Work) Regulations 2009 – GN No. 47 of 2009	14/05/2009	Yes
6	Occupational Safety and Health (Employees’ Lodging Accommodation) Regulations 2011 – GN No. 27 of 2011(As amended)	27/01/2011	Yes
7	Occupational Safety and Health (Noise at Work) Regulations 2012 – GN No. 107 of 2012	09/05/2012	Yes
8	Occupational Safety and Health (Safety of Lifts at Work) Regulations 2012 – GN No. 108 of 2012	09/05/2012	Yes
9	Occupational Safety and Health (Personal Protective Equipment) Regulations 2012 – GN No. 146 of 2012	25/07/2012	Yes
10	Occupational Safety and Health (Work at Height) Regulations 2013 – GN	18/07/2013	Yes

	No. 190 of 2013		
11	Occupational Safety and Health (Ship Construction and Ship Repairs) Regulations 2013 – GN No. 254 of 2013	08/10/2013	Yes
12	Occupational Safety and Health (Safety of Scaffolds) Regulations 2013 – GN No. 16 of 2014	22/11/2013	Yes
13	Occupational Safety and Health (Control of Asbestos at Work) Regulations 2014 – GN No. 216 of 2014	20/10/2014	Yes
15	Occupational Safety and Health (Transportation of Employees) Regulations 2014 – GN No. 210 of 2014	31/10/2014	Yes
16	Occupational Safety and Health (Foundries and Construction Works) 2019 – GN No. 167 of 2019	12/09/2019	Yes
17	Occupational Safety and Health (Employees' Lodging Accommodation) (Amendment) Regulations 2020	17/07/2020	Yes
18	Occupational Safety and Health (Extension of Time During COVID-19 Period) Regulations 2020	17/07/2020	Yes