

## Report

### **International Technical Forum of Senior Officials of Labour Inspectorates: The new ILO guidelines on general principles of labour inspection and the future of work (Valencia, Spain, 17–18 November 2022)**

The ILO Governing Body, at its 344th Session (March 2022), authorized the publication of the **Guidelines on general principles of labour inspection**, which were validated and revised at a tripartite meeting of experts convened by the Governing Body in Geneva in December 2021.<sup>1</sup> The Guidelines are non-binding and have been developed to provide the constituents with a *technical guidance tool* on the key principles contained in ILO standards on labour inspection, taking into account current practices and challenges. Thus, the Guidelines reflect the general principles set out in the Labour Inspection Convention, 1947 (No. 81) and the Labour Inspection (Agriculture) Convention, 1969 (No. 129), including, but not limited to, the provisions of the Labour Inspection Recommendation, 1923 (No. 20) not repeated in more recent instruments.<sup>2</sup>

The **International Technical Forum of Senior Officials of Labour Inspectorates** on these new ILO Guidelines was organized jointly by the ILO<sup>3</sup> and the Spanish Ministry of Labour and Social Economy. The meeting took place in Valencia, Spain, on 17 and 18 November 2022 and was attended by representatives of labour inspectorates from 75 countries, as well as representatives of the social partners, the International Association of Labour Inspection and the European Labour Authority.

The event focused on the recently adopted Guidelines and served as a platform for the exchange of ideas and good practice on the new challenges facing labour inspectorates. Undoubtedly, these Guidelines and the international forum constitute an important milestone in the field of labour inspection and will be inspirational in deciding how best to structure and manage labour inspection in each country. In detail, the objectives of the forum were:

- (a) to inform senior officials of labour inspectorates and other stakeholders about the Guidelines;
- (b) to discuss the challenges and difficulties involved in adapting national inspection systems to the Guidelines and the role that the ILO can play in this respect;
- (c) to share national experiences on how to implement the recommendations contained in the Guidelines in a changing and dynamic world of work; and
- (d) to facilitate bilateral and multilateral cooperation between and among labour inspection authorities.

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<sup>1</sup> Available at [https://www.ilo.org/global/topics/labour-administration-inspection/events-training/events-meetings/WCMS\\_839228/lang-en/index.htm](https://www.ilo.org/global/topics/labour-administration-inspection/events-training/events-meetings/WCMS_839228/lang-en/index.htm).

<sup>2</sup> The Governing Body approved this Recommendation at its 334th Session (October–November 2018); see [https://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---relconf/documents/meetingdocument/wcms\\_648422.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_648422.pdf).

<sup>3</sup> Labour Administration, Labour Inspection and Occupational Safety and Health Branch of the Governance and Tripartism Department.

During the international forum, Mr Gilbert Houngbo, Director-General of the ILO, stated that the meeting represented a unique opportunity to share experiences in an increasingly complex and demanding world, where labour inspection, impacted by innovation and a lack of resources, is on the front line of intervention. He recalled that the ILO Centenary Declaration for the Future of Work, 2019 calls for the strengthening of labour inspection.

The Second Vice president of the Government of Spain and Minister of Work and Social Economy, Ms Yolanda Díaz, representing the host country, highlighted the need to bring labour inspection closer to the general public and to strengthen transnational cooperation. She also stressed the importance of making intensive use of new technologies, adding that the Guidelines laid a strong foundation for the proper functioning and development of labour inspectorates.

The Employers' representative, Mr Kris de Meester, from the Belgian Federation of Enterprises, stressed the importance of shaping the labour inspection of the future with the collaboration and participation of the social partners, while the Workers' representative, Mr Wim van Veelen, from the Netherlands Trade Union Confederation, pointed out that labour inspectorates are a key institution in protecting migrant workers' rights and achieving decent work. He also stated that the Guidelines provided the basis for a modern inspectorate that would achieve strategic objectives, a task in which the ILO could provide significant support.

The forum focused specifically on the following topics:

### **1. Labour inspection scope and functions: Tendencies and perspectives for the future of work**

The labour inspection Guidelines advocate a **broad** and interdisciplinary **set of responsibilities**, ranging from occupational safety and health to social protection and regulation of the employment relationship. In this regard, Convention No. 81 stipulates that legal provisions relating to conditions of work and the protection of workers “while engaged in their work” are enforceable by labour inspectors. as the CEACR<sup>4</sup> has indicated, this wording suggests a broad scope of application.<sup>5</sup>

As the labour inspection system is universal, its functions are very broad, albeit varying from country to country. It includes both comprehensive and general inspection systems, as well as so-called specialized systems. Moreover, labour inspection oversight extends to virtually all sectors of economic activity, from agriculture to industry, in both the private and public sectors.

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<sup>4</sup> Committee of Experts on the Application of Conventions and Recommendations.

<sup>5</sup> “The expression ‘while engaged in their work’ (...) has to be understood in a broader manner”; see the report of the Committee of Experts at the International Labour Conference; 95th Session, 2006; Report III (Part 1B); General Survey of the reports concerning the Labour Inspection Convention (...) p. 15, available at <https://www.ilo.org/public/english/standards/relm/ilc/ilc95/pdf/rep-iii-1b.pdf>.

During the forum, several references were made to the three **pillars of the labour inspection system**:

- Prevention and technical support for employers and workers;
- Inspection of conditions of work and the requirement to enforce standards; and
- Informing the competent authority of defects or abuses not specifically covered by existing legal provisions.

These core activities should not be impaired by the performance of additional duties such as arbitration and conciliation.

The international forum revealed that, in contrast to the general nature of most labour inspections, there are also inspection systems in which, depending on the subject matter, inspection duties are assigned to different institutions or bodies, as for instance in the United States, Australia and Ireland. Other countries, such as South Africa, have seen a move from general inspection to more specialized inspection, while in Mexico inspectors are generalists but acquire specialization through inspection experience in certain business areas (for example, manufacturing, mining and agriculture).

But in all these countries, the labour inspectorates make huge efforts to **reach all the places** where their presence is required. In Côte d'Ivoire, for example, the labour inspectorate is strengthening inspections in the area of child labour, especially in cocoa plantations. In Ireland, inspection plans have begun to cover the changes in the workplace brought about by the development of the green economy, the struggle to overcome the energy crisis and combined risks. In Tunisia and the Philippines, labour inspection is focusing its efforts on the agricultural sector and the growing number of migrant workers. Meanwhile, the informal economy absorbs a large share of labour inspection resources in countries with high rates of undeclared work ( $\approx 54$  per cent in Tunisia,  $\approx 93$  per cent in Madagascar,  $\approx 30$  per cent in Chile or 25 per cent in Moldova).

Throughout the forum it was stressed that, although there is still a heavy workload for labour inspectorates in traditional sectors and areas, in the near future the labour inspectorate will have to pay special attention to emerging forms of work such as teleworking, platform work, robotics and the green economy.

## **2. Structure and organization of labour inspection systems in the face of a changing world of work**

The structure and organization of labour inspectorates worldwide is very heterogeneous and disparate, and inspection systems may be dispersed and fragmented, but the ILO Guidelines establish the **central authority** as the unifying link among labour inspectorates throughout the national territory and as the body responsible for ensuring a consistent and comprehensive policy. The Guidelines strengthen the role of this central authority in a globalized world of work characterized by international structures, open borders and increasing transnational mobility of enterprises and workers.

Several forum participants stressed the importance of having a central authority as opposed to relying exclusively on local authorities. Similarly, having a central authority allows for the participation of the social partners at the national level, and even at a consultative level. In highly decentralized countries, such as Spain, the coordinating role of the central authority is even more important than in countries where there is no such decentralization, such as France.

In some countries, the structure and organization of labour inspectorates is strongly determined by **inspection priorities**. In Peru, for example, various inspection subsystems have been created, for instance the GEIT-TFI Sunafil<sup>6</sup> to combat child labour, the *Formal urbano* and *Rural* groups to combat undeclared work, and the *Grupo especial 24x7*, which ensures ongoing oversight in respect of occupational safety and health and work-related accidents. In Tunisia, informal-economy units have been set up to combat undeclared work.

In other countries, labour inspection is divided between **different agencies** according to sectoral or competency criteria. In the United States, for example, the OSHA has general safety and health responsibilities, the MSHA has inspection responsibilities in the mining sector (with special reference to vulnerable workers, such as migrants and indigenous workers), while the WHD has responsibility for labour relations and wages.<sup>7</sup>

In Mexico, the federal inspectorate is responsible only for enterprises considered as having **federal scope** (for example the petrochemical and textile industries, electricity generation and supply, mining, or the chemical, car and food industries), albeit with cooperation between the federal and local inspectorates. Other countries are moving towards **greater autonomy** for the labour inspectorate, for instance in Spain, where the inspectorate is no longer part of the Ministry of Labour but has been set up as an autonomous body providing services to both the central government and the autonomous communities.

### 3. Policies and planning for sustained compliance and a better public service

The ILO Guidelines call for an **inspection policy** as a necessary and integral element of the labour inspection service and describe the components of such a policy. Inspection policies should set out the core functions of inspection, differentiating between principal and additional duties; define inspection procedures; determine the necessary balance between proactive and reactive inspections; and detail sectoral priorities, annual objectives, and relationships and coordination mechanisms with other stakeholders. At the same time, the Guidelines stress the importance of an adequate strategy and planning for the implementation of the overall objectives of labour inspection, with a special focus on vulnerable workers.

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<sup>6</sup> Special task force of labour inspectors on forced and child labour.

<sup>7</sup> OSHA (Occupational Safety and Health Administration), MSHA (Mine Safety and Health Administration), WHD (Wage and Hour Division).

The Guidelines indicate that the labour inspectorate should cooperate with other services to achieve its objectives, should publicly announce its objectives to **inform the general public** and should adopt so-called intelligent planning, using information and communication technologies. **Inspection activity should be monitored and evaluated** using both quantitative and qualitative indicators.

It was highlighted at the Valencia international forum that in many countries **planning is sectoral**. In Madagascar, for example, strategic planning is oriented towards monitoring child labour, occupational safety and health, and the informal economy in the textile and vanilla sectors. In the United States, the WHD uses a strategic compliance model to schedule inspections of industries and sectors such as transport and agriculture, child labour and home-based work. In Chile, inspection planning has been developed in sectors that require more oversight, such as construction. In Senegal, there is planning at both the national level (a national pact on social stability) and the sectoral level (for example, a pact on the hotel and catering sector). Online work and its oversight by the labour inspectorate is becoming increasingly important in countries such as the Philippines, where laws regulating teleworking have been passed.

Other countries have adopted **assessment criteria for levels of risk**. The United Arab Emirates uses information obtained from databases to create a risk matrix and a "smart inspector" system that classifies enterprises by risk level. In other countries, such as Singapore, evidence-based risk-profiling plans have been approved to generate fundamental and sustainable changes, in what is called an "ongoing journey to transform the regulatory approach". In Peru, predictive models to identify enterprises with a high risk of non-compliance with labour regulations have been adopted, by managing and using data obtained from previous inspections and from other bodies. In the United States, the OSHA schedules inspections under its *Severe Violator Enforcement Programme*,<sup>8</sup> concentrating resources on employers committing deliberate or repeated violations. In Australia, the inspectorate has developed a predictive model of non-compliance by accessing its own and other institutions' databases, entering into dialogue with the social partners and other stakeholders, and taking account of anonymous information supplied by the public.

The planning of inspection activity in most countries is carried out in **consultation with the social partners**. Planning periods vary from one country to another, ranging from ten-year inspection plans in Singapore to three-year plans in France. Furthermore, there is a general tendency to strengthen qualitative indicators in evaluating performance, as well as taking quantitative indicators into account.

Where **frequency of inspections** is concerned, in countries such as the United States, Mexico, Latvia, Moldova and Singapore frequency is based on a pre-classification of enterprises into risk ranges and degrees of compliance.

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<sup>8</sup> Information available at <https://www.osha.gov/enforcement/svep>.

With regard to the **evaluation of the results** of inspection plans, countries such as Latvia (among others) have seen a move from so-called "old school" (quantitative) indicators to new compliance-based indicators that make it possible to understand how things are changing (for example, the extent to which undeclared work has been formalized).

#### 4. Fully realizing the mission of labour inspection through social dialogue and cooperation

##### 4.1 Social dialogue

Cooperation with the social partners is a **strategic matter** for the labour inspectorate. The success or failure of its activities and campaigns depends to a large extent on the existence of adequate channels of collaboration between them. There was unanimous agreement at the international forum on the need for input from the social partners and all participating delegations emphasized the importance of promoting and strengthening social dialogue in inspection activities and planning.

But what are the **key factors in this collaboration**? The Norwegian representative emphasized that the values required for social dialogue are trust, goodwill and respect between the parties. A representative of Prospect from the United Kingdom stated that labour inspectorates should be governed by the slogan "we are greater together than acting alone" and pointed out that trust and common objectives lead to more effective labour inspection. He added that the ILO Guidelines on social dialogue should not be taken so much as a checklist to be applied by the labour inspectorate, but as a guide to improving labour inspection with the collaboration of the social partners.

Participants also referred on several occasions to the need to involve the social partners in **tripartite bodies** with consultative and follow-up functions. For the Honduran employers' representative, the effectiveness of inspections is founded on social dialogue and the labour inspectorate should make use of information technology to ensure that employers, and especially small enterprises, have **better access** to this kind of consultation.

Nevertheless, there are times when labour inspectorates face **challenges** in managing social dialogue. In countries such as Chile, there are difficulties related to the binding nature of decisions taken in the context of social dialogue, and to the greater or lesser strength of trade union representation in enterprises, especially in emerging activities such as digital platforms.

Social dialogue within labour inspectorates is organized not only at **national level**, but also at **regional level**. In Chile, for example, there are regional tripartite councils and labour boards. In France, inspection plans are presented to the social partners and they work with the inspectorate at both state and regional levels on campaigns to promote occupational safety and health and to combat precarious work in sectors with high accident rates (for example, the livestock industry). In Brazil, the labour inspectorate's "*Trabalho sustentável*" programme promotes responsible business

conduct by encouraging sectoral social dialogue throughout the production chain. Norway has tripartite councils for labour inspection and a tripartite regulatory forum where new laws are explained to the social partners. Social dialogue at the sectoral level is conducted through programmes in sectors considered to be more vulnerable (for example the cleaning and car-wash sectors).

#### 4.2 Cooperation

Labour inspectorates should cooperate not only with social partners, but also with other institutions. The Guidelines underscore the importance of developing appropriate mechanisms and mention some particularly relevant areas for cooperation, for instance with the various administrative and judicial bodies.

In Spain, much progress has been made in recent years in **strategic collaboration and interoperability with other institutions**, for example with the social security service, regional authorities and the tax and transport authorities. Information is also shared with international bodies such as the European Labour Authority.

In the United States, the inspectorate cooperates with other entities regarding migrant workers, for example within the Consular Partnership Program (CPP) framework coordinated by the Department of Labor, which exchanges information on migrant workers with foreign embassies and consulates.

In the United Arab Emirates, there is a strategic partnership between federal, state and local levels. In Latvia, collaboration extends to professional organizations (occupational safety and health services) and immigration authorities and, as part of cross-border cooperation, emphasis is placed on the importance of labour inspectors learning languages. In South Africa, there is cooperation between the labour inspectorate and law enforcement agencies, the prosecutor's office and the labour courts. In Brazil, cooperation takes place at the sectoral level and geographically, inspired by the ILO's strategic compliance strategy.

### 5. Policies and strategies for the best use of labour inspection resources

The Guidelines point out that, in accordance with ILO Conventions, labour inspectors must have **stability of employment and independence** in carrying out their duties, in particular independence with regard to changes of government and external influences.

The **number of inspectors** is a somewhat controversial issue in many countries. The Guidelines therefore make it clear that there is no perfect way to calculate the minimum or necessary number of inspectors, as it will depend on specific criteria, such as the nature of the duties assigned to the inspection system, the number of establishments and workers subject to inspection, and the number and complexity of the legal provisions to be enforced.

Furthermore, the Guidelines recommend that labour inspectors' remuneration should be consistent with that of other civil servants at comparable levels in the same country and that labour inspectors should be given the opportunity to play a managerial role at



some point in their working lives. In the **recruitment of labour inspectors**, experience and education should be valued, as the effectiveness of labour inspection depends to a great extent on the competence and quality of the staff involved and the transparency of the recruitment process. The ILO pays particular attention to issues such as initial **training**, professional ethics and confidentiality, the use of information and communication technologies, gender equality and the risks faced by labour inspectors in their work.

The **lack of human resources** was mentioned by many delegations. In view of the shortage of inspectors, several participants emphasized the need for selective planning and smart choices in deciding on and prioritizing objectives, in order to save resources and achieve greater productivity and effectiveness.

The lack of human resources was made starkly clear by the representative of the United States, who noted that there is only one inspector per 70,000 workers at the federal level in his country, thus it would take 160 years to inspect all workplaces. Different figures and ratios were mentioned at the forum: one inspector per 24,000 workers in Chile, one inspector per 10,000 workers in Singapore, 240 Fair Work inspectors for ≈1 million enterprises in Australia. However, some delegations noted that they have increased the number of inspectors in recent years.

Some countries have devised strategies to mitigate the low number of inspectors. In Vietnam, the limited number of inspectors (500 for 800,000 enterprises) has led to a form of online inspection based on self-assessment on the part of enterprises. For this purpose, self-assessment forms are used (sometimes signed by an enterprise's trade union representative) and must be sent to the labour inspectorate every year, thereby facilitating the inspection process; the 2021–25 inspection plan includes proposals to increase the number of inspectors. In Mexico, following changes to the regulatory framework, success in covering workplaces rose from 60 per cent in 2018 to 90 per cent in 2022.

Regarding the recruitment of inspectors, some delegations reported that inspectors are civil servants selected through competitive examinations. They must have a university degree in one of several disciplines (for example, economics, medicine, engineering or the social sciences) for general inspectorate work (Brazil, Spain). In Spain, the selection process is very demanding, involving competitive examinations. New inspectors receive initial training and undertake continuous professional development (in Brazil at least 40 hours per year). In Brazil, there are also courses and campaigns targeting the general public (in particular via the schools' YouTube channel, which registered 1.7 million views in 2022). In Mexico, there are 600 permanent career inspectors and 60 temporary inspectors, who enter the profession by passing a competitive examination. Because promotions are limited by a narrow career ladder, some inspectors leave active inspection to take up managerial positions.

Concerning **labour inspectors' remuneration**, complaints of "low salaries" were heard several times during the meeting (for example from the Moldova representative). As far



as material resources are concerned, in South Africa the “three Cs” (car, cell phone and cash) are often referred to as the minimum material resources needed by inspectors. In Senegal, much progress has been made in the provision of personal protective equipment and measuring instruments (in particular sound-level meters, lux meters, dosimeters, gas detectors and decimetres).

Where **technological resources** are concerned, most delegations referred to the improvements their national labour inspectorates have made in this area.

Of particular interest at the forum was the *Tazeez* technology model adopted in the United Arab Emirates. This is a kind of "hub", managing information and data on enterprises and workers (work permits, contracts and working hours) and includes a system of wage protection based on the automated registration of account transactions between employer and worker.

## 6. Preventing and deterring through labour inspection: Comparative practice on the use of powers and methods of inspection

The best way to ensure compliance with regulations is to combine the promotion of compliance (information and technical advice) with the appropriate use of sanctions and deterrents. Information about what the labour inspectorate does and how such information is disseminated to the public is also a strategic issue, as transparency will lead to a better understanding of the inspection function and its difficulties and challenges.

From the different statements made at the forum, it can be concluded that inspection policies are similar in most countries, although in some the emphasis is more on prior support and advice to enterprises than on sanctioning measures, for instance in the Philippines. Technical support is strongly encouraged as a way of promoting compliance on the part of enterprises (Mexico, the Philippines).

Many labour inspectorates focus on providing information prior to inspection visits, in particular by sending letters to encourage enterprises to comply with regulations or to formalize employment (Spain, Peru).

In Spain, sending **preventive letters** regarding high-stress situations in certain areas of activity has proved successful. In Singapore, letters can be sent to non-compliant enterprises under a *differentiated enforcement approach* whereby enterprises are informed of their compliance status within their sector (*pre-inspection letters*).

In Côte d'Ivoire and Peru, inspectors focus their efforts on technical support and the prevention of labour disputes by promoting a culture of compliance and avoiding costly litigation or difficult conciliation processes. In Latvia, information and education campaigns are conducted (for example, *Esi dross* and *ka darbs ir dross*) on safety and health risks. The United States labour inspectorate runs awareness-raising and educational activities for agricultural employers and migrant workers, and provides information for small businesses.

In Norway, the labour inspectorate provides guidance and consultations via the web, with 3.9 million visits and 80,000 queries handled online annually. In Ireland, online training is provided and the website receives more than 1.5 million visits per year. In Australia, social media are regularly used to inform the general public about the labour inspectorate's activities.

However, discussion of the **prevention-deterrence balance** raised some questions among participants as to the extent to which campaigns and awareness-raising actions are useful in dealing with non-compliant enterprises (guilty of serious or repeated infringements), for which the only remaining possibility is to impose sanctions.

Regarding powers and methods of inspection, issues were raised concerning the relative merits of physical and technology-based inspections, **giving enterprises advance information of visits** and how to involve workers' representatives in the inspection process. The Guidelines address the supervisory powers of inspectors in great detail, in particular workplace visits, and stress the importance of not necessarily giving prior notice of inspection visits – an issue that has yet to be resolved in some countries. Visits are unannounced in most countries, although in Moldova, for instance, inspectors are required to give enterprises prior notice of visits, nor does the labour inspectorate apply sanctions directly; however, compromise solutions are being discussed to remedy this situation.

In Portugal, inspectors make an initial global assessment followed by targeted inspections, with the aim of not having to carry out any further full inspections. In this country, inspection activities are increasingly computerized, which facilitates electronic registration, and more and more inspections are carried out digitally and by documentary means. There is also the possibility of making video recordings during visits.

In many countries, there are sectors where significant inspection challenges remain, as in the case of domestic workers. In South Africa (and many other countries), inspectors encounter difficulties in going into domestic situations, as a court order is required to inspect private homes, although some success has been achieved through trade union collaboration.

The sanctioning powers of the labour inspectorate, a form of **effective deterrence**, are not limited to imposing pecuniary sanctions or fines; in some countries, misconduct on the part of employers may be subject to criminal sanctions. A case in point is failure to abide by inspectors' orders (Portugal). Measures have also been adopted to publicize sanctions and to prevent sanctioned enterprises from tendering for public works contracts (Portugal and Spain).

## **7. Innovative approaches to effective enforcement**

A number of ideas and examples of good practice were shared during the forum, some of which may be regarded as innovative.

In the chapter on inspection planning and policy, several delegations stressed the importance of **analysing and measuring the impact and results of labour inspection on enterprises**, as the effectiveness of inspections is crucial; they pointed out that occupational safety and health leads to productive enterprises. Where effectiveness is concerned, in some countries an approach is required that distinguishes between the greater potential for enforcement in the case of large enterprises, as opposed to smaller ones (Singapore).

With regard to inspection methods and techniques, the COVID-19 pandemic challenged most labour inspectorates, but at the same time led to new ways of approaching inspection work, in particular using technology to pioneer **more online and documentary inspection methods**. In Latvia, for example, remote inspections have been carried out more frequently since the pandemic, and client queries are answered by a virtual consultant (*Zintis*). There have also been innovations in the training of inspectors, for example teaching them interviewing techniques to detect enterprises trying to hide relevant data or information. In Peru, much progress has been made in digitalization and the **use of transparency apps**, for instance workers can see inspectors on the web (*Identifica tu inspector*) and find out whether they are registered with their enterprise (*Verifica tu chamba*). The Spanish representative described his inspectorate's tool for combating fraud, a platform able to rapidly collate data from different public institutions and develop predictive models of non-compliance and fraud, from which lists of selected enterprises are generated and inspections planned.

In the area of inspection policies, various statements alluded to the necessity for a carrot-and-stick strategy in achieving the right balance between voluntary compliance and sanctions. In some countries, this strategy includes **self-assessment forms**. In the United States, for example, voluntary compliance programmes such as the OSHA's *Voluntary Protection Programme* (VPP), which rewards compliant enterprises by allowing them to undertake self-assessment, have led to a reduction of up to 50 per cent in incidents in participating enterprises. In Mexico, the voluntary occupational safety and health self-management programme has reduced the work-related accident rate from 1.5 per cent to 0.75 per cent for member enterprises. Similar methods are being developed in South Africa and Côte d'Ivoire. During the forum, the question was raised as to what extent these self-assessment processes are understood and accepted by workers' representatives.

Where cooperation is concerned, the Irish representative presented an interesting approach based on the **labour inspectorate's power to influence and promote agreements between the parties** and with the stakeholders involved, using memorandums of understanding as the means of formulating such agreements.

In the area of labour inspection resources, the shortage of inspectors in the United States is being countered by adopting **geographical mobility measures** and by assigning other qualified support staff to inspection duties. At the same time, attempts are being made to ensure that inspectors' remuneration is sufficient to retain talent. A policy of **attracting retired qualified technical staff**, such as engineers, to the inspection function

has also been adopted. Where professional ethics are concerned, labour inspectorates in Honduras may be audited on the quality or ethics of inspection activities.

With regard to training and information, Senegal gave a presentation on how the training of inspectors is being promoted in other countries and by international institutions (for example the ILO International Training Centre in Turin, the CRADAT and the ENA<sup>9</sup>) and how labour **inspection open days** have been organized to improve public awareness of labour inspection.

## CONCLUSIONS

The international forum on the ILO Guidelines highlighted that the main responsibility for compliance with standards and respect for workers' rights and protection lies with employers, notwithstanding the supervisory duties assigned to the public authorities. This is where the idea of **effective labour inspection** comes in as the best guarantee of compliance with international standards.

During the Valencia meeting, the **challenges** that labour inspectorates will have to face in the twenty-first century were identified. The vicissitudes of technological progress and their impact on the world of work, the changing and complex environment of the employer-employee relationship, the difficulties faced by small enterprises, analysis of the results of inspection plans and the theory of change, budgetary pressures and the shortage of human and material resources are all challenges that labour inspectorates will have to wrestle with in the near future.

A lack of social dialogue and high levels of non-compliance still persist in many countries. Inspectors encounter difficulties in identifying employers and workers, face rejection by enterprises for fear of sanctions, and have to deal with enterprises' lack of knowledge of legislation and lack of investment in occupational safety and health. At the international forum, it was clearly observed that the shortage of human, financial and material resources remains endemic in many countries. Insufficient funding of many of the world's labour inspectorates results in a shortage of inspectors and a lack of material and technological resources. But it is not all about monetary resources; many labour inspectorates still have a long way to go in terms of collaboration, cooperation and social dialogue. Undoubtedly, these **Guidelines** will have an impact in many countries and will open the way to **improving labour inspection systems**, in many cases laying out the legislative path in this area.

The forum participants described the background and milestones of their labour inspectorates, the development of legislation in their countries, their successes and the challenges they face, and the progress they have made in the field of technology and management. The result is that the **labour inspectorate is adapting to change** and is becoming an increasingly important institution in the improvement of conditions of

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<sup>9</sup> CRADAT, *Centre Régional Africain d'Administration du Travail*; ENA, *École Nationale d'Administration*, France.

work, the eradication of child labour, and efforts to combat discrimination and undeclared work.

The labour inspectorate is becoming a **development actor in society**, and there is an ever-present need to rethink the role of the labour inspectorate and adapt it to the demands of society. The upsurge in new and emerging forms of employment and work resulting from technological progress calls for innovative approaches on the part of the labour inspectorate. Also, the **historic decision of the International Labour Conference in declaring occupational safety and health as a fundamental right** places the labour inspectorate in a position of stakeholder and guarantor of the utmost importance in protecting this new fundamental right.

During the forum, several high-level representatives<sup>10</sup> highlighted the importance of the meeting as a **global platform for mutual learning** and the sharing of knowledge and good practice. They saw it as a milestone in the recent history of labour inspection in a complex and complicated world of work impacted by the consequences of the post-COVID era and the energy and supply crisis - a world in which precarious work and the informal economy persist in many countries. The International Technical Forum of Senior Officials of Labour Inspectorates has undoubtedly been a first step towards building a labour inspection worthy of the twenty-first century and ensuring that it fits into the United Nations 2030 Agenda. It is to be hoped that this emerging platform will continue its efforts in the days ahead.

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<sup>10</sup> Mr Gilbert Hounbo, Director-General, ILO; Ms Yolanda Díaz, Second Vice-President of the Government of Spain and Minister of Labour and Social Economy; Mr Ximo Puig, President of the Generalitat Valenciana; Mr Héctor Illueca Ballester, Vice-President of the Generalitat Valenciana; Ms Vera Paquete Perdigão, Director, ILO Governance and Tripartism Department; Mr Joaquín Pérez Rey, Secretary of State for Employment and Social Economy of the Government of Spain; and Mr Félix Peinado, Director, ILO Office Madrid.