



Progress Report

2022

**Ministry of Labour & Foreign
Employment**

Expenditure Head 193

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Chapter 1

Introduction

Ministry of Labour and Foreign Employment

1.1 Introduction

The prime mission of the Ministry of Labour and Foreign Employment is to contribute to economic development by referring suitably skilled workers to the local and international labour market, safeguarding their occupational rights, ensuring job security and establishing industrial peace in the country. In realizing this mission, this Ministry holds the responsibility of providing an optimal service to the labour force through a host of specific activities. In performing this role of the Ministry has aligned itself with the sustainable development goals and international conventions ratified by Sri Lanka in terms of Gazette Extraordinary No. 2289/43 dated 22.07.2022.

1.2 Vision Mission and Objectives

Vision

A satisfied, productive labour force

Mission

Contribute towards the socio-economic development through the promotion of industrial peace, social security, workers' rights and productivity

1.3 Functions of the Ministry

1. Formulation, implementation, monitoring and evaluation of policies, programmes and projects, in relation to the subjects of Labour and Foreign employment, based on the policies implemented by the government.
2. Implementation of the national policy of Sri Lanka on migration for employment and the national policy on manpower and employment.
3. Formulation and implementation of policies for labour relations standards, employee administration, welfare and health in line with international standards.
4. Maintain cooperation with International Labour Organization and International Social Security Associations.
5. Administration and regulation of Employees' Provident Fund, private provident Fund and private pension schemes.
6. Industrial relations and arbitration of industrial disputes.
7. Matters relating to formulation of laws and regulations relevant to labour relations and their regulation.
8. Registration of trade unions and introduction and implementation of positive measures for harnessing activities of all trade unions in the public and private sectors for the country's development.

9. Formulating and implementing policies and programmes for enhancing national productivity.
10. Broadening foreign employment opportunities, promotion and adopting measures in collaboration with relevant institutions to upgrade the skills required for such employments.
11. Introducing legal and regulatory measures required to ensure the security of migrant workers.
12. Providing special facilities for expatriate workers and Sri Lankans living abroad to save and invest foreign exchange in Sri Lanka.
13. Implementing special projects to enable those who return to Sri Lanka after foreign employment to commence enterprises.
14. Providing remedies for employment problems of migrant workers and maintaining welfare.
15. Introducing legal reforms to strengthen the process of obtaining compensation entitled to persons who meet with accidents in foreign countries.
16. Regulation of foreign employment agencies.
17. Provision of public services under the purview of the Ministry in an efficient and people friendly manner.
18. Supervision of all other subjects assigned to the Institutions under the purview of the Ministry, i.e. Department of Labour, Department of Manpower and Employment, Sri Lanka Foreign Employment Bureau, National Institute of Labour Studies, National Institute for Occupational Safety and Health, Office of the Commissioner of Workmen's Compensation, National Productivity Secretariat, Foreign Employment Agency of Sri Lanka (Pvt.) Ltd and Shrama Vasana Fund.

1.4 Divisions under the Ministry

For the more efficient delivery of services, the Ministry consists of two sections as labour and foreign employment.

1.4.1 Divisions under the Labour Section

I. Administrative and Establishments Division

General administration of the Ministry, management, general maintenance, trainings and coordinating the Ministry and the institutions under the purview of the Ministry and human resources management and duties related thereto are handled by this division. Accordingly,

- Maintaining persona files of all public officers attached to the Ministry and the ancillary staff of the Hon. Minister and establishments activities related to them and updating information on the staff
- Establishments activities in respect of the Ministry of officers serving in the Departments and statutory institutions under the purview of the Ministry
- Preparation of cabinet memoranda and taking action in respect of cabinet decisions are carried out by this Division and contributes to the establishment of industrial cooperation by updating labour laws and enacting new legislation.

- Providing answers to referrals made by the Consultative Committee and Public Petitions Committee as well as parliamentary questions and refers public complaints forwarded by the Presidential Secretariat and the Prime Minister's Office as well as public grievances received directly from the public to the relevant institutions.
- Administration of vehicles of the Ministry, provision of necessary infrastructure facilities, training activities, management of capital goods and equipment, activities relating to overtime, holiday payments, Agrahara insurance and approval of distress loans.

II. Development Division

The Development Division comprises labour, and foreign relations and development units. The responsibility of utilizing Sri Lanka's obligations with the International Labour Organization as one of its member countries for safeguarding the labour rights of the country under the internationally recognized conventions and recommendations and resolving problems in the field of labour rests with this Ministry.

- Submitting the progress made by Sri Lanka in relation to the implementation of the conventions of the ILO ratified by Sri Lanka to the ILO within the prescribed period.
- Taking action to brief the international community of the progress achieved by Sri Lanka as to the labour sector.
- Taking measures to procure the financial and technical assistance of the ILO for resolving issues pertaining to the field of labour.
- Initiating action to have foreign training provided to officials of the Ministry and institutions thereunder.
- Taking necessary action and extending assistance to draft new laws and amend existing labour laws to be in tune with the present.

III. Planning and Monitoring Division

Devising plans of the Ministry and all institutions under its purview required for steering the development plans towards the set targets and the implementation, progress review and follow up thereof are the key functions of this division. In addition, the division has also discharged the following duties during the period under review.

- Preparing the annual action plan containing development tasks carried out by the Ministry and its affiliated institutions and referring it to the relevant parties. Preparing the Annual Action Plan in accordance with zero based budgeting scheme, implementation thereof and conducting monthly progress reviews.
- Coordination with the Presidential Secretariat, Ministry of Finance, Department of Project Management and Monitoring and National Planning Department in terms of National Budget Circular and submission of progress reports monthly and quarterly.
- Publication of a journal annually based on various timely themes of the field of labour.

- Preparing the annual performance report detailing the progress achieved by the Ministry and progress report for the committee stage debate of the budget.
- Handling all activities pertaining to the publication of Sri Lanka Labour Gazette.

IV. Finance Division

Necessary measures have been taken for efficient, effective and economical administration of financial resources allocated from the annual budget to the Ministry in compliance with state policies.

V. Internal Audit Division

The internal audit activities of the Ministry are carried out as per the appointments made in terms of Section 40 of the National Audit Act to ensure that the responsibility of the Chief Accounting Officer is carried out as set out in Section 38(b) and (g) of the said Act and requirements of Circular No. 01/2019 dated 12.01.2019 of the Department of Management Audit and the powers vested in the Internal Audit Division in terms of FR 133 and FR 134.

The primary function of this Division is to offer guidance and give instructions to the Ministry of Labour and the institutions under its purview for them to address shortcomings in respect of internal controls to achieve their objectives and to guide such institutions to comply with the Establishments Code, Financial Regulations, Procurement Guidelines and all circulars issued by the government. The Division also contributes to minimize problems in the institutions under the purview of the Ministry of Labour and strengthen internal controls and extends continuous support for proper and honest service for the achievement of sustainable development goals.

1.4.2 Sections under the Foreign Employment Division

1. Administrative Division

The responsibility of this division to execute all establishment and administrative activities of the Foreign Employment Division with the aim of providing facilities required for the discharge of key functions relevant to the Foreign Employment Division of the Ministry.

- Maintaining persona files of all public officers attached to the Foreign Employment Division and establishments activities related to them and updating information on the staff
- Preparation of cabinet memoranda and taking action in respect of cabinet decisions are carried out by this Unit and providing answers to referrals made by the Consultative Committee and Public Petitions Committee as well as parliamentary questions and refers public complaints forwarded by the Presidential Secretariat and the Prime Minister's Office as well as public grievances received directly from the public to the relevant institutions.

- Administration of vehicles of the Ministry, provision of necessary infrastructure facilities, training activities, management of capital goods and equipment, activities relating to overtime, holiday payments, Agrahara insurance and approval of distress loans.
- Holding the responsibility of carrying out establishments and administrative activities of the Sri Lanka Bureau of Foreign Employment and Sri Lanka Foreign Employment Agency (Pvt) Limited.

II. Development Division

The Development Division discharges its duties under two subdivisions as Foreign Relations Division and Development Division.

The major functions of the Foreign Relations Division are activities pertaining to international conventions in relation to the field of migration, submission of reports and proposals as per requests made from time to time by the United Nations and other international organizations through the Foreign Ministry on issues relation to the field of migration, entering into memoranda of understanding/agreements, updating agreements, following up on the implementation of agreements, conducting activities relating to joint meetings and all activities relating to regional/global dialogues.

The other key functions of the Division include the formulation, enforcement and follow up of the enactments, regulations, guidelines and policies relating to the migration sector, preparation of cabinet memoranda and cabinet notes pertaining to the subject matter of the Ministry associated with developmental activities, training of Development Officers deployed for field work of the Ministry and maintaining the pool of trainers for training of trainers, implementing programmes at the District and Divisional Secretary Divisions level through Development Officers and holding appeals committee regarding family background reports of female migrant workers, conveying committee decisions and following up on them.

III. Planning Division

The primary responsibility of the Planning Division is the overall planning of operations, evaluation and reporting.

The division is also responsible for the formulation, implementation, monitoring, reviewing progress and following up of development plans and annual action plans in collaboration with institutions involved in the foreign employment sector.

Another important function of the Division is the planning, monitoring and reporting of programmes relevant to the foreign employment sector implemented at the District and Divisional Secretary Division level by the Development Officers attached to the District and Divisional Secretariats by this Division with the assistance of the SLBFE.

Among other responsibilities assigned to the Planning Division include the preparation of projects relevant to the subject of foreign employment and the preparation of annual performance report and the progress report submitted to the committee stage debate of the budget.

IV. Finance Division

The main responsibility of the Accounts Division is to take necessary measures for efficient, effective and economical administration of financial resources allocated from the annual budget to the Ministry in compliance with state policies. Further, the Division maintains updated audit inquiry registers and submits answers for the relevant audit queries to the Auditor General.

From the year 2022, the payment of salaries of Development Officers serving across the country is carried out centrally by the Ministry.

V. Internal Audit Division

This divisions holds the responsibility for conducting audit and management committee meetings (quarterly), drawing up annual audit plans, conducting internal audit inspections, special investigations and field inspections and submitting reports of same and conducting audit programmes.

1.5 Institutions under the purview of the Ministry

1.5.1 Department of Labour

The Indian Immigrant Labour Ordinance No. 01 of 1923 was enacted with the objective of providing welfare for Indian immigrant labourers brought to the country by the British colonial rulers to work in tea and coffee plantations under the commercial cultivation of plantations when Sri Lanka remained a crown colony of British Empire. The Department of Indian Immigrant Labour Controller established under the said Ordinance was the genesis of the present Department of Labour. Presently, the Department of Labour discharges the function of strengthening the national economy through the reinforcement of tripartite relations amongst employers, employees and the government.

Accordingly, the Department of Labour is the public institution responsible for upholding the occupational rights and establishing social protection of workers in the semi government and private sectors. Accordingly, the Department discharges its responsibilities by maintaining an island-wide network of labour offices for the enforcement and promotion of legislations relating to the subject of labour.

Key Functions

- I. Prevention of industrial disputes through enforcement of labour legislation and resolving disputes that have arisen through the promotion of social dialogue.
- II. Conducting institutional inspections effectively and upholding the statutory rights of workers by regularly updating the knowledge required by officers of the Department.
- III. Establishing industrial peace by expanding the knowledge and understanding of labour laws of both the employers and employees.
- IV. Formulation and implementation of labour standards compatible with changes in the national economic structure in line with international labour standards.
- V. Ensuring that benefits are duly granted to workers through the sound administration of the EPF and the administration of the approved private provident funds and pension allowances with similar efficiency.
- VI. Constructive enforcement of all labour laws including those applicable to women, young persons and children and taking action to eradicate child labour and hazardous forms of child labour.
- VII. Raising awareness amongst workers on maintaining healthy and accident free work environment and ensuring that workplaces are accident free.
- VIII. Collection and analysis of statistics required for making decisions in regard to above functions.
- IX. Taking action to give legal effect in law and in practice to ILO conventions ratified by Sri Lanka.

Organizational Structure of the Department of Labour

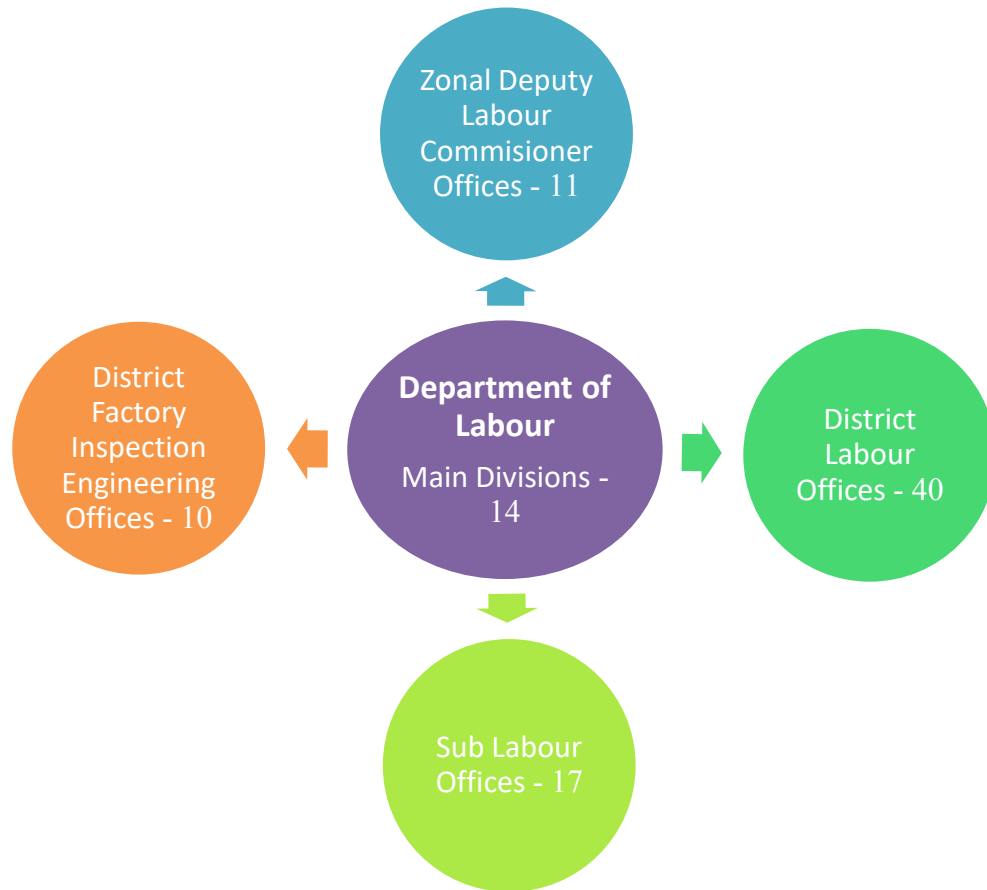


Diagram 1-1: Structure of the Department of Labour

1.5.2 Sri Lanka Bureau of Foreign Employment

The Sri Lanka Bureau of Foreign Employment is the main statutory institution established by Parliament Act No.21 of 1985 as amended by Act No. 4 of 1994 and Act No. 56 with 18 special objectives with priority being accorded to safety and welfare of Sri Lankans migrating for employment. The key responsibilities of the Bureau are the governance and regulation of the foreign employment sector, protection and empowerment of migrant workers and their family members and promotion and development of employment opportunities outside Sri Lanka for Sri Lankans. The Bureau with a labour force of 1179 employees works continuously towards strengthening the foreign employment industry of Sri Lanka.

Primary functions of the SLBFE

- I. Issuing licenses to run foreign employment agencies
- II. Conducting training programmes for those expecting foreign employment

- III. Registering Sri Lankan migrant workers in the Bureau/recruiting Sri Lankans for foreign employment
- IV. Resolving complaints lodged by migrant workers or their family members
- V. Providing welfare facilities for migrant workers and their family members
- VI. Enforcement of laws applicable to foreign employment sector
- VII. Promoting foreign employment opportunities for Sri Lankans

Structure of the SLBFE

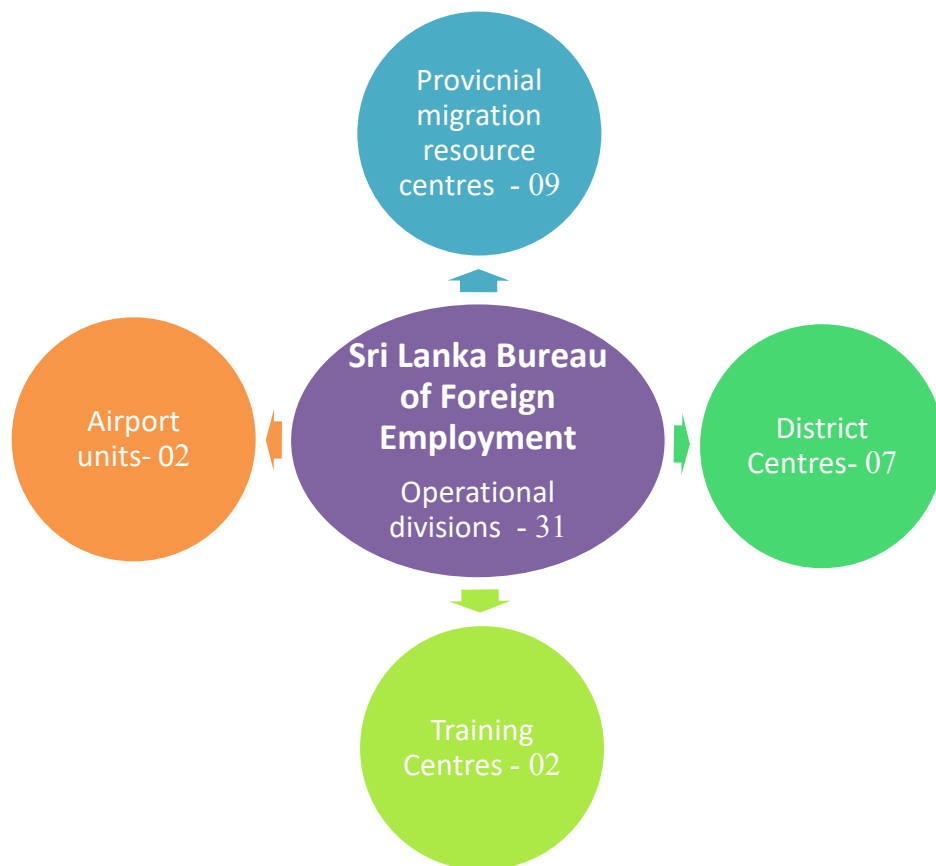


Diagram 02 – Structure of SLBFE

1.5.3 Department of Manpower and Employment

The Department of Manpower and Employment was established under the Ministry of Labour and Labour Relations in terms of the provisions of the extraordinary gazette No. 1640/31 dated 12.02.2010. At present, it functions under the Ministry of Labour and Trade Union Relations and has been assigned the responsibility of maintaining public sector employment services and implementing the provisions of the national human resources and employment policy.

Primary functions

- I. Career guidance activities
- II. Collection, analysis and distribution of labour market information
- III. Public employment service activities
- IV. International relations
- V. Activities relating human resources development

1.5.4 National Institute of Labour Studies (NILS)

National Institute of Labour Studies was formally established on 11 September 2007 and was legally incorporated by the Parliament by the National Institute of Labour Studies Act, no. 12 of 2010. The institute is administered by a Board of Governors consisting of tripartite stakeholders of the labour sector. i.e. employers, trade unions representing employers and public officials. Designing implementing, organizing and guiding activities required for the creation of a productive and formidable workforce well informed about labour legislation and regulations as well as diverse areas of management is the core function of this institute.

In order to realize its objectives, NILS conducts study courses under three main subject areas, i.e. labour legislation and industrial relations, human resources management and workplace productivity. These courses are offered in the forms of training and workshops, short term courses and certificate and diploma courses.

Key Objects

- I. To implement workers education programmes with the collaboration of local or foreign institutes, to take measures to ensure welfare of workers in order to make them active partners in the development process;
- II. To conduct seminars, workshops, conferences and meetings on labour studies and publish magazines, journals, periodicals and books in relation thereto;
- III. To undertake research, carry out surveys and provide courses of studies relating to labour studies;
- IV. To establish and maintain libraries and information services;
- V. To work in close collaboration with institutions, organizations, associations and societies both national and foreign, with similar objectives;
- VI. To conduct courses including Diploma Courses on Labour Studies with the assistance of Universities and similar institutions and award certificates and diplomas where so required; and
- VII. To engage in and promote activities aimed at maintaining industrial peace.

1.5.5 National Institute of Occupational Safety and Health (NIOSH)

The National Institute of Occupational Safety and Health (NIOSH) was established as an institute affiliated to the Ministry of Labour and Labour Relations by the National Institute of Occupational Safety and Health Act No. 38 of 2009. The institute is committed for the prevention of occupational accidents and occupational diseases through sound health and safety measures and ensuring a decent work environment for every worker through adherence to correct safety measures and methods and the institute provides education and training for any employer of employee willing to gain benefits from such training.

Courses conducted by National Institute of Occupational Safety and Health

- I. Diploma courses on Occupational Safety and Health
- II. Certificate courses on Occupational Safety and Health
- III. Higher Certificate Course on Occupational Safety and Health of plantation sector
- IV. Program for training of Boiler Operators
- V. Work study programme on industries
- VI. Training nurses in the industrial sector
- VII. Occupational safety and health for hospital staff
- VIII. Occupational safety and health for office staff
- IX. Occupational safety and health in laboratories
- X. Safe use of chemical substances
- XI. Occupational safety and health for food handlers
- XII. Training program on stress management

1.5.6 Office of the Commissioner for Workmen's Compensation

The Workmen's Compensation Ordinance No 19 of 1934 was enacted to provide for the payment of compensation to workers for accidents caused in the course of employment. The principal enactment was amended on several occasions, the last of which was done by the Act No.10 of 2022. The Workmen's Compensation Court comprises 14 circuit courts covering the entire island with the powers of district judge and magisterial powers. The Office of the Commissioner for Workmen's Compensation has 43 positions including the Commissioner for Workmen's Compensation, 3 posts of Additional Commissioners for Workmen's Compensation who are judicial officers appointed by the Judicial Services Commission and 1 post of Grade 1 of the Sri Lanka Accounting Service and 1 post of the Sri Lanka Administrative Service.

The prime objective of the Office is to cause compensation to be paid to workmen who sustain injuries in the course of employment, who suffer from diseases contracted due to the nature of

the employment and to dependents of workmen who die due to accidents in workplaces. Provisions of the Code of Criminal Procedure, Code of Civil Procedure, and Evidence Ordinance are applicable for the workmen compensation court procedure, the appeal procedure is equivalent to that of district court.

Key functions

- I. Activities pertaining to recovery of compensation from employers for accidents, occupational diseases arising out of in the course of employment in the public or private sector and for dependents in the event of death of a workmen. (According to the last amendment, the maximum compensation that can be granted is Rs. 2,000,000)
- II. Keeping the custody of the compensation entitled to minor dependants of a deceased workman in National Savings Bank until they reach maturity.
- III. In circumstances where the employer defaults the payment of compensation, seizing the movable and immovable property of such employer and sell them in public auction to recover compensation.
- IV. Issuance, renewal and cancellation of workmen compensation insurance licenses
- V. Conducting onsite inspections in event of an accident caused to an employee.
- VI. Causing compensation to be recovered for workmen employed in ships and aircraft registered in Sri Lanka for accidents caused outside Sri Lanka.

1.5.7 National Productivity Secretariat

Subsequent to Sri Lanka obtaining the membership of the Asian Productivity Organization in the year 1966, the National Productivity Organization (NPO) was established and further expanding the scope thereof the National Productivity Secretariat was established in the year 1994. It introduced a range of productivity concepts, tools and technology to various. A host of programmes are conducted annually island-wide for nurturing state, educational, service and production, small and medium scale enterprises and community sectors through productivity concepts and with the constant cooperation of the Asian Productivity Organization, the environment necessary for the establishment of a “knowledge based society” has been created.

Key functions

- I. Implementation of productivity promotion programmes targeting state institutions, educational and service sectors, community organizations and small and medium scale entrepreneurs.
- II. Implementing training programmes relating to productivity subjects
 - Productivity Diploma Programme
 - Productivity Certificate Course
 - Short term Courses on Productivity
 - Training of Trainers Programmes

- III. Providing consultancy services on increasing productivity in institutions.
- IV. Conducting programmes in partnership with the Asian Productivity Organization.
 - Conducting training workshops
 - Conducting e-learning programmes
 - Implementing programmes by securing technical expertise services
- V. Implementing “5S” certification programme
- VI. Carrying out media and publicity programmes
- VII. Conducting National Productivity Awards Ceremony.

1.5.8 Shrama Vasana Fund

Shrama Vasana Fund established to promote welfare of employees by Act No. 12 of 1998 (as amended by Act No.15 f 2019) is an institution under the purview of the Ministry of Labour and Foreign Employment. Under 06 broad objectives outlined in the Act, the fund since its inception has initiated a number of welfare measures for the betterment of employees.

The main source of funding of ‘Sharma Vasana Fund’ is the income from the Jathika Sampatha lottery of the National Lotteries Board. In addition, the Fund generates revenue from the interest of fixed deposits and implements diverse range of welfare programmes covering the entire country for the wellbeing of workers in line with the objectives planned annually by the Fund.

- I. to promote the welfare of employees and their dependants;
- II. to provide financial and other assistance to employees when the institutions they were working in, are closed down without prior notice;
- III. to provide medical and other facilities to employees in times of emergency
- IV. to provide temporary assistance to employees when inquiries are instituted against them;
- V. to provide financial and other benefits to employees or their dependents, in times of distress;
- VI. to give awards to persons who have rendered outstanding service to employee welfare.
- VII. Providing financial relief to obtain legal assistance to employees where proceedings in respect of termination of employment of an employee or of an industrial dispute, is initiated or pending under the provisions of any written law, before the Commissioner General of Labour, a Labour Tribunal, an Arbitrator or an Industrial Court or any court of law.

1.5.9 Sri Lanka Foreign Employment Agency (Pvt) Limited

The Sri Lanka Foreign Employment Agency (SLFEA), the only state owned recruitment agency incorporated in 1996, as a subsidiary of the “Sri Lanka Bureau of Foreign Employment” the national regulator of the foreign employment sector of Sri Lanka and is under the purview of the Ministry of Foreign Employment. SLFEA has been awarded ISO 9001:2008 quality certification in 2013. It currently functions under the State Ministry of Foreign Employment Promotion and Market Diversification.

Key functions

- I. Securing Job Orders and obtaining preliminary approval for job orders
- II. Obtaining approval for publicity relevant for the job orders and finding suitable applicants.
- III. Referring applications for the selection of employers and calling them for interviews conducting interviews and quality inspections to select suitable applicants.
- IV. Carrying out activities such as medical tests relevant to the recruitment, signing agreements and conducting quality inspections and obtaining the final approval of the SLBFFE and sending people abroad for employment.

1.6 Composition of the staff of the Ministry

	Institution	Senior level		Tertiary level		Secondary level		Primary level		Total		
		Approved No.	No, employed	Approved No.	No, employed	Approved No.	No, employed	Approved No.	No, employed	Approved No.	No, employed	Percentage of vacancies
1	Labour Division	24	15	05	03	75	52	35	19	139	89	36%
2	Department of Labour	211	144	668	481	1,753	1,732	489	419	3,121	2,776	11%
3	Department of Manpower & Employment	20	15	627	601	627	601	15	10	667	626	6%
4	National Institute of Labour Studies	09	03	13	02	18	07	05	02	45	15	67%
5	National Institute of Occupational Safety & Health	07	02	03	02	10	06	05	25	15	10	33%
6	office of the Commissioner for Workmen's Compensation	05	02	02	01	31	31	05	02	43	36	16%
7	National Productivity Secretariat	17	08	04	02	792	718	19	10	832	738	11%
8	Shrama Vasana Fund	05	04	-	-	08	08	04	03	17	15	12%
9	Foreign Employment Sector	13	10	01	-	1,031	1,006	23	15	1,068	1,031	4%
10	Sri Lanka Bureau of Foreign Employment	137	108	197	175	692	661	251	231	1,277	1,175	8%
11	Sri Lanka Foreign Employment Agency Pvt Ltd	4	4	9	7	10	5	7	8	30	24	20%
	Total	452	315	1529	1,274	5,047	4,827	858	744	7,254	6,535	10%

Table 1.1 –Composition of the staff of the Ministry

Chapter 2

Progress achieved by the Ministry

Progress achieved by the Ministry

This Ministry has formulated programmes for executing functions under the fields of safeguarding the rights of the working class, ensuring their job security, establishing industrial peace in the country and sending skilled workers to the foreign employment market.

The labour force of the country is approximately 8.5 million of which 8.1 million are employed. Of these workers, except for those in the public sector, those engaged in their own business and family businesses, it is the responsibility of the Ministry to maintain industrial peace in the country by implementing mechanism for safeguarding the labour rights, occupational safety and health of 3.4 million workers employed in the private and semi government sectors thus contributing to the socioeconomic development of the country.

Similarly, Sri Lanka is in the forefront amongst countries which derive major benefits from migration for employment. Remittances from migrant workers constitute a major share of the country's overall foreign exchange earnings. In the year 2021, foreign remittances amounting to Rs. 1,087 billion were received by Sri Lanka which represented 6% of the Gross Domestic Product. In the year 2021, the number of people emigrated for employment stood at 121,795 and of them 41,130 were females and 80,655 were males. In view of this situation, having acknowledged the contribution of migrant workers to the country's economy, a raft of mechanisms and programmes have been initiated for maximizing foreign remittances and send more and more skilled workers for foreign employment instead of unskilled workers.

This chapter contains a summary of the progress achieved by the Ministry and institutions affiliated thereto up to 30 September 2022 through activities carried out for the realization of their respective objectives.



Diagram 2.1 Sri Lanka labour market information 2021
Source – Annual Report 2021, Central Bank of Sri Lanka

2.1 Strengthening legal framework with the aim of upholding the rights of workers

Formulating legal provisions in compliance with recognized national and international socioeconomic situations and labour conventions and standards enabling an investor friendly environment in Sri Lanka and paving the way for the future advancement of the country is a timely responsibility entrusted to the Ministry. Nearly 50 pieces of legislation including the ordinances enacted from the inception of the Department of Labour are currently in force. Necessary measures have been taken to amend the existing labour legislations to deal with current and future challenges and to consolidate the rights of workers as well as to remove prevailing complexities in the labour laws ensuring benefits for all stakeholders.

1. Increasing the maximum amount of compensation paid under the Workmen's Compensation Ordinance for workers who are injured during the course of employment

The maximum compensation that could be recovered for an injury during the course of was Rs. 550,000/-. The Workmen's Compensation (Amendment) Act, No 10 was adopted by Parliament on 10.03.2022 to increase the maximum compensation up to Rs. 2 million and correspondingly increase the amounts paid as compensation for other injuries.

2. Conferring concurrent judicial powers on magistrate's courts and labour tribunals for expediting the hearing of labour cases

In the event of a violation of any labour law or the provisions of the EPF Act, cases have to be filed in the magistrate's court to seek redress and as a result of the delay in this process, employees had to wait for a lengthy period ranging from 5 to 6 years to recover their statutory entitlements such as gratuity, provident fund and salary arrears. As a solution to this, the Industrial Disputes (Special Provisions) Act, No.19 of 2022 was passed by Parliament to delegate magisterial powers to Presidents of Labour Tribunals only for the resolution of labour disputes.

3. Authorizing non-lawyer representatives to appear in labour tribunals

In cases filed by workers challenging unfair dismissal by employers, only lawyers and trade union representatives were permitted to appear for workers. The Industrial Disputes (Amendment) Act, No. 22 of 2022 was passed by Parliament on 16.09.2022 authorizing any authorized officer, arbitrator industrial court or labour tribunal or the Commissioner may, act through an Attorney-at-law or a representative of the party to appear for workers.

4. Bringing in provisions for making deposits in filing writ applications, revisions and appeals against arbitration awards and orders of industrial courts

Amending the Industrial Disputes Act requiring security in cash to be furnished in filing appeals, revisions and writ applications against awards and orders made under the Industrial disputes Act with a view to preventing unnecessary appeals. For this purpose, the Industrial Disputes (Amendment) Act, No. 24 of 2022 was passed by Parliament on 16.09.2022.

5. Brining in provisions to furnish a security in cash in filing writ applications against the orders of the Commissioner General of Labour and in making an application in revision against the order of magistrate's court

With the objective of preventing unnecessary appeals, the Termination of Employment of Workmen (Amendment) Act, No. 23 of 2022 was adopted by Parliament on 16.09.2022 enabling the commencement of judicial proceedings only after the furnishing of security to the Commissioner General of Labour in order to prevent unnecessary appeals.

6. Prescribing a period of time during which a final disciplinary order should be given subject to disciplinary inquiries

The Industrial Disputes Act No.43 of 1950 to bring in legal provisions for expediting the disciplinary procedures taken in respect of private sector employees who have been interdicted due to an act of misconduct subject to disciplinary inquiries.

A grave injustice is caused to employees and their dependents as a result of the lengthy period of time taken to deliver the final disciplinary ruling. Therefore a timeframe should be determined during which the final disciplinary ruling should be given subsequent to a disciplinary inquiry. Hence, it is expected to amend the Industrial Disputes Act requiring the disciplinary order to be delivered subsequent to a disciplinary inquiry within six (06) months from the date of such interdiction and to pay half the wage provided that the misconduct is not a financial fraud. The preliminary draft in this regard has been prepared by the Legal Draftsman and observations there to have been made by the ministers. The approval of the Cabinet of Ministers has to be obtained again to publish the Bill in the gazette and present for the approval of Parliament.

7. Introducing a new Act on Occupational Safety, Health & Welfare

The existing legal provisions in the Factories Ordinance are not adequate to protect health and welfare of workers. Introduction of new laws for creating an enabling environment that secures health, safety and welfare in work places giving due attention to internationally recognized standards is a timely need. The Committee appointed by the Cabinet has submitted an interim report on the Factories Ordinance and the matter has to be reported to the Cabinet of Ministers.

8. Amending the Shops and Office Employees Act, No.19 of 1954 to meet timely requirements

Other than business entities such as airports, residential hotels and cafeterias (10.00 at night) of which restrictions have been relaxed upon special orders and come under the scope of the Shops and Office Employees Act, employers of other institutions have no right to employ women after 8.00 at night. However, as Business Process Outsourcing enterprises based on information technology knowledge operate their businesses as per international time zones, it is difficult for them to adhere to such restrictions, the relevant service conditions have to be relaxed by amending the Shops and Office Employees Act to safeguard the rights of employees (specially to ensure the safety of female employees) employed in the said sector. The draft prepared in consultation with the entrepreneurs of the relevant sectors, employers and the Information & Communication Technology Agency has been submitted to the Legal Draftsman.

9. Amending the Employees' Provident Fund Act, No.15 of 1958

The EPF Act should be amended for enhanced welfare of workers and to be compatible with the current socioeconomic trends. Therefore, provisions will be introduced enabling workers to claim benefits of EPF in the event of retiring under a voluntary retirement scheme or before reaching the age of 55 years.

10. Amending the Gratuity Act No.12 of 1983

The Gratuity Act should be amended for enhanced welfare of workers and to be compatible with the current socioeconomic trends.

11. Delegating concurrent judicial powers to the Commissioner for Workmen's Compensation and Labour Tribunals for expediting the process of awarding labour compensation

It is expected to amend the Workmen's Compensation Ordinance No. 19 of 1934 and the Industrial disputes Act, No. 43 of 1950 to confer concurrent judicial powers on the Commissioner for Workmen's Compensation and Labour Tribunals in order to expedite the process of paying compensation for accidents occurred in the workplace. The draft amendment bill has been prepared together with the Cabinet Memorandum and the matter will be continued upon the receipt of approval from the Cabinet of Ministers.

12. Covering domestic works from labour laws in order to expand social security to domestic workers

Discussions are being held with the relevant parties to offer the coverage of Acts such as the Wages Board Ordinance, Employees' Provident Fund Act, Employees' Trust Fund, Maternity Benefits Act, Gratuity Act, etc to domestic workers.

13. Offering the coverage of EPF Act to insurance agents

Preliminary negotiations were conducted with the relevant stakeholders and the draft has been framed by the Department of Labour.

14. Amending the Wages Boards Ordinance, No.15 of 1958 to be compatible with timely needs

Preliminary discussions were held in this connection with the relevant stakeholders and the draft prepared by the Department of Labour is due to be forwarded to the National Labour Advisory Council.

2.2 Strengthening legal and policy framework required for foreign employment promotion

- **Updating and expanding the scope of the national policy of Sri Lanka on labour migration**

Having referred the national policy and action plan of Sri Lanka on labour migration updated with the participation of all stakeholders to the Cabinet of Ministers by the Minister of Labour, the national policy and action plan are being further amended as per the instructions in the Cabinet decision in respect of thereto.

- **Granting permits to Sri Lankan migrant workers to import full electronic vehicles**

As one of the schemes for incentivizing Sri Lankan migrant workers in appreciation of their contribution to the national economy by remitting their foreign exchange earnings to the country, approval was granted by the Cabinet of Ministers on 16.08.2022 to the Cabinet Memorandum dated 17.06.2022 and the Cabinet Note dated 16.008.2022 incidental thereto submitted by the Minister of Labour and Foreign Employment which permitted Sri Lankan migrant workers who remit their earnings through the banking system of the country to import fully electric vehicles.

In order to be eligible to receive this benefit, at least 50% of the foreign money remitted to the country by migrant workers through the banking system of the country should have been converted into Sri Lankan Rupees.

2.3 Strengthening Labour Force and Maintaining International Labour Standards

Safeguarding domestic labour rights in accordance with the obligations undertaken by Sri Lanka as a member country of the International Labour Organization and other internationally recognized conventions and recommendations and making use of them to resolve problems in the labour sector is the premier responsibility of this Ministry.

Ensuring that Sri Lanka has fulfilled its obligations and responsibilities in respect of the field of labour to the International Labour Organization and other multilateral agencies, formulating labour policies, creating national level social dialogues and enlisting international support for the development of human resources are the other functions of the Ministry. The following measures have been taken in the year 2022 for the attainment of these objectives.

2.3.1 Empowerment and Protection of Labour Force

- I. Serving as the facilitator of the National Labour Advisory Council (NLAC) with tripartite representation. In the year 2021, the following measures were taken having conducted 06 meetings.
 - It was decided to amend the Shop and Office Workers Act to increase women's participation in the labour force.
 - Proposals were submitted to relax the administrative process followed for obtaining 30% entitlement of the EPF.
 - It was proposed to increase the minimum salary up to Rs. 21,000/- by the addition of two budgetary relief allowances.
 - Issues relating to the payment of a daily wage of Rs.1000/- submitted by trade union leaders were discussed.
- II. Appointing a committee with tripartite representation to identify and find solutions to issues in the labour market stemming from the prevailing economic crisis and organizing activities pertaining thereto and holding one round of negotiations with the participation of the Hon. Minister and instructions were given by the Hon. Minister to establish a committee with representation from the Central Bank of Sri Lanka, ILO and EPF.
- III. Holding meetings of ministerial committees to discuss the matters, trends and need relating to the revision of laws and policies and introduction of new legislation in respect of the labour sector and organizing all activities relating thereto.
 - a. Holding two discussions for the amendment of Shop and Office Employees Act.
 - Granting the opportunity for female employees employed by Knowledge Process Outsourcing institutions, Business Process Outsourcing Companies and offices

handling business activities and accounting administration activities of companies of other countries.

- Delegating authority to make orders relevant to the provision of transport facilities, safety and common amenities of the place of work for female works employed at night.
- Ordering employers to pay equal salary disregarding gender for equal work or services.

b. Conducting 03 discussions in respect of National Minimum Wage Act

- Since employers have agreed to raise the national minimum wage up to Rs. 21,000/-, this decision can be forwarded to the National Labour Advisory Council and basing future course of action as per the outcome thereof.
- The subcommittee also agreed to incorporate the two Budgetary Relief Allowance Acts into the proposed amendments for effective implementation of the national minimum wage.
- The subcommittee recommended that possibility of establishing a mechanism for the adjustment of the national minimum wage with the technical assistance from the ILO be explored.

Conducting a meeting of the National Steering Committee for Eliminating Child Labour and coordinating all activities relevant thereto.

- At this meeting it was requested to submit reports on ongoing and completed activities implemented for the elimination of child labour and forward proposals for the formulation of the action plan and upon the receipt of the said reports, the Children and Women's Division of the Department of Labour planned to commence the process of compiling the action plan. Further, the Department of Labour decided to recreate the child labour free zone models in selected districts and draft the action plan subsequent to discussions with the relevant parties.



Photo 2-1 Discussion with the representatives of International Union

2.3.2 Maintaining International Labour Standards

- I. Preparation of reports under Article No. 22 of ILO for 06 Conventions for the year 2022.
- II. Preparation of reports under Article No. 19 of ILO for non-ratified Conventions.
- III. Compiling the report to address problems encountered in regaining the EU GSP+ concession and conducting meetings for the tripartite committee appointed to monitor of GSP+ concession and organizing and participating in all activities thereof.
- IV. Coordinating and following up all activities required to cause the participation online of tripartite representatives in the ILO conference held annually in Geneva. Eight state representatives, one employer representative and seven trade union representatives participated in this online event held from 27.05.2022 to 11.06.2022.
- V. Handling activities in respect of Memoranda of Understanding to be signed in future in the fields of social security and education in relation to the labour sector between Sri Lanka and other countries and all programmes towards that end.
 - Preparing the cabinet memorandum relevant to the social security agreement between Sri Lanka and India and making arrangements associated with the signing of the MoU.
 - Preparing the cabinet paper relevant to the proposed MoU between the Ehimi prefecture of Japan and Foreign Employment Division of the Ministry of Foreign Employment.
- VI. Carrying out all coordinating activities of projects and workshops conducted with the technical collaboration of the ILO.
- VII. Submitting the answers to the questionnaire on labour statistics to required to be conveyed to ILO annually.
- VIII. Obtaining information from the relevant institutions submitting two reports as to the complaint lodged by trade unions alleging the violation of freedom of association and the failure of the government of Sri Lanka to ensure productive compliance with Convention No. 87 of the ILO.
- IX. Submitting a report on discussions held in regard to matters concerning the labour field of Sri Lanka with Mr. Tomoya Obokata United Nations Special Rapporteur on Contemporary Forms of Slavery, including its Causes and Consequences
- X. Updating annual information of the International Social Security Organization.
- XI. Compiling reports on emerging trends of the labour sector for the use of the Ministry of Foreign Affairs and other ministries.
- XII. Making arrangements required for tabling the conventions and recommendations adopted by the ILO in Parliament.

2.4 Empowering migrant workers through International Corporation

2.4.1 Memoranda of understanding and agreements

The government of Sri Lanka has entered into a number of agreements to achieve varied objectives including the promotion of manpower sector, human capacity development, international social security programme, training programmes, legal affairs and cordial relationships. Nineteen (19) such agreements/ MoU are currently in force.

- **New MoU/Agreements**

The MoU on health service cooperation between the government of Sri Lanka, Great Britain and the government of Northern Ireland was signed on 18 January 2022.

- Drafts relevant to the signing of MoU/agreements with the following countries have been exchanged through the Foreign Ministry.

Republic of Malta	- Manpower sector
Romania	- Employment and manpower sectors
Luxemburg	- Employment and manpower sectors
Italy	- Migration and mobility partnership

- Reviewing existing MoU/ bilateral agreements with destination countries in relation to foreign employment

Details on the reviewing of the following agreements/ MoU have been referred to the relevant countries through the Foreign Ministry.

Seychelles	- Manpower sector
Kuwait	- Labour, employment and manpower promotion
Republic of Korea	- Sending and receiving workers under employment license system
Malaysia	- Recruitment, employment and bringing back of workers. As of now, Cabinet approval has been received for the signing of this MoU and it is proposed to be signed in near future.

- **Joint Committee meetings**

The first joint meeting under the Agreement for the Regulation of Sri Lankan Manpower Employment between Sri Lanka and the United Arab Emirates was held online on 06th April, 2022.

At this meeting, issues faced by Sri Lankan migrant workers in the process of recruitment and employment for employment in UAE, methods and mechanisms for protecting the rights of workers and solving disputes, collaborative procedures for the development of a recruitment agreement between private institutions of the two countries that define the role and responsibilities of each party and a brief review on the method adopted in the UAE for offering solutions to labour issues were discussed.

2.4.2 Global/Regional Forums

- **Colombo Process**

The meeting of the seventh Thematic Area Working Group (TAWG) on the processes of skills and qualification recognition chaired by Sri Lanka and the meeting of the sixth thematic area working group on promoting cheaper, faster and safer transfer of remittances chaired by Pakistan were held in Thailand from 21st 23rd June 2022 in Thailand.

The overall output of the meetings aimed at optimizing the benefits of organized labour migration in Asia while protecting migrant rights and maximizing the development impact of overseas employment for migrant workers their families and countries of origin.

The Government of Sri Lanka (GSL), the Chair of TAWG on Skills and Qualifications Recognition Processes meeting on day one, averred its commitments to increase the skills level of workers originating from Colombo Process Member States seeking employment outside their countries.

The TAWG on Promoting Cheaper, Faster and Safer Transfer of Remittances, chaired by the Government of Pakistan on day two included key dialogues that reaffirmed the group's objective to improve access to formal remittance channels for migrant workers, enhance their access to financial services and empower the effective use of remittances for both migrant workers and their families. Thereafter a capacity-building workshop that focused on selected labour migration and governance issues was conducted for representatives of Colombo Process Member Countries (CPMS).

The ninth meeting of the TAWG of the Colombo Process on the promotion of ethical recruitment method was held for two days from 24 & 25.08.2022 in Dhaka, Bangladesh. At this meeting, the need to collaborate on the promotion of fair and ethical recruitment to help ensure decent work and safe migration across South, East and Southeast Asia was emphasized. During the meeting of the TAWG, Member States discussed their four-year work plan to further the goals of transforming the recruitment industry from the employee-pay model to an employer-pay model; ensuring informal recruitment actors are encompassed under the regulatory frameworks; and equipping migrant workers with the information necessary for ethical recruitment.

- **Abu Dhabi dialogue**

The Consultative Committee meeting of the Abu Dhabi dialogue was held as an online event on 05th April 2022 and officials participated representing Sri Lanka. The proposed Abu Dhabi Dialogue Research Programme for addressing priorities recognized at the 6th ministerial consultation for years 2022-2023 approved by Pakistan which serves as the chair of the Abu Dhabi dialogue was discussed at the meeting. Action is being pursued to afford an opportunity to the Consultative Committee to discuss the implementation of the Action Plan.

- **Global Compact for Migration (GCM) for safe, orderly and regular migration**

The technical committee meeting on the national plan for the implementation of GCM was held at this ministry on 24.02.2022 with the participation of associated ministries, departments and organizations belonging to the United Nations. The key objective of this meeting was to identify the objectives that should be accorded priority out of the objectives included in the Annual Plan of GCM.

The second technical committee meeting was held on 30.08.2022 and the primary objective of it was the validation of the observations called from associated institutions for the drafting of the GCM national plan.

The report of Sri Lanka on the national plan regarding the implementation of GCM and International Migration Review Forum was presented to the Foreign Ministry in May 2022. Asia-Gulf countries dialogue on the implementation of the GCM was held in Doha, Qatar from 13-15 September 2022.



Photo2-2 Meeting with Councilor of Malaysia

Safe and substantive labor migration for Sri Lankans- Phase IV

The project “Safe and substantive labor migration for Sri Lankans’ which has been implemented under the directions of the Ministry of Labor and Foreign Affairs with the Swedish Embassy in Sri Lanka, is now at the phase IV. Main objective of this project is to strengthen the wellbeing of the migrated Sri Lankan employees and their families. International Labor Organization and IESC institute work in the project as the stakeholders at national level and ASAFE, VOICE, FIRM, SAMADANA and CHRCD institutes works as the stakeholders at district level in Anuradhapura, Puttalam, Vavunita, Kandy and Kurunegala districts respectively. Financial progress of the programmes carried out in these districts by the end of third quarters Rs. 64.3 million.

2.4.3 Promotion of Foreign Employment

- Creation of a foreign labor force aimed at foreign employments.
- With a view to direct a competitive workforce enriched with the knowledge on new technologies, and skills to foreign labor market, Development Officers attached to the Foreign Employment Division in District and Divisional Secretariats worked to identify the Sri Lankans seeking foreign employments with the aim of sending them to the countries, which have not yet gained experience of Sri Lankan labor, in addition to the traditional labor market.
- Awareness programmes have been conducted in the first quarter for the provision of guidance and awareness on foreign employment opportunities, required qualification, vocational qualifications, institutes and courses, which support to gain such qualifications, aiming at the persons identified based on this information. Accordingly, 96 programmes have been conducted sending Rs. 719,260.00 aiming at 3900 beneficiaries of 24 districts.
- At the end of this awareness programmes, following action has been taken as per the information referred to the Ministry. .
- The particulars of those who are willing to obtain foreign job opportunities, for which vocational training is required, have been referred to SLBEF to be sent them to the authorized foreign employment agencies.
- Particulars of the persons seeking vocational training have been referred to Vocational Training Authority and National Apprentice an Training Authority under the Ministry of

Education in order to direct them to the training programmes conducted by above institutions.

- These awareness programs have been conducted with the collaboration of the provincial and district offices of the institutions such as Sri Lanka Foreign Employment Bureau, National Youth Council, National Youth Brigade, National Apprentice and Technical Training Authority, Sri Lanka Vocational Training Authority (Through vocational training centers), Department of Technical Education and Training. Further it is expected to conduct programmes also in future depending on the requirements.

2.5 Protection, welfare and empowerment of migrant workers and their family members

2.5.1 Programmes implemented by the Foreign Employment Division

- **Establishing a social security scheme for migrant workers**

In terms of the approval granted by Cabinet decision dated 27 February 2020, the Minister in charge of the subject appointed a special committee to compile a report with recommendations for the establishment of a contributory social security fund for Sri Lankan migrant workers. The Committee has presented its report containing a methodology for the establishment of a social security fund to the Ministry and the said report has proposed a contributory pension scheme. Accordingly, this report is due to be submitted for the approval of the Cabinet.

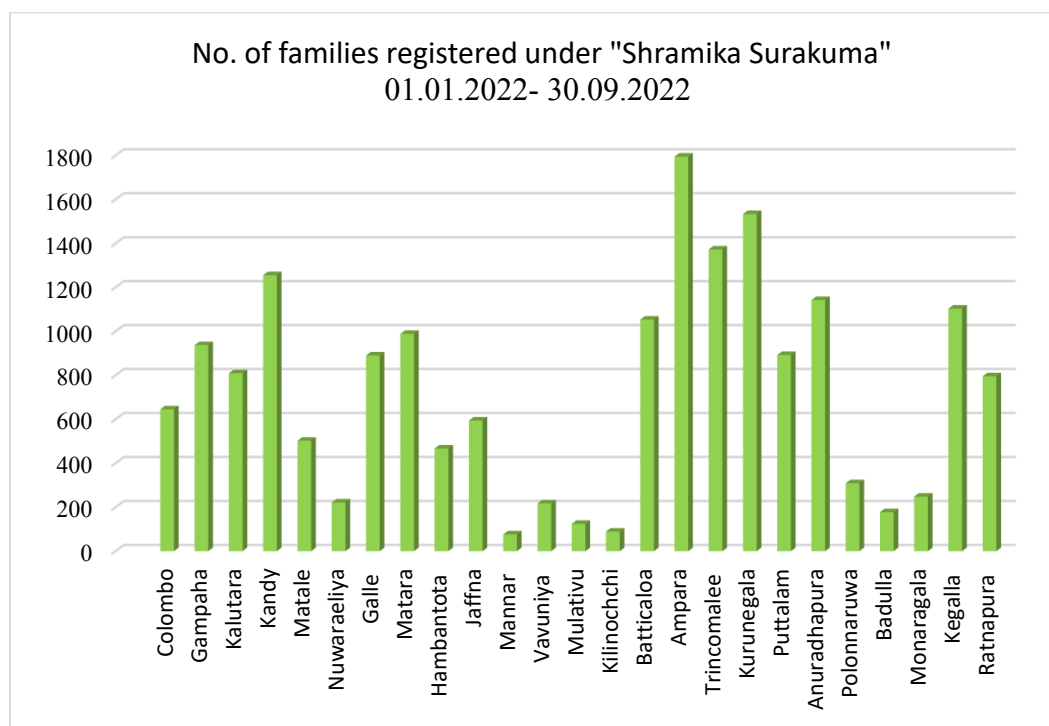
- **Issuing family background reports**

A new circular No. 01/2022 dated 12.07.2022 titled “Obtaining a report on the protection programme of underage children of women expecting to migrate for employment” with the objective of providing protection to underage children of female migrant workers. 54,271 family background reports have been recommended and recommendations were given for 1,732 reports in the first quarter of 2022 and for 6,340 reports in the second quarter of the 2022 and during the third quarter (during this period, family background reports were issued according to the new circular) and there had been 46,199 referrals as correct receipt of documents.

- **‘Shramika Surakuma’ Programme**

Under this programme launched in the year 2016 targeting the protection and welfare of migrant workers, the families of migrant workers are registered at the Divisional Secretariat level.

” Family Development Plans” are prepared and implemented with the objective of uplifting the socioeconomic status of migrant worker families and “Care Plans” are drawn up and executed targeting socially vulnerable children of migrant worker families for such families registered under this programme. Under the ‘Shramika Surakuma’ programme, the number of migrant worker families registered up to 30th September 2022 was 18,232.

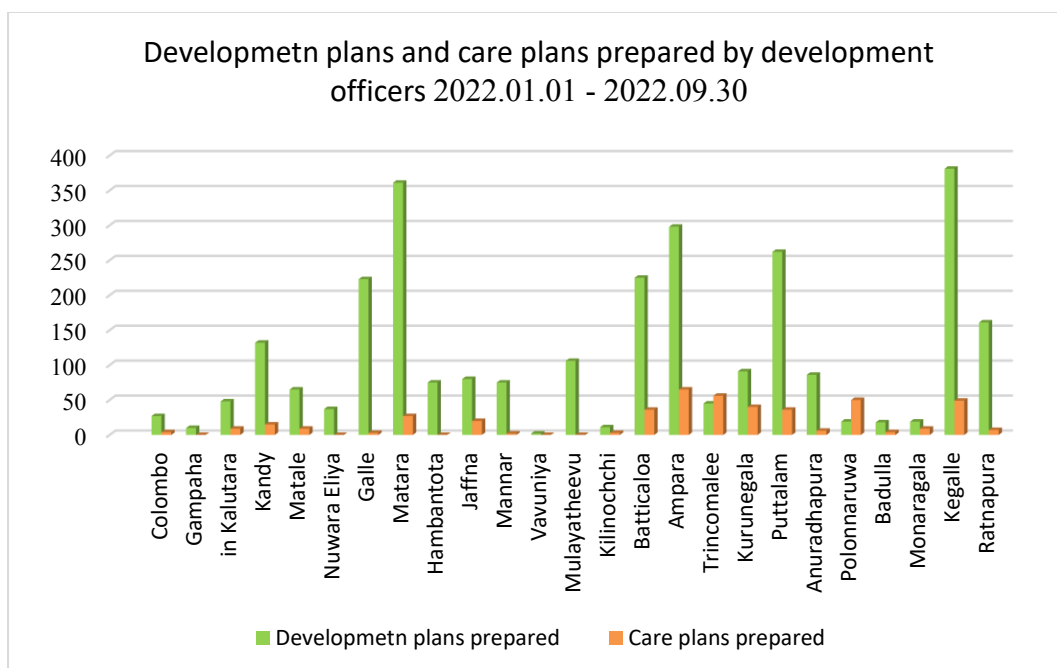


Graph 2.1 Registration under “Shramika Surakuma”

- **Preparing and implementing Family Development Plans & Care Plans**

Under the supervision and guidance of Development Officers attached to the Divisional Secretariats, 2,857 family development plans and 450 care plans have been prepared as at 30 September 2022 targeting migrant families registered under the ‘Shramika Surakum’ programme.

In addition, Development Officers deployed at the Divisional Secretary Division level refer children of migrant worker families to educational scholarship programmes and persons with disabilities to self-employment loan and housing loan schemes implemented by the SLBFE. Further members of migrant worker families are offered vocational training and refer them medical clinics.



Graph 2.2 Family Development and Protection Plan prepared by Development Officers

- **Conducting awareness programmes**

Development Officers attached to this Ministry implements awareness programmes at the divisional level targeting the migrant community covering the following areas. From 1st January to 30th September 2020, 1664 awareness programmes had been conducted island-wide.

- Safe migration
- Development self employment skills and career guidance
- Safety of children
- Drug prevention
- Awareness on preventing gender based violence
- Household productivity
- Financial management

- **Socioeconomic empowerment of persons who have returned to the country either at the end of their foreign employment or due to Covid-19 pandemic situation**

This programme was conducted in the year 2021 as was done in the year 2021. Accordingly, persons who aspire to engage in self-employment or any other income generating method were identified at the district and divisional levels by Development Officers (Foreign employment) attached District or Divisional Secretariats. Thus, based on the information received, 205 training

programmes for providing knowledge required for implementing self employment projects and entrepreneurial knowledge were conducted using local funds amounting to Rs, 1,403 million,

Out of the beneficiaries who participated in these training programmes, personnel who were in need of equipment to carry out self employment were identified and their information was conveyed to the SLBFE to include them in the programme being implemented by the Bureau to provide self-employment equipment. Further, this programme is expected to be carried out in the fourth quarter of the year 2022 as well.

- **Project for uplifting economy of returnees from foreign employment/ their family members and the relevant community**

Recognizing the need for a strategic intervention for migrant workers who either lost their employment or encountered various issues due to the Covid-19 pandemic situation, the Ministry of Labour and Foreign Employment in partnership with the International Organization for Migration (IOM) and International Labour Organization formulated a Covid-19 response plan for migrant workers. The Ministry sought support from multiple partners for the implementation of this plan.

Consequently, a special project with 20 programmes were implemented in 09 districts with the intervention of the IOM and ILO and the financial assistance of the government of Japan. Under this project 05 sewing centres, 01 programme on mushroom cultivation, 01 programme of carpentry, 01 programme on coir industry and 01 programme on manufacturing organic fertilizer have been completed and vested in the community. The total value of the projects completed was Rs. 42.8 million and activities of the remaining projects are in the final stage.

- **Providing services to members of migrant worker families expecting to take up self employment/livelihood projects**

After identifying members of migrant workers registered under “Shramika Surakuma” programme who are willing to be involved in self-employment/livelihood projects utilizing the money remitted to the country by the migrant worker, awareness programmes targeting them were conducted. Details of 1,170 members of migrant workers’ families have been received and based on such information, provisions are expected to be released in due course at the district level and divisional secretary division level.

- **Extending assistance for children of migrant workers' families who have completed school education to receive technical or vocational training**

Data and information was collected at the Divisional Secretariat level in order to assist children of migrant worker families with economic difficulties who aspire to pursue technical or vocational education with the objective of finding employment locally or in a foreign country.

As of now, information of 374 children has been received in respect of 05 districts (Hambantota, Nuwaraeliya, Puttalam, Polonnaruwa and Ratnapura) and the information so received was relayed to vocational training institutes under the purview of the Ministry of Education and the SLBFE with a request to accommodate them in training programmes conducted by those institutions and additionally, it was notified to identify children interested in following vocational training at the Divisional Secretary Division level and communicate such information too to the Ministry.

2.5.2 Programmes implemented by Sri Lanka Bureau of Foreign Employment

The SLBFE implements its mandate in all three stages of the foreign employment process, i.e. pre-migration stage (taking decisions, receiving pre-migration training and departure), employment stage (covering the employed workers and their family members) and the returning and reintegration stage (including reintegration, recognition and appreciation) for protecting and empowering migrant works and their family members. SLBFE strives to achieve these objectives through its operational process.

1. Welfare Activities

Table 2-1 Welfare programmes implemented for migrant workers -SLBFE

	description	2022 (Jan – Sep) Targets		2022 (Jan-Sep) Actual	
		Number	Amount (Rs Mn)	Number	Amount (Rs Mn)
01	Payment of insurance premia for migrant workers	195,000	233.76	199,400	219.818
02	Payment of insurance compensation for migrant workers (including expenditure for bringing back, medical expenses and compensation for deaths)	As per requests		435	80.299
03	Granting housing loans, interest concessions for migrant workers	100	0.5	4	0.051

	description	2022 (Jan – Sep) Targets		2022 (Jan-Sep) Actual	
		Number	Amount (Rs Mn)	Number	Amount (Rs Mn)
04	Providing food, transport facilities, accommodation and medical treatment for needy migrant workers	4,591	1.08	1,878	1.421
05	Bringing back migrant workers who have been subjected to various difficulties to the country.	450	5.25	1,168	1.39
06	Provision of relief under Employee Welfare Fund	105	26	49	11.6
07	Providing required equipment/ materials to workers for improving existing self-employment	300	15.12	122	4.942
08	Assistance for medical treatment to migrant workers and their family members	30	1.112	08	0.124
09	Distribution of school equipment for children of migrant workers	935	5.7	732	3.433
10	offering necessary assistance to needy children of migrant workers	15	5.1	8	0.118
11	Extending financial & technical support for the construction/renovation of houses of disabled migrant workers to suit their disability	4	4	04	0.813
12	Providing relief on behalf of migrant workers who passed away in foreign counties - Assisting in bringing back bodies through employee welfare fund	15	3.24	Bodies have not been brought to the country at the expense of bureau	
	- Bearing expenses for funeral activities	60	7	154	6.27



Photograph 2-3 Scholarships for the children of migrant workers

2. Distribution of school equipment amongst children of migrant workers

Table 2.2 Distribution of school equipment amongst children of migrant workers –SLBFE

	Description	No of students received benefits 2022 (Jan-Sep)	Expenditure (Rs Mn)
01	Students who passed Grade 5 scholarship	805	0.973
02	Students who passed GCE (O.L)	1,540	
03	Students who passed GCE (A.L)	302	
	Total	2,647	

Awards of scholarships for 2,647 children in the year 2022 were in respect of the year 2020. Due to the situation that prevailed in the country during that year (Covid pandemic situation), a sum of Rs. 64.73 million for the payment of scholarships to 2,633 children was deposited in bank in the year 2021. For the remaining 14 children, scholarship funds of Rs. 0.44 million was deposited in bank in 2022 and Rs. 0.533 million was spent from the financial allocation of 2022 as expenditure of the scholarship awarding ceremony.

3. Training programmes for improving skills and competencies of migrant workers and other associated training

Table 2.3- Conducting training programmes –SLBFE

Programme	2022 (Jan-Sep) Targets		2022 (Jan-Sep) Actual	
	No. of programmes held	No. of persons	No. of programmes held	No. of persons
Housekeeping Assistant of domestic sector – Middle East	110	1,360	395	22,670
Housekeeping Assistant training of domestic sector for Eastern Asian and European countries	36	410	26	1,063
Attendant training (NVQ Level III))	24	880	61	4,023
Housekeeping training programme in domestic sector (IFE)	27	860	46	1,226
Training for workers leaving for non-domestic employment	470	12,500	1,200	32,723
Pre-migration training – South Korea	30	1,500	29	711
Pre-migration training – Japan	29	905	08	79
Language training (Japanese/English)	63	1,700	104	4,718

2.6 Securing industrial Peace for economic development

Since the vision of the Department of Labour is a country with a lasting industrial peace for an internationally competitive economy maintaining industrial peace is the fundamental and all-important function of the Department.

For this purpose, the Department discharges several key functions, namely the maintaining of a dialogue between employers and employees, inspection of workplaces, settling issues regarding the denial of statutory rights, resolving industrial disputes, ensuring workplaces are free of accidents and constituting legal action for the protection of occupational rights of workers.

2.6.1 Maintaining a dialogue between the two parties- the employer and the employee

For fostering productivity and efficiency of semi-government and private sector institutions scattered across the country, the Department of Labour organized and conducted awareness programmes for both parties, i.e. employers and employees of those sectors as well as for officials of the public sector institutions who need to be aware of labour legislations in discharging their duties.

Table 2.4 Awareness programmes conducted from 01.01.2022 to 30.09.2022-DoL

Nature of the programme	Name of the program	No. of programmes conducted	No. of beneficiaries participated
Promoting social dialogue	Social dialogue promotion programmes conducted by Human Resources Development Division	78	5,381
	Social dialogue promotion programmes conducted by district and sub-labour offices	25	700
	Zonal social platform programmes	04	165
Promoting Industrial safety	Awareness programmes and lectures conducted regionally by District Factory Inspector Engineering Offices	63	2,559
Promoting occupational health	Awareness programmes conducted by the Occupational Hygiene Division for employers, employees and medical students	178	2,217

Nature of the programme	Name of the program	No. of programmes conducted	No. of beneficiaries participated
Protecting occupational rights of women and young persons and eliminating child labour	Awareness programmes on labour laws applicable to women and children for female employees of the private sector	11	500
	Programme for coordinating probation officers, labour officers and police officers on child labour	01	50
	Awareness programmes for Child Development Officers of all Divisional Secretariats, office bearers of children's societies, Child Right Promotion Officers, officers of School Child Protection Committees and Grama Niladharis	32	1,600
Total		392	13,172

2.6.2 Conducting labour inspections

Details of inspections conducted by the officers of the Labour Department during the period from January to September 2022 to examine whether the rules and regulations imposed for the protection of statutory rights of workers in the place of work are complied with and take necessary action to redress grievances and pave the way for the establishment of cordial relationships between employers and employees are given below.

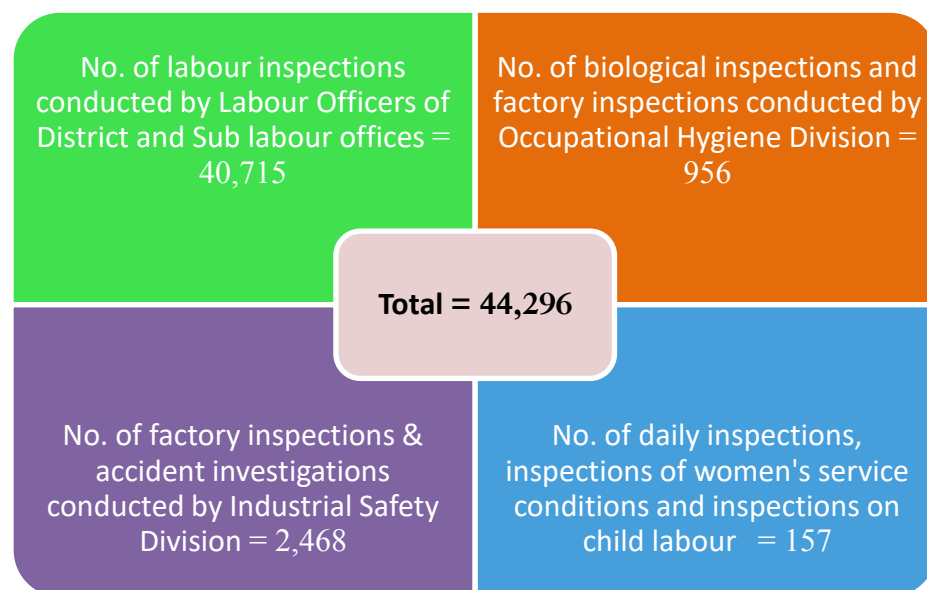


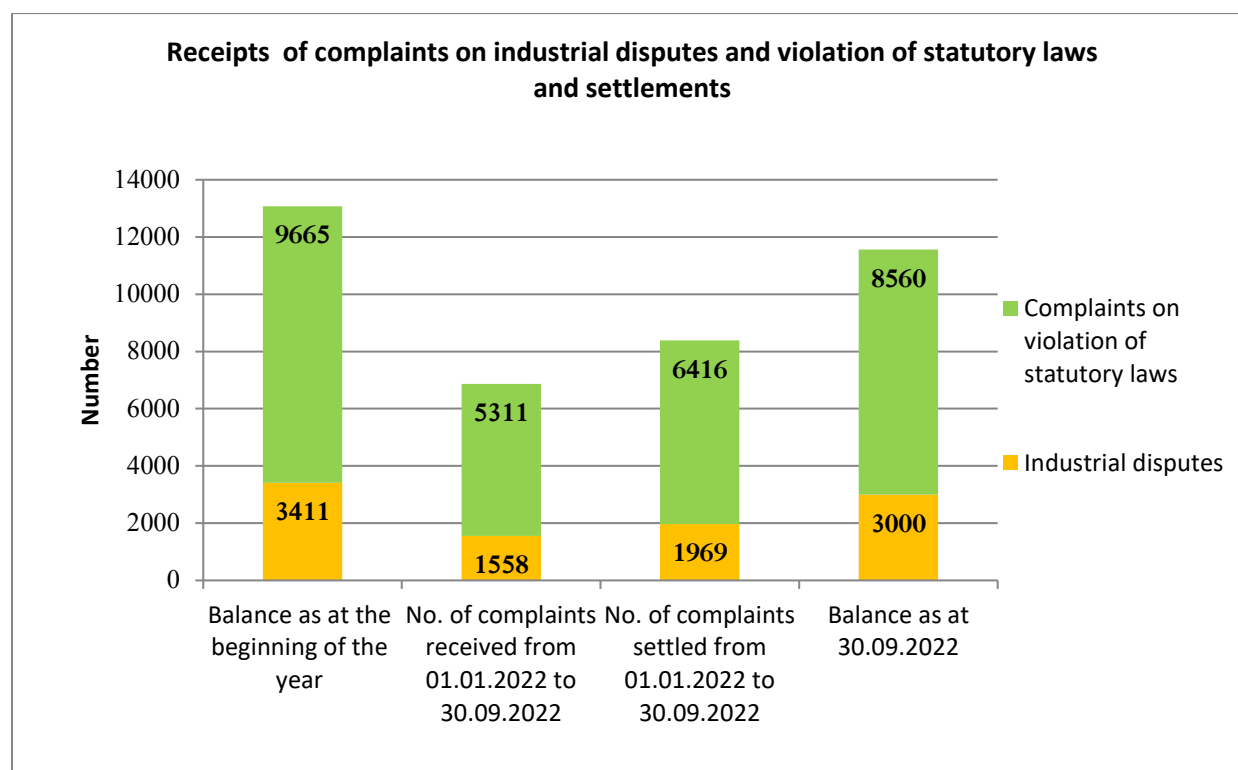
Diagram 2.2 Labour inspections conducted by the Department of Labour

Necessary measures were taken in the year 2022 to amend the labour inspection reports with the objective of obtaining more comprehensive information provided through labour inspection reports subsequent to the conduct of inspections by Labour Officers of district and sub-Labour offices and improving their quality.

2.6.3 Resolving complaints on the violation of statutory entitlements and resolving industrial disputes

Complaints regarding the violation of statutory laws and potential breaches in industrial peace and the possibility of strikes are lodged with the head office, district offices and sub offices by employees or trade unions and action is pursued by the relevant offices to resolve such complaints. If attempts to resolve disputes at the department level failed, such disputes are referred to an arbitrator or an industrial court for a solution on the order of the Minister in charge of the subject.

A Standard Operating Procedure (SOP) was formulated for regularizing and expediting the settlement of complaints/ petitions received by the Department of Labour. From November 2021, all labour offices employed this for the speedy settlement of complaints. Of the complaints received, the number settled using the Standard Operating Procedure as at September 2022 was approximately 88%.



Graph 2.3 Receipts of complaints on industrial disputes and violation of statutory laws and resolution of same from 01.01.2022 to 30.09.2022- DoL

2.6.4 Interventions to settle strikes

No sooner a situation that could possibly lead to a strike action is observed, the officials of the Department take action to contain the situation and if a strike is launched, necessary interventions are made to resolve the dispute. Details of strikes reported during the first quarter of 2022 are as follows.



Diagram 2.3 Details of strikes

2.6.5 Encouraging the two parties of employers and employees for collective agreements

By entering into collective agreements as a means of settlement of industrial disputes, a more permanent solution is offered to both the employer and the employee and they enable employees to secure greater privileges than the rights and privileges conferred through labour legislations. Similarly, the Department endeavors to make a greater inducement through social dialogue to move towards collective agreements. Accordingly, the total number of collective agreements in force as at 30.09.2022, including the 16 collective agreements published in the gazette from January to September 2022 was 187.

2.6.6 Conducting arbitration activities

Disputes which cannot be resolved with the intervention of labour offices or with the direct involvement of the Industrial Relations Division of the Department are referred to arbitration of to an industrial court and from January to September 2022, there had been 51 references for compulsory arbitration and the number of awards issued was 34.

2.6.7 Registration of Trade Unions

Registration of every Trade Union at the Department of Labor is compulsory. Accordingly, the number of Trade Unions registered at the Department during the period from January to September 2022 is 104. Further the total number of Trade Unions registered as at 30.09.2022 is 2,026.

2.7 Protecting and promoting labour standards

Formulating and updating and giving legal effect to policies, standards and conditions of work in order to ensure welfare and job security of the workers employed by the private sector is a foremost process of the Department. Accordingly, the following activities have been conducted from January to September 2022.

2.7.1 Updating minimum salaries of Wages Boards

Table 2.5 Wages Boards that updated minimum wages –DoL

S.No	Wages Board	First meeting has been held	Objections have been called	Wages have been amended	Publishing amended wage in gazette
01	Building industry		✓		
02	Bakery industry			✓	Due to be carried out in 4 th quarter
03	Mattresses and coir exporting industry			✓	Due to be carried out in 4 th quarter
04	Dress making industry		✓		
05	Hosiery making industry	✓			
06	Ceramic items manufacturing industry		✓		
07	Quarry and quarrying industry		✓		
08	Cinnamon industry		✓		
09	Motor vehicle transport industry		✓		
10	Cinema industry		✓		
11	Naval transport and operational services			✓	Due to be carried out in 4 th quarter
12	Batik industry			✓	
13	Preschool industry			✓	
14	Beedi making industry			✓	
15	Horticulture and fruit cultivation and exporting industry			✓	

2.7.2 Granting approval for 05-day work week

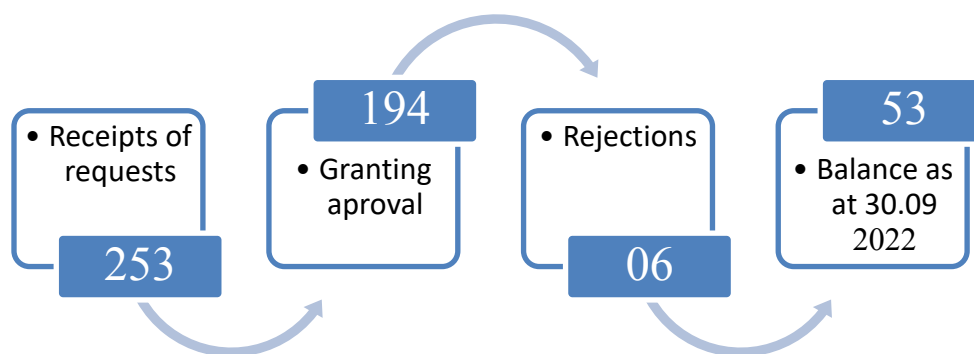


Diagram 2.4: Granting approval for 5-day work week –DoL

2.7.3 Examining the legal validity of collective agreements

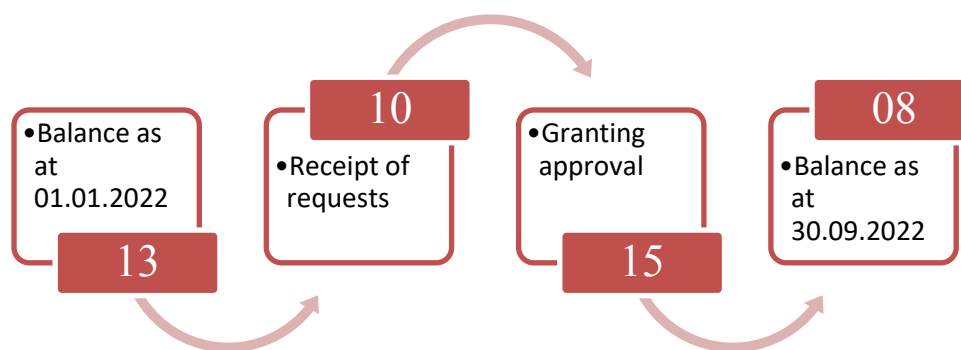


Diagram 2.5: Examining legal validity of collective agreements –DoL

2.7.4 Granting approval for requests made for deductions from salary under the Wages Board Ordinance and Shops and Office Employees Act

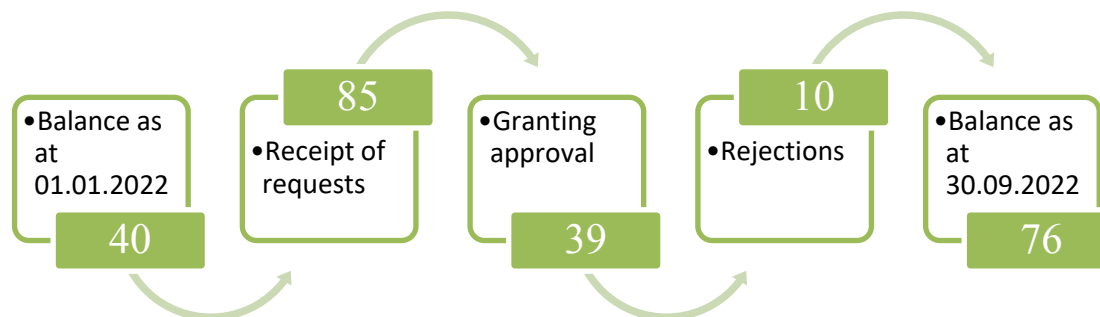


Diagram 2.6 Granting approval for requests received for deductions from salary- DoL

2.7.5 Submitting explanations and interpretations for inquiries made by people and various institutions about enactments

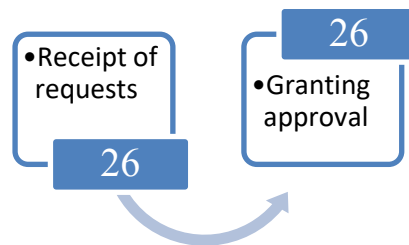




Diagram 2.7 Submitting explanations and interpretations for inquiries made by people and various institutions about enactments

2.8 Ensuring decent work environment for occupational safety of the employee

The danger of physical injuries and even death exists for workers in factories due to electricity, heat, air pressure, excessive light or sound and minimizing such accidents is one of the primary responsibilities of the Department. The main legal tool relevant to the occupational safety, health and welfare of workers employed by factories of Sri Lanka is the Factories Ordinance No, 45 of 1942 and regulations passed thereunder. The Department of Labour mainly carried out the following activities for ensuring an accident free work environment.

	Activities conducted from 01.01.2022 to 30.09.2022
	Number of newly registered factories = 631 (The total number of factories registered at the Department of Labour as at 30.09.2022= 32,887)
	No. of building plans checked and approved = 194




	No of factories inspected = 2,377
	No. of fatal accidents reported = 49 No. of non-fatal accidents reported =898
	No. of inspections/regulations of high risk machinery = 8,778

Diagram 2.8 Progress of activities for ensuring accident free work environment –DoL

2.9 Activities carried out for ensuring Occupational health of employee

It is the responsibility of the Department of Labour to assess using scientific methods whether there is a possibility of health issues or accidents in a workplace to ensure health safety of work places and create awareness on the measures that can be adopted to prevent such accidents. Accordingly, the following activities were carried out from 01.01.2022 to 30.09.2022.

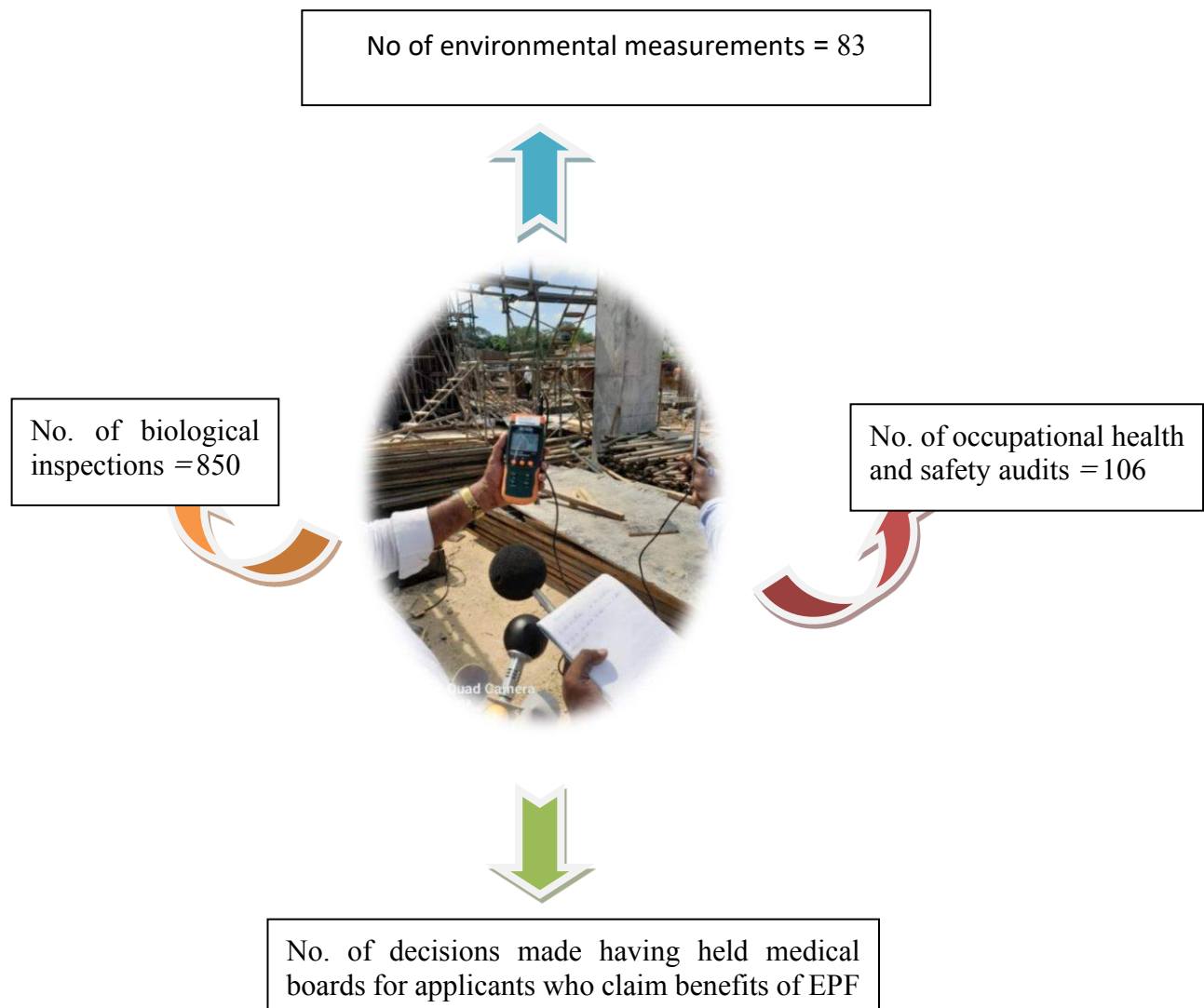


Diagram 2.9 ;Progress of occupational hygiene activities

2.10 Safeguarding the occupational rights of women and young persons and eradicating child labour

One of the primary responsibilities of the Department is to promote productive contribution of women's labour by enforcing labour laws covering women at workplaces and recommend necessary amendments to such laws by reviewing them periodically.

Similarly, eradicating child labour with the contribution of all stakeholders, enforcing labour legislation applicable to children less than 18 years of age and recommending amendments to existing laws to be compatible with prevailing social issues too are key responsibilities of this Department.

Accordingly, the following activities were carried out from 01.01.2022 to 30.09.2022

2.10.1 Conducting investigations in complaints of child labour

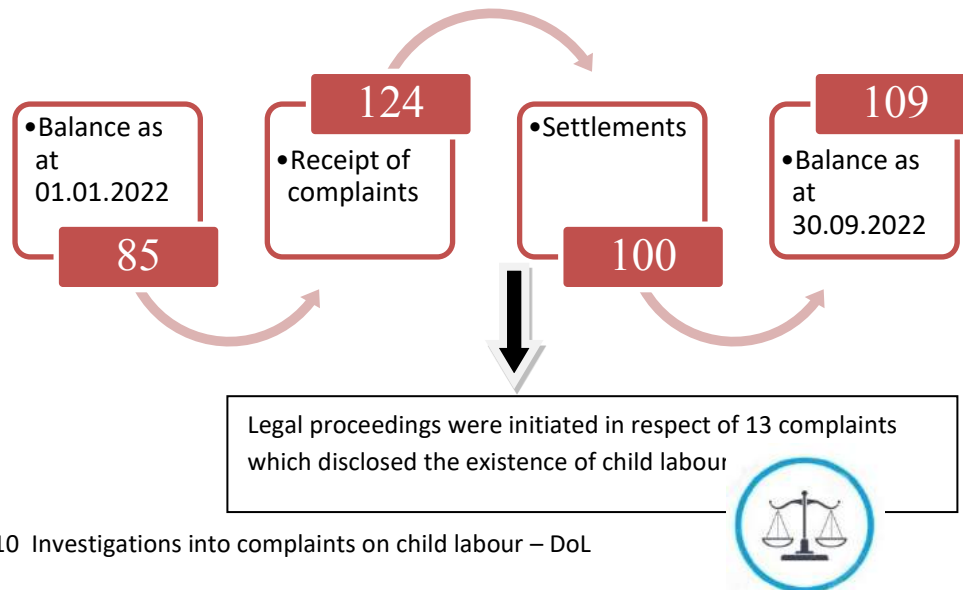


Diagram 2.10 Investigations into complaints on child labour – DoL

2.10.2 Investigations into complaints regarding violation of service conditions applicable to the employment of women at night

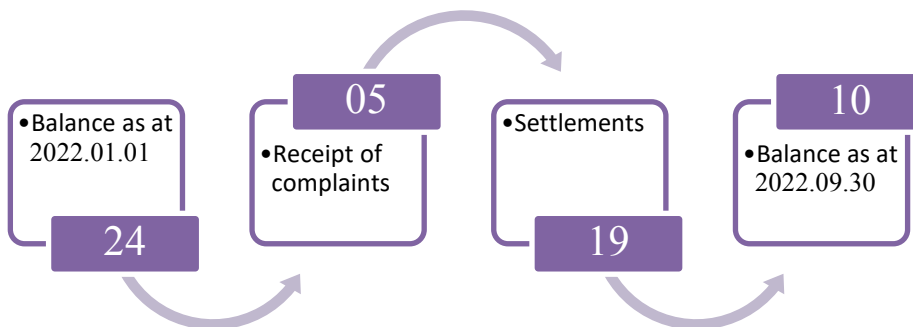


Diagram 2.11 Investigations into complaints on employment of women at night

2.10.3 Granting approval for employing women at night



Diagram 2.12 Granting approval for employing women at night –DoL

2.10.4 Appointing committees and preparing action plans for Gampaha, Kalutara, Badulla and Galle Districts for the declaration of such districts as child labour free zones

Having conducted divisional committee meetings for the districts of Gampaha, Badulla and Gampaha Districts, preliminary discussions were held on the formulation of the action plan. Thereafter, gathering information of children less than 18 years old in the district through Divisional Secretariats is being carried out as the 2nd stage.

2.10.5 Improving safety of children of families subjected to child labour or vulnerable to child labour

In terms of the Memorandum of Understanding entered into with Maliban Biscuit Manufactories by the Department of Labour, a programme was implemented in the Matara District on 05.05.2022 as a preliminary step of the project for providing required equipment and financial assistance through “Nidahase Ran Daruwo Fund” for uplifting economy of 50 selected families with children subjected to child labour or vulnerable to child labour from across the country with the aim of ensuring their future safety. Four families were granted benefits as per their requirements. The second programme of this project was conducted in the Anuradhapura and Polonnaruwa districts and benefits were provided to 6 families having children with economic hardships.

2.10.6 Conducting main commemorative days

- **International Women’s Day 2021**

The celebration of Women’s Day by the Department of Labour concurrent to International Women’s Day was held for 100 female employees of the Katunayake Export Processing Zone on 09.03.2022 under the patronage of the Minister of Labour at the auditorium of the Board of Investment.

- **World Day against Child Labour –2022**

Concurrent to World Day against Child Labour, a text message on the elimination of child labour was circulated in Sinhala, English and Tamil languages on 12.06.2022 to consumers of Mobitel, Dialog, Hutch and Airtel mobile communication networks.

In addition, awareness on child labour was raised through “Irida Ayubowan” programme aired by National Television on 12.06.2022 as part of the drive against child labour.

2.11 Social security of employees

The Employees' Provident Fund, established by the Employees' Provident Fund Act No. 15 of 1958 with the principle objective of ensuring a secured retirement for the country's workforce in the semi-government and private sectors is administered by the Department of Labour. The fund is administered by the Department of Labour and the Monetary Board of the Central Bank is in charge of the management of its funds. The role expected to be performed under this Act, which was subjected to amendments from time to time is as follows.

✓ Registration of institutions for the Employees' Provident Fund
✓ Registration of members for the Employees' Provident Fund
✓ Recovering contributions from employers who default the contributions
✓ Issuing payment orders for the payment of benefits to employees
✓ Monitoring the approved provident funds.

2.11.1 Registration of institutions and members in Employees' Provident Fund

All employers covered by the Employees' Provident Fund Act are required to register in the Fund. Allocating membership numbers to all employees covered under the EPF Act and register them in the Fund is a responsibility of the employer and the process is monitored by the Department of Labour.

Accordingly, the Department of Labour introduced the EPF Appointment Management System for reserving a time for handing over EPF applications with effect from 01.09.2022 thus facilitating the activities of clients visiting the Department for employee registration.

Similarly, by introducing a new method for downloading A, B and H forms required for the registration of EPF members by employers from the website of the Department of Labour, thus making it easier and more convenient for employers to carry out such activities.

2.11.2 Payment of benefits of EPF

The Department of Labour introduced the EPF Appointment Management System for reserving a time for handing over EPF applications with effect from 01.09.2022 thus facilitating the activities of clients visiting the Department for employee registration.

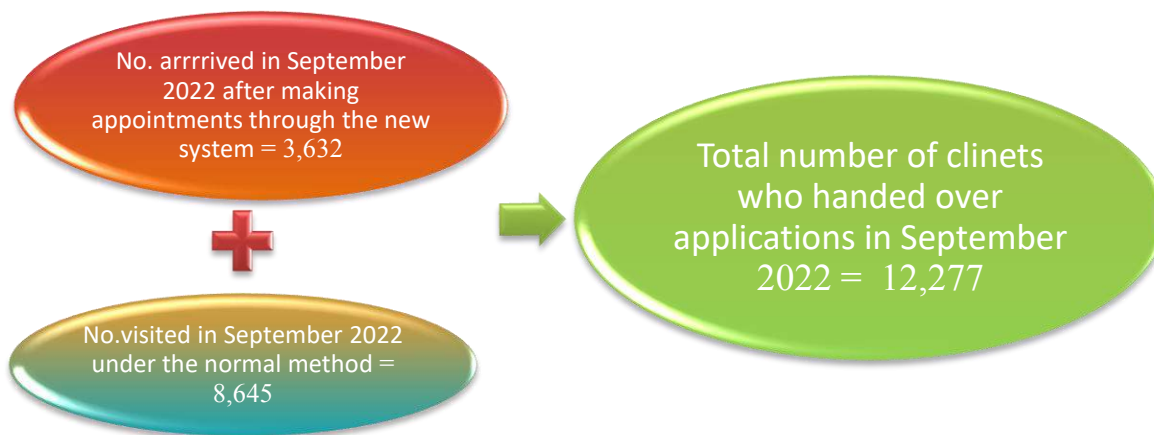
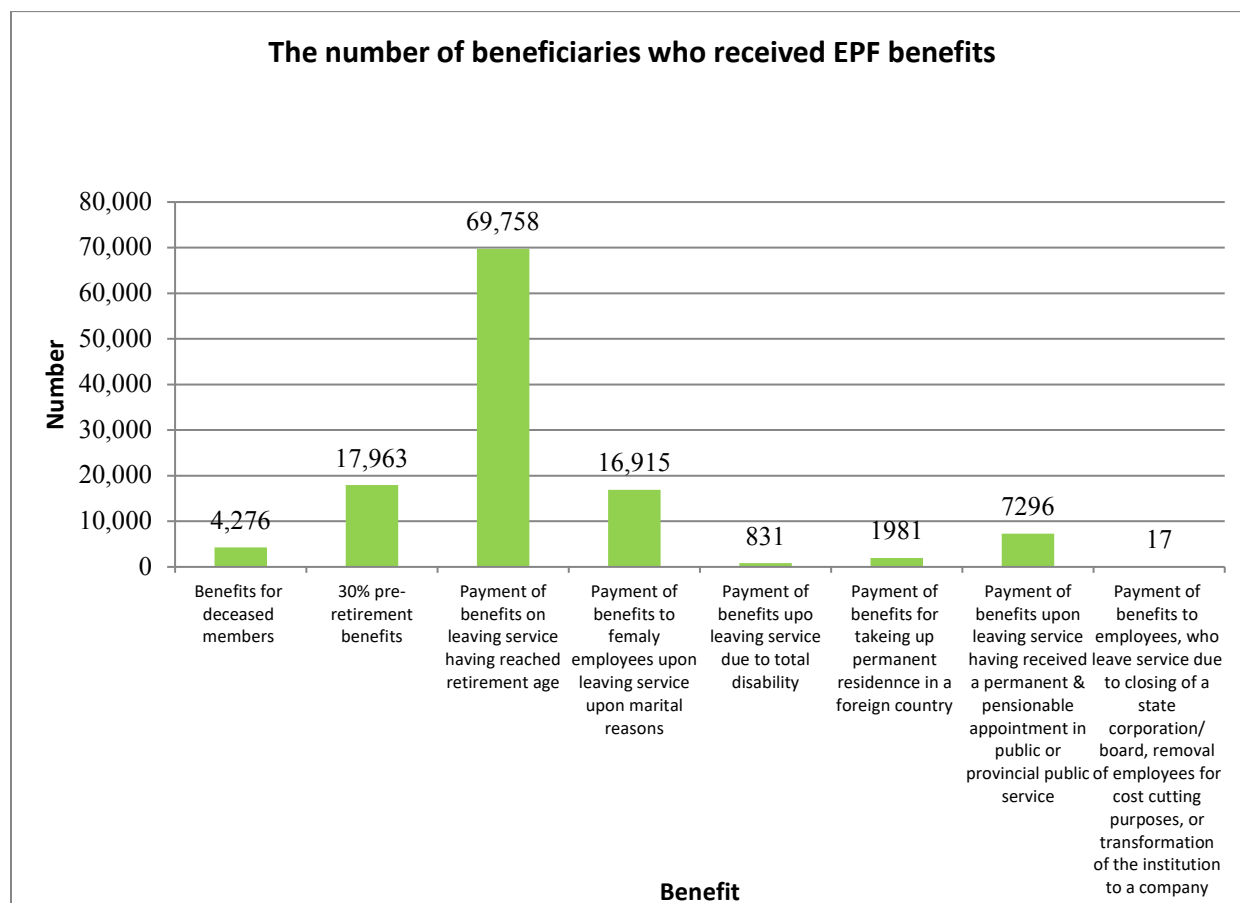


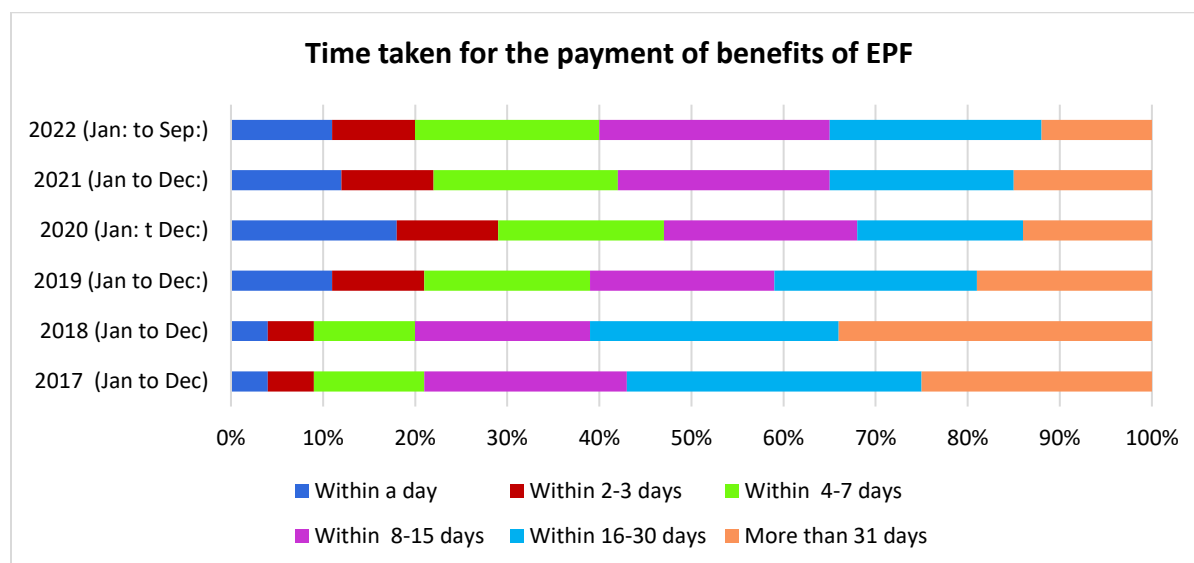
Diagram 2.13 Handing over of applications of EPF –DoL

The number of beneficiaries who received benefits from 01.01.2022 to 30.09.2022 was 119,037 and the classification thereof is shown in the following graph.



Graph 2-4 No. received benefits of EPF from 01.01.2022 to 30.09.2022 –DoL

On the back of measures adopted by the Department of Labour during the past six years for optimizing the benefit payment activities of EPF, a gradual progress is evident in the EPF payment activities for employees and the percentage of persons for whom benefits were paid within 14 days by the end of the quarter as compared to 2017 has recorded an increase to 65% from 43%. Accordingly, the efficiency of the payment of benefits has increased.



Graph 2.5: Time taken for the payment of benefits of EPF – From 2017 to third quarter of 2022 –DoL

2.11.3 Sending notices to employees who default contributions

First notices and red notices are issued for employees who fail to make contributions as stipulated and if such notices are not properly responded to, action is taken to constitute legal action and recover the contributions together with the surcharge and account them.

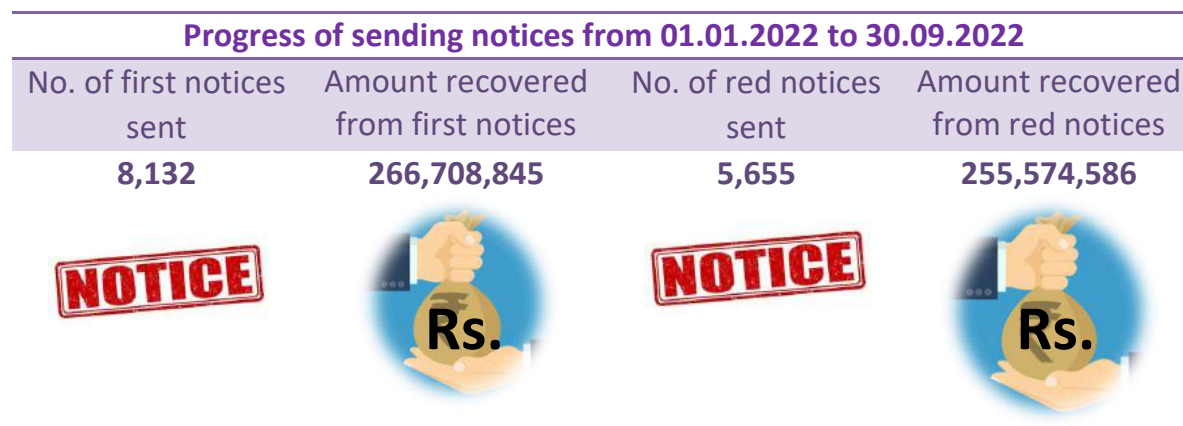


Diagram 2.14 Progress of sending notices - EPF

2.11.4 Supervision of approved Provident Funds

There are 117 institutions with approved provident funds registered under the EPF as at 30 September 2022 with a total membership of 72,623.

2.12 Legal protection for safeguarding the occupational rights of workers

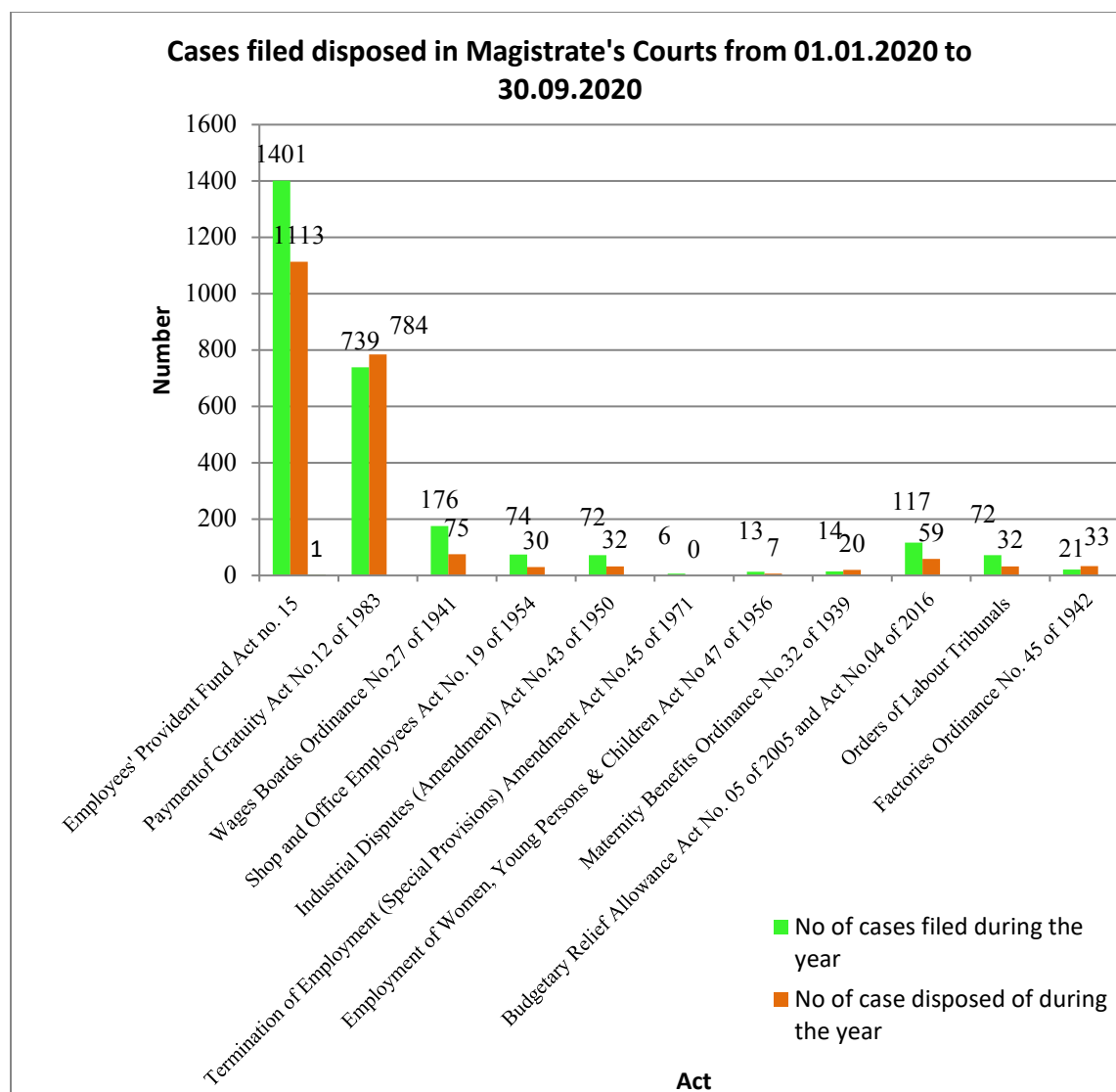
The Department enforces a host of legislation for the protection of occupational rights of workmen. Accordingly, in order to ensure the uniform execution of the provisions of such legislation required to be enforced by the Department of Labour, action is pursued by the Department to constitute legal action against perpetrators of such violations thereby safeguarding the rights of both employees and employers and promoting the cooperation between the two parties. Accordingly, the progress of legal action constituted by the Department from 01.01.2022 to 30.09.2022 is tabulated below.

Table 2-6 Performance of judicial proceedings

Performance of judicial proceedings			
Court	Balance brought forward to year 2022	No of cases initiated in the year 2022	No of cases closed in the year 30.09.2022
Supreme Court	119	15	18
Appeals court	252	94	21
High Court	110	21	37
District courts/ Commercial High Court	216	6	15
Magistrates Court	16,891	2,694	2,185

Assisting the Ministry of Labour and Foreign Employment for amending legislation and formulating new legislation as outlined below.

- Drafting new acts and regulations
- Analyzing the existing legal situation and providing the relevant observations
- Studying the present situation and requirements and making observations for the formulation of new laws.



Graph 2.6: Cases filed and disposed of in Magistrate's Courts from 01.01.2022 to 30.09.2022 –Department of Labour

2.13 Information Dissemination Activities

2.13.1 Publications

The following publications were published by the Department of Labour for raising people's awareness on the field of labour.

- **Prime Work Magazine**




The third volume of this journal launched in the year 2021 with the intention of fostering industrial peace by broadening knowledge on labour laws and fostering dialogue amongst employers and employees was issued under the theme of 'Attitude' in June 2022 was posted as an e-version downloadable from the website of the Department.

- **Labour Statistics Annual Report -2020**

The Labour Statistics Report compiled with the objective of publishing data required for formulating and implementing policy plans relevant to the field of labour and providing data required to data users was published in the year 2020.

2.13.2 Official social media activities of the Department

The Department maintains an official YouTube channel, a Facebook page and a Twitter account to provide updated information to the public.

	YouTube Channel	Subscribers: 760 Number of Videos included : 118
	Facebook Page	Followers: 2,800
	Twitter	Followers: 50

2.13.3 Website of the Department

Documents such as specimen applications and forms required for people to obtain services, various Acts and Ordinances and decisions of the Wages Boards to which attention should be paid by employers and new services, press releases, invitation for bids are posted on the website of the Department labourdept.gov.lk and could be downloaded as and when necessary and information posted on the website are updated regularly. Activities have been commenced for the designing of a new website for the Department and by the end of September 2022, the overview of the main template of the website had been completed.

2.13.4 Participation of the Department in various programmes organized by media institutions

- The Commissioner General of Labour participated in the programme under the topic “Administrative Responsibilities & Duties of Employers and Employees” telecast by Charana TV channel on 11.007.2022 as part of the discussion programme “Kalathraye Kathabaha”.
- The Commissioner General of Labour and the Commissioner of Labour (Women and Children’s Affairs) participated in a discussion on child labour “Irida Ayubowan”

programme telecast on 12.06.2022 which coincided with International Day against Child Labour.

- The edition of 26.09.2022 of 'Esidisi Peramaga' discussion programme organized jointly by the Ministry of Media, the 'Esidisi' Group of the National Development Media Centre and the Government Information Department was held with the participation of the Commissioner of Labour (Industrial Safety) and the Commissioner of Labour (EPF) on the theme "New measures taken by the Department of Labour to regularize public services".

2.14 Human resources development of Department of Labour

The routine staff administrative functions such as the identification of staff requirements, making recruitments as per requirements, promotion of officers, conducting efficiency bar examinations, evaluation of performance, granting salary increments, transfer of officers, retirement of officers, handling leave and disciplinary issues of officers are carried out at the Department.

Provision of training required for the entire staff of the department, referring officials to training programmes conducted by external institutions, allocation of financial provisions required for degrees and postgraduate degrees followed by employees, carrying out coordination activities required for foreign training are the human resources development functions performed by the Department. In organization internal training programmes, more attention was focused on conducting training programmes using zoom technology as a precautionary health measure and to economize fuel usage.

Table 2.7- Training programmes organized and conducted by the Department of Labour from 01.01.2022 to 30.09.2022

S.No	Nature of the programmes	No. of programmes conducted	No. of officers participated
1	Outbound leadership training programmes	02	176
2	Orientation programmes	01	07
3	Subject related training programmes	06	409
4	Training programmes conducted online	10	805
	Total	19	1,397

Table 2.8- Allocation of provisions to officers by the Department of Labour for training in external training institutions from 01.01.2022 to 30.09.2022

S.No	Programme	No. of officers to whom provisions were allocated
1	Postgraduate courses	05
2	Diploma course	01
	Total	06

In addition, 45 officers of the Department participated in 23 online training programmes organized and conducted by foreign organizations from 01.01.2022 to 30.09.2022.

2.15 Infrastructure development of Department of Labour

The Department of Labour took action to develop infrastructure facilities in its head office and regional labour offices island-wide with the objective of delivering a more efficient service to the labour community scattered across the country. Accordingly, the newly constructed Badulla and Hatton labour office buildings were opened in 2022 for office activities.

2.16 Steering towards targets by monitoring departmental functions

The Annual Action Plan of the Department for 2022 was prepared and the methods employed by all divisions of the department and regional offices to achieve targets thereunder and progress made in that regard were reviewed. Accordingly, the monthly meetings of Labour Commissioners were conducted every month wherein discussions were held on progress of each division and action to be taken as to issues that arose in carrying out activities of the divisions.

Similarly, achievement of annual targets by district and sub labour offices was monitored. A progress review meeting of regional offices was held on 30.03.2022 under the patronage of former Minister of Labour.

2.17 Administration and regulation of foreign employment sector

SLBFE is the apex regulatory body for labour migration in Sri Lanka. It is an institution with a comprehensive subject scope established under a legal framework for the regulation of the process of labour migration process that ensures migration of Sri Lankans who expect employment in foreign countries under the conditions of dignity, safety and equality.

Table 2.9 Issuing licenses to licensed foreign employment agencies, foreign employment orders and registration for foreign employment- SLBFE

Description		Targeted No.	Actual No.
Issuing licenses for foreign employment agencies	No. of new licenses issued	60	67
	No of licenses renewed (annual renewal)	750	967
Registration/renewal of employment agencies and companies in foreign countries that recruit Sri Lankans	No. of employment agencies/companies in host countries registered/ license renewed	825	848
Granting approval for foreign job orders and notices submitted by the Foreign Employment Agencies	No. of job orders approved	2049	2,256
	No. of notices approved	914	730
Registration for foreign employment	No. of approvals granted to licensed foreign employment agencies to recruit Sri Lankans for foreign job vacancies and sending them abroad.	50,000	86,513
	No of migrant workers registered to leave for foreign employment through private channels	47,604	78,537
	No of migrant workers who renewed registration to leave for foreign employment through private channels	62,800	62,056
	No. of migrant workers who registered through diplomatic missions in foreign countries	2,050	2,914
	No. of migrant workers who renewed registration through diplomatic missions in foreign countries	6,000	5,026

Table 2.10- Instituting legal action against licensed employment agencies/ other parties which are not licensees - SLBFE

Description	Targeted No.	Actual No.
No of investigations conducted	1,330	569
No. of complaints received	800	733
No of successful raids in respect of illegal recruitments	165	15
No. of cases filed in courts against licensed/non-licensed parties for violation of laws	200	126
No. of times appeared in courts/ labour tribunal for cases filed against licensed/non-licensed parties for violation of laws	3,000	2,714

Table 2.11 – Action against human trafficking and settling complaints received from or on behalf of migrant workers – SLBFE

Description		Targeted No.	Actual No.
Resolving complaints received from migrant workers or on their behalf	No. of complaints received	8,475	3,274
	No. of complaints resolved	5,905	3,195
Settlement of complaints received relating to the settlement of business issues	No. of complaints received	433	552
	No. of complaints resolved	433	119
No. of complaints on human trafficking	No. of complaints received	15	14

2.18 Advancement of the foreign employment sector

2.18.1 Online job bank

Facilities have been made available for people expecting foreign employment opportunities to register in the online job bank maintained by the SLBFE. Foreign employment aspirants can register personally through the website of the Bureau or through the Head Office or provincial offices. Such registration is valid for a maximum period of two years from the date on which the application was submitted to the job bank. The job Bank facilitates foreign employees and licensed foreign employment agencies to find suitable candidates for foreign employment opportunities.



Photograph 2-4 Discussion on establishing day care centres for the children of migrant workers

Table 2.12 : Registration of job aspirants through the job bank -SLBFE

Description	Targeted No.	Actual No.
No of job aspirants registered	4,500	27,506
Out of the registered applicants, the number migrated for employment	-	3,994

Table 2.13 Recruitment by the SLBFE for employment –SLBBFE

Country	Description	Targeted No.	Actual No.
South Korea	No. of persons migrated under normal license system	2,250	2,572
	No. of persons who migrated to their former place of work itself	750	612
	No. of persons migrated under special license system	567	275
Japan	No. of persons who left under Technical Intern Training Program (TTIP)	150	123
Israel	Mo of persons who left as caregivers	350	135

Table 2.14 – Conducting foreign employment promotion programmes –SLBFE

Description		Targeted No.	Actual No.
Conducting awareness programmes for foreign jobseekers and people	No, participated	7,515	9,263
	No. of awareness programs conducted	135	126
Conducting mobile services for foreign jobseekers and people	No, participated	1,800	26,583
	No. of mobile services conducted	18	99

2.18.2 Posting foreign employment orders/vacancies and advertisements on the website of the Bureau

Facilities have been made available to licensed foreign employment agencies to post approved foreign employment orders and advertisements thereof on the official website of the SLBFE (www.slbfe.lk).

2.19 Career guidance, maintaining labour market information and public employment service activities

The Department of Manpower and Employment implements diverse programmes for the development and management of human resources in the country.

2.19.1 Career guidance activities

Career guidance services are offered with the objective of creating a human resource in sync with local and foreign labour market while directing the total energy of human resources of the country efficiently and effectively for the development of the country. For these career guidance programmes, tools such as psychometric tests, aptitude tests, written and practical tests, interviews, various observational tests are used. The career guidance programmes are conducted individually and collectively and in groups by means of personal consultancy and guidance, basic awareness programmes, workshops and practical activities.

Table 2.15- Progress of career guidance programmes- DMP&E

	Programme	No. of programmes conducted physically	No. of programmes conducted online	No. of students participated
01	Creating awareness among Grade 9 students	1,134	42	31,587
02	Creating awareness among O/L students	1,631	103	43,353
03	Creating awareness among A/L students	713	28	21,913
	Total	3,478	173	96,853

Life Talk Programme

Life Talk is an online programme conducted using zoom technology and social media for creating awareness among parents, teachers, young people, teachers, the self-employed and entrepreneurs and disseminating knowledge. This programme was conducted every day of the

week from 8.00 to 9.00 p.m. from January to March 2022 with the participation of nationally recognized experts of different fields. The Tamil medium programmes which were commenced in September 2022 have been planned to run until the end of December and as of 30 September 2022, seventy (70) programmes had been conducted with the involvement of 23,688 beneficiaries.

2.19.2 Gathering, analyzing and disseminating labour market information

The objective of this is to conduct research and survey on labour market focusing on timely and developmental needs of Sri Lanka, introduce market opportunities, and conduct studies on labour demand and supply and dissemination of such information. The information so gathered is made available in easy-to-use format to all stakeholders for efficient and effective decision making on labour market, for the purpose of policy making and for the use of those developing programmes in the field of education and those formulating developmental plans.

Accordingly, brainstorming sessions/studies conducted by the Labour Market Information and Research Unit are given below.

I. Brainstorming Sessions

1. Small and Medium Enterprises
2. Vocational Training
3. Foreign Job Market
4. Self-Employment
5. Tourism Development Possibilities
6. Green Jobs
7. Attitudinal Context of Youth and Employability in Sri Lanka

II. Case Studies

1. Tissue culture and floriculture
2. Dried ridged gourd-based products
3. Durian based products
4. Blue butterfly pea-based products
5. Horticulture
6. Yoga education as a business enterprise
7. Online businesses (dressmaking)

2.19.3 Public employment service Activities

With the objective of providing productive employment opportunities to Sri Lankan labour force in the private sector, jobseekers and private sector institutions are registered at the District and Divisional Secretariat levels (physically and online) and when vacancies occur in those private

sector institutions, the registered jobseekers are referred to them. The progress of activities carried out from 01.01.2022 to 30.09.2022 is tabulated below.

Table 2,16 : Progress of Public Employment Services –DMP&E

		No of Beneficiaries
1	Registration of jobseekers	41,780
2	Registration fof job vacancies	25,781
3	Referring jobseekers for employment	25,803
4	Providing employment to jobseekers	7,445
5	Creating entrepreneurs & self-employed persons	1,774

2.19.4 Other programmes

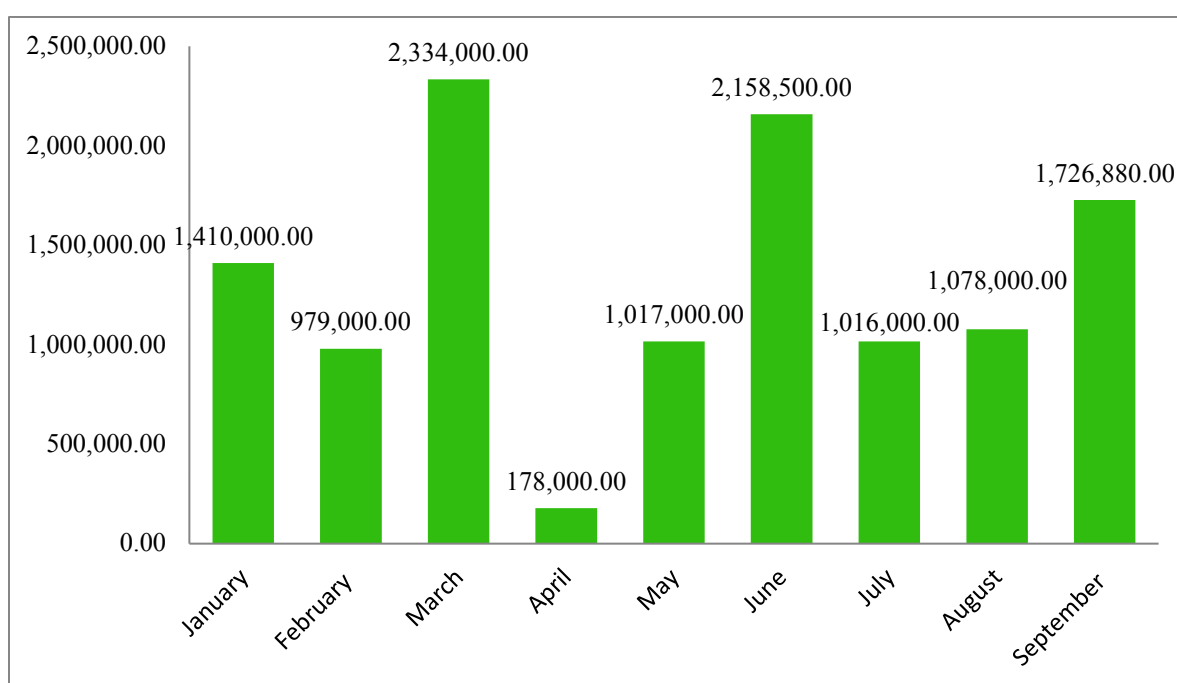
1. Two projects with ILO and one programme with KEIS of South Korea are being coordinated in 2022, In addition, Career Guidance Officers are educated on the global job market and future employment opportunities and liaise with the SLBFE on referring youths for employment opportunities in Japan.
2. Activities carried out for the implementation of National Human Resources and Employment Policy which is a comprehensive policy framework that governs human resources development activities of Sri Lanka and the measures adopted by the government for the provision of decent and productive employment to Sri Lankans.
 - i. Action is being pursued together with the National Council for Human Resources Development for the implementation of the National Human Resources and Employment Policy for which approval has been received as of now from the Cabinet of Ministers and bringing necessary amendments thereto. (Negotiations have been held with 12 ministries and institutions as of now in this regard and 2 concept papers have been submitted to the line ministry and the Ministry of Public Administration)
 - ii. Under the human resources and employment policy, submission of recommendations and proposals to other institutions involved in the promotion of each sector. (A number of proposals such as granting no-pay leave for public employees to take up foreign employment, minimizing the use of paper for office activities, adopting hybrid works system in public sector institutions for conserving energy, etc have been submitted)
 - iii. Holding discussions with the relevant partner institutions to increase the female labor force contribution to and making active contributions thereto.

2.20 Educating tripartite stakeholders for better industrial relations

2.20.1 Study on Labour Law, Industrial Relations and Human Resources Development

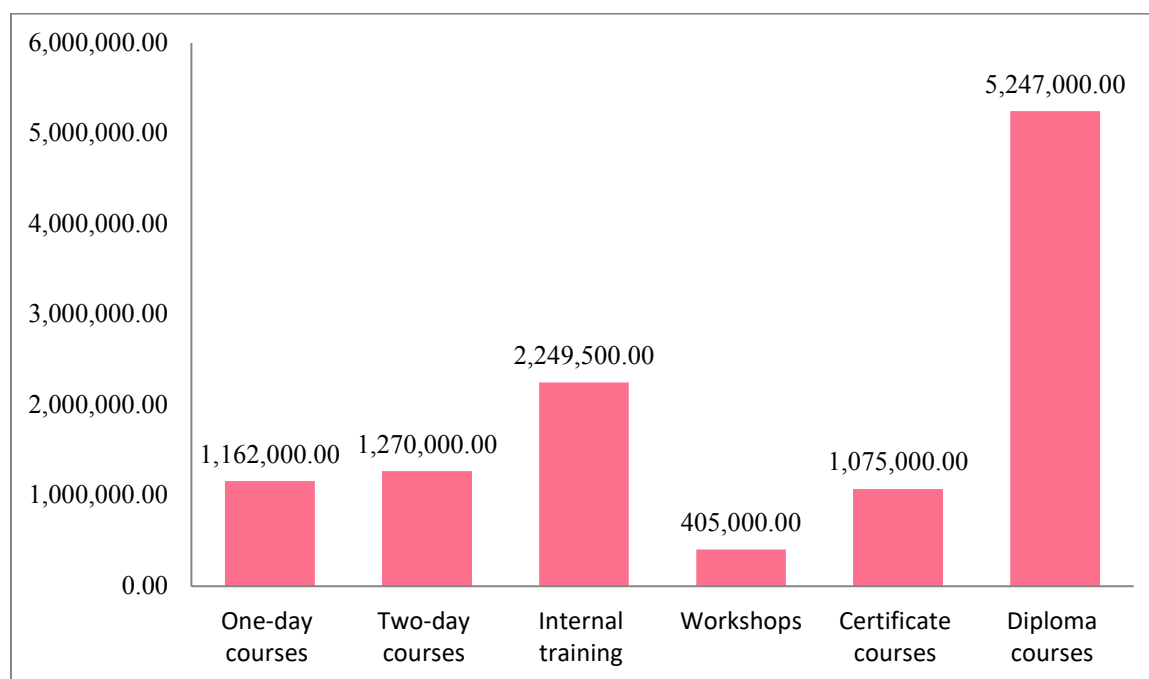
The National Institute of Labour Studies (NILS) conducts diploma courses on industrial relations and human resources management for broadening knowledge, attitudes and skills of workers. The Institute offers academic and training opportunities required for capacity building of employees, employers and trade union leaders in the private sector and the semi-government sector. In addition, the institute conducts short term courses and certificate courses on labour studies.

Income from training programmes from January to September 2022



Graph 2.7: Income from training activities of NILS

Gross income of training programmes conducted from January to September 2022



Graph 2.8: Income from course wise training programmes conducted of NILS

Table 2.17 Progress of NILS

Description	Estimated value (Rs. 000')			Actual value as at 30.09.2022 (Rs. 000')
	For the year		As at 30.09.22	
Income		35,641	28,633	17,683
NILS earnings				
Training programmes	23,141		19,508	11,898
Examinations	9,000		6,500	2,725
Investment income	3,500		2,625	3,060
Treasury provisions		20,100	16,350	9,189
Recurrent	15,000		11,250	6,918
Capital	5,100		5,100	2,271
Total income		55,741	44,983	26,872
Expenditure		31,470	20,980	16,926
Surplus/deficit		24,271	24,003	9,946

2.20.2 Improving occupational safety and health

With the objective of minimizing occupational accidents in workplaces, the National Institute of Occupational Safety & Health (NIOSH) conducts diploma courses and certificate courses to train Occupational Safety Officers and several other courses on occupational safety and health and takes environmental measures for safety and health of worksites and conducts assessments for identifying potential risks. The progress of programmes conducted from 30 September 2022 is outlined below.

Table 2.18 Training programmes on occupational safety and health- NIOSH

	Course	No. of courses conducted	No. of participants	Financial progress (Rs Mn)
01	Diploma course on National Occupational Safety and Health (English & Sinhala Medium)	5	117	9.15
02	Certificate course on National Occupational Safety and Health	4	52	2.42
03	Foundation course on National Occupational Safety and Health	2	20	0.30
04	Special course for officers of the Executive Grade	1	10	0.21
05	One day training for workers of Colombo Municipal Council	6	600	3.00
06	Three-day training for nurses of Brandix	1	31	0.32
07	training on working at higher elevations	1	25	0.30

During the period under review, the institute conducted 127 environmental measurements and earned Rs. 0.85 million by conducting 10 medical clinics.

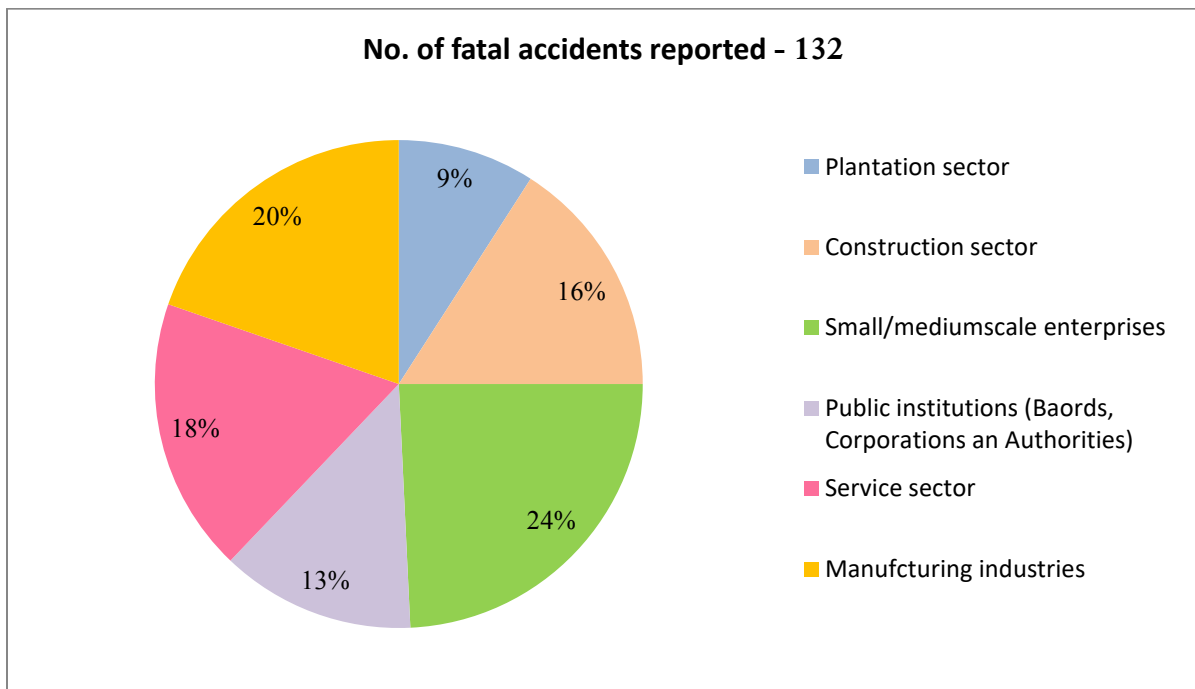
2.21 Payment of compensation for occupational accidents

Compensation is be paid by the **Office of the Commissioner for Workmen's Compensation** to workmen who sustain injuries in the course of employment, who suffer from diseases contracted due to the nature of the employment and to dependents of workmen who die due to accidents in workplaces.

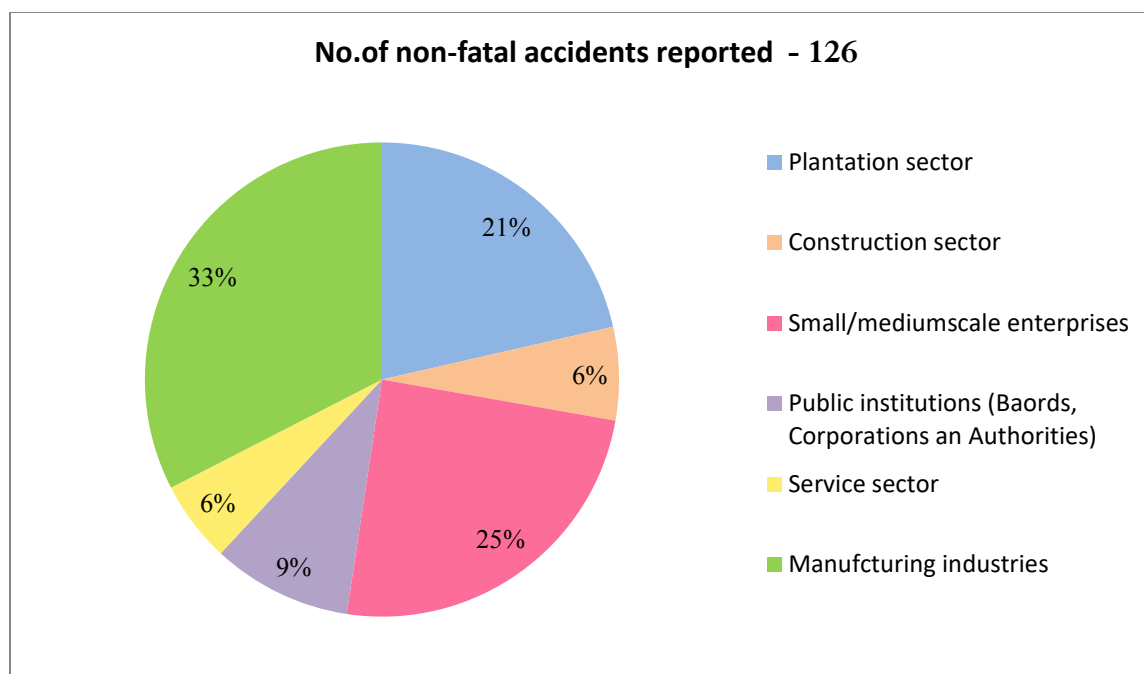


Photograph 2-5 National Conference on Occupational Safety and Health

2.21.1 No. of fatal and non-fatal accidents reported



Graph 2.9 No. of fatal accidents reported



Graph 2.10 No. of non-fatal accidents reported

2.21.2 Progress in the payment of compensation

Table 2.19 Progress in the payment of compensation – OCWC

Function	Progress
No. of accidents formally reported	243
No. of files taken up for examination	1,373
No. of compensation applications finalized	262
No. of agreements registered	55
Amount recovered as compensations for fatal accidents (Rs. Mn.)	100.43
Amount of compensation paid by employers to employees on court orders for non-fatal accidents (Rs Mn)	26.40
Amount of compensation paid to employees for non-fatal accidents in terms of registered agreements (Rs Mn)	7.70
Amounts of money deposited in the savings accounts of minor dependents after having recovered in regard to fatal accidents (Rs. Mn)	14.85
No. of accounts opened on behalf of minors	82
No. of accounts of minors which were closed upon them reaching the age of 18 years	139
Amount paid from released minors' accounts (Rs. Mn)	23.61

2.22 Promoting productivity of the public and private sectors

The National Productivity Secretariat implements productivity promotion programmes enabling the delivery of more efficient and qualitative service by the public and private sectors of Sri Lanka. Multiple programmes are conducted island-wide annually for enriching state institutions, educational and service sectors, community organizations and small and medium scale

entrepreneurs through productivity concepts and has created the environment necessary for establishing a knowledge centric society with the constant cooperation of the Asian Productivity Organization (APO).

The relevant improvements were made by devising suitable mechanisms for minimizing the time spent within the premises of the institution by clients thus enhancing institutional efficiency and effectiveness, analyzing customer service processes currently being for developing more satisfactory and efficient customer service processes, conducting a census on customer and employee satisfaction, conducting discussions with upper management and the staff and submitting a report with process amendments to the senior management. The progress of the institution from 01.01.2022 to 30.09.2022 is summarized below.

2.22.1 Progress of activities in Action Plan

Table 2.20: Progress of programmes –NPS

Key activities	Financial (Rs Mn)			Physical		
	Estimated	Actual expenditure	%	Target	Progress	%
Training programmes						
• Productivity diploma course	0.29	0.29	100%	10	10	100%
• Other training programmes	1.21	0.8	66%	45	45	100%
5S certification programme	0.15	0.053	34.7%	31	25	81%
Conducting productivity promotion programmes	0.42	0.38	90%	407	375	92%
• Public, educational, service and manufacturing sectors						
• Dhamma schools and pirivenas						
Small scale entrepreneurship development programme	3.6	2.6	72%	86	36	42%
Implementing programmes together with APO – Capacity development programmes	0	0	0%	85	108	127%

2.22.2 National Productivity Competition and Awards Ceremony

National Productivity Competition – 1,252 institutions have won awards for the year 2020 and the awards ceremony is due to be held during the 4th quarter of 2022.



Photograph 2-6 National Productivity Award Ceremony - Southern Province

2.23 Implementing welfare programmes for labour community

2.23.1 Welfare of workers

Shrama Vasana Fund conducts welfare programmes for uplifting the living standard of the labour community. Eye clinics, medical camps, scholarships and school equipment for children of deceased workers, technical education for livelihood assistance and other welfare activities are conducted island-wide as part of these welfare programmes.

I. Awareness Programmes

Awareness programmes were conducted employing experienced resource persons of the field with the aim of raising awareness on problematic situations faced by employees as well as owners of institutions on labour legislations. These programmes helped in establishing industrial peace and awareness programmes on occupational safety and health contributed to minimize industrial accidents. During the period from January to September 2022, 23 awareness programmes were conducted in various areas of the country educating 970 workers and the amount spent on conducting these programmes was approximately Rs. 500,000.00.

II. Scholarship Programme

This programme is implemented for children of workers who have died or become permanently disabled due to accidents occurred in factories. Children aged 3 to 25, i.e. from preschool education to university education are entitled for benefits under this programme which include a fixed deposit of Rs. 50,000.00 and equipment needed for education. Due to the prevailing situation in the country, the scholarship programme was not held and money for the purchase of school equipment sets was credited to accounts and the fixed deposit certificate was forwarded to them. During the period under review, an accident scholarship programme was conducted for 51 whose beneficiaries at a cost of Rs. 2,761,232.00.

III. Welfare programmes

- **Providing school books and equipment**

With the objective of promoting workers' welfare, school equipment and books are donated to children of selected low income labourer families.

Table 2.21 Provision of school equipment and books by Shramam Vasanam Fund

Description	No. of beneficiaries	Total cost Rs.
Sampathnuwara , Welioya (several schools)	103	557,080.00
Devananda Vidyalaya, Minipe, Hasalaka	289	1,513,810.00
Meeminawala Vidyalaya, Kahatagasdigiliya	97	514,192.00
Total	489	2,585,082.00

- **Sanitation project**

Plans were drawn up to construct 200 safety toilets for improving sanitation of labourer families within the Badulla Divisional Secretary Division and 147 of them were completed during this period. The amount spent was Rs. 2,774,705.00.



Photograph 2-7 School Accessories for school children of low income employees

IV. Legal aid programme

This programme is implemented to provide relief to workers in the event of unfair dismissal from service and closure of institutions without prior notice and when complaints have been lodged with the Commissioner of Workmen's Compensation. Benefits under this programme have been offered to 37 persons up to 30.09.2022.

Table 2.22 Legal aid provided by Shrama Vasana Fund

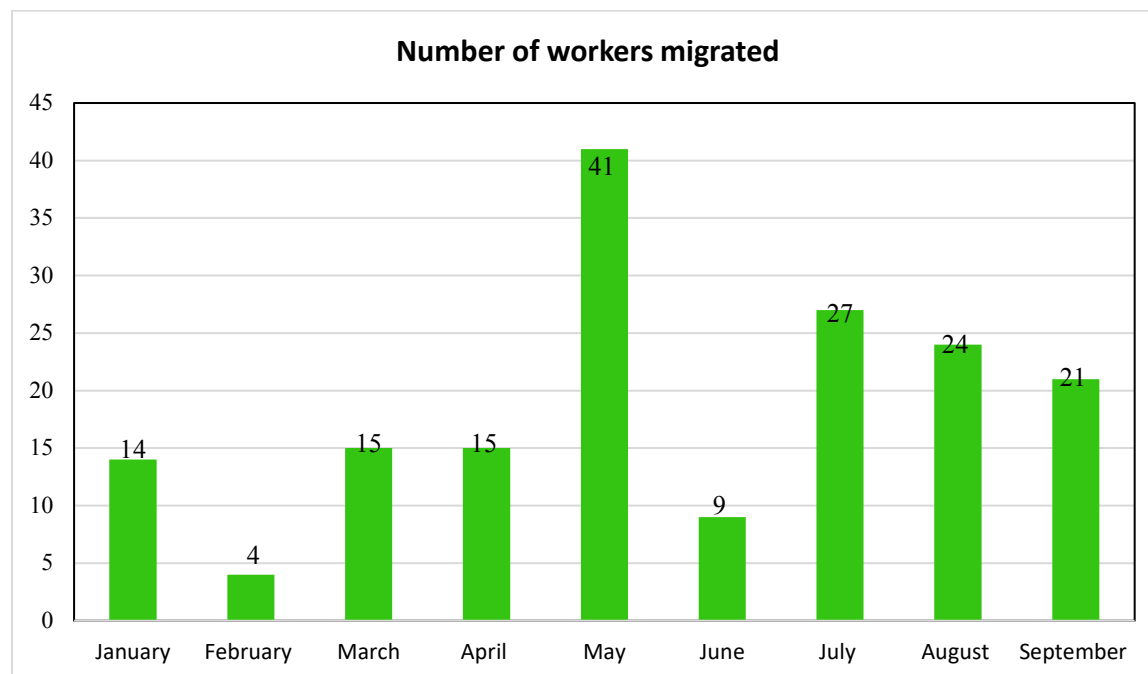
Name of the programme	No. of beneficiaries	Total cost (Rs.)
Legal aid	32	640,000.00
Legal aid appeals and revisions	02	100,000.00
Legal ai scholarships	03	30,000.00
Total	37	770,000.00

V. Programme for medical assistance

This programme is implemented for employees who have contracted occupational disease/industrial disease while being employed and during the period under review, medical assistance amounting to Rs. 100,000.00 was offered to two beneficiaries.

2.24 Sending workers for foreign employment

Sri Lanka Foreign employment Agency sends workers for foreign employment. The number of workers who migrated for employment from January to September 2022 was 170.



Graph 2.11: No of persons provided for foreign employment – SLFEA

Employment opportunities received by SLFEA

Table 2.23: Employment opportunities received by SLFEA

Country	Institution/ Post	No. of vacancies	No. of candidates faced the interview	No. selected from the interview	No. received visas
Kuwait	United Steel	110	36	20	02
	Kuwait Foodstuff Industries Group	25	75	18	Visas have been applied
Romania	Ceylon Global Recruiter	100	100	35	Visas have been applied
	Bike Rider	50	123	36	36
Dubai	Al Najah Human Resources	150	160	20	
South Korea	Kang Youngchuls	500	No. of applications forwarded to foreign agent - 117	No. shortlisted by foreign agent - 105	

Oman	BADR Al Samaa	50	No. of applications forwarded to foreign agent - 104	No. of applications selected by foreign agent - 07	
Singapore	People Wordwilde Consulting	55	No. of applications forwarded to foreign agent - 90	No. of candidates who faced the interview - 05	

2.25 Decent Work Programme

If Sri Lanka is to access the path of development, decent work has to be promoted. Decent work fosters equal opportunities for men and women to secure productive work in an environment of freedom, equity, social protection and human dignity. A significant factor involving decent work is that the mere job creation is not expected and the jobs so created should be acceptable. Decent work is based on four major elements: Job Creation, Promotion and National Productivity, Rights at Work, Social Protection, Social Dialogue. In addition to these 4 major elements, programmes are implemented covering the subject areas of productivity promotion, Ensuring gender equality

Under the decent work programme, Rs 12.81 million was allocated to the following institutes for the implementation of various programmes and projects.

Table 2.24 Implementing Decent Work programme

Institution	Net Provision	Expenditure (Rs. Mn)	Expenditure percentage
Department of Labour	8.17	1.62	20%
National Institute of Labour Studies	1.14	0.49	43%
National Institute of Occupational Safety and Health	3.50	-	-
Total	12.81	2.11	16%

2.26 Planning, Research and Development Activities

- I. This Ministry organizes an annual scholarly symposium on a topical issue and a journal is published incorporating a summary of research papers submitted thereto. Accordingly, in the year 2022, research papers were invited on the theme of 'Dawn of Informal Sector Workers' and after the evaluation of the research papers by a panel of experts with an in-depth knowledge on the field of labour, they are to be published as a journal.
- II. Handling all activities pertaining to the publication of Sri Lanka Labour Gazette. The labour Gazette is now issued biannually and for the period under review, volume I of Serial No

72 was issued and action is being pursued for the publication of volume II of Serial Mo. 72.

2.27 Administrative and Establishments Activities

- I. This Ministry submitted 28 cabinet memoranda from January to September 2022 to the Cabinet of Ministers and decisions have been received in respect of 12 of them.
- II. Under the provision of relief to July strikers, recommendations have been submitted to the Director General of the National Budget Department for the payment of one-off relief allowance for 38 July strikers who have reached 65 years of age.
- III. During the period under review, 389 public complaints were received and all of them have been referred to the relevant divisions for necessary action. 237 response reports have been received from those divisions.
- IV. Thirteen (13) requests were received under the Rights to Information Act and 10 of them were responded to while 03 were rejected.
- V. 86 officers of the Ministry were afforded opportunities to participate in training programmes conducted by various institutions. These training programmes were on various subjects such as the personal file management, preparation of project reports, outbound leadership and personality development workshops and postgraduate degrees.
Training programmes have been implemented for 769 Development Officers attached to the Foreign Employment Division of the Ministry. These training programmes have been conducted to raise awareness on existing foreign employment opportunities and the new circular on family background reports. A training of trainers programme was also conducted.
- VI. Action was taken to have officers of the institutions affiliated to this Ministry and the Department of Labour participated in foreign scholarships, workshops and training programmes. From January to September 2022, twenty five officers joined foreign training courses and workshops.
- VII. In addition, the following establishments activities were carried out during the period under review.

Table 2-25 Progress of establishments activities

S.No	Activities	Progress
01	Answers for oral questions in parliament	15
02	Reports forwarded to the Public Petitions Committee	14
03	Submission of annual reports for the approval of cabinet	07
04	Presenting annual reports to Parliament	03
05	Observations for Cabinet Memoranda	10

2.28 Financial Progress of the Ministry

Necessary measures have been taken for efficient, effective and economical administration of financial resources allocated from the budget of 2022 to the Ministry and institutions under its purview in compliance with state policies.

Table 2.26 The progress of utilizing treasury provisions

	Institution	Exp Head		Net provision (Rs. 000’)	Expenditure (Rs. 000’)	Balance provision (Rs. 000’)	Expenditure (%)
1	Ministerial office – Labour Division	193	Recurrent	216,100	89,357	126,743	41.34
			Capital	62,100	4,187	57,913	6.74
	Ministerial office – Foreign Employment Division		Recurrent	719,000	511,882	207,118	71
			Capital	189,750	11,553	178,197	6
2	National Institute of Labour Studies		Recurrent	15,000	7,814	7,186	52
			Capital	7,000	2,271	4,729	32
3	National Institute of Occupational Safety and Health		Recurrent	9,000	4,489	4,511	50
			Capital	7,000	1,605	5,395	23
4	National Productivity Secretariat		Recurrent	480,900	372,066	108,834	77
			Capital	32,100	6,924	25,176	22
5	Office of the Commissioner of Workmen’s Compensation		Recurrent	34,000	26,555	7,445	78
			Capital	2,800	26	2,774	1
	Sub Total		Recurrent	1,474,000	1,012,163	461,837	69
			Capital	300,750	26,566	274,184	9
6	Department of Labour	221	Recurrent	1,836,470	1,633,793	202,677	89
			Capital	477,680	256,868	220,811	54
	Sum Total		Recurrent	3,310,470	2,645,956	664,514	80
			Capital	778,430	283,434	494,995	36

2.29 Special Achievements

Steps have already been taken to amend outdated labor legislations and enactments to successfully taken on future challenges and suit the present whilst safeguarding the rights of working people. Similarly, measures have also been initiated to amend legal provisions so as to create conducive environment that helps in attracting foreign investments into the country and simplifying same by removing existing complexities while protecting consistency so as to bring benefits to all parties and in compliance with international labour standards. The progress of these activities carried out in partnership with the Department of Labour and all other relevant stakeholders are set out under 2.1.

Further, a raft of programmes have been launched with the prime objective of sending workers to new labour markets and to countries which still have not recruited Sri Lankan workers in addition to labour markets which traditionally accommodate Sri Lankan migrants laying emphasis on sending skilled workers equipped with new technical knowhow and competencies to foreign employment market in order to boost foreign remittances to ease the prevailing economic challenges. These activities carried out in collaboration with the SLBFE and other relevant stakeholders are set forth under 2.2.

1. Department of Labour

- I. The Department of Labour introduced the EPF Appointment Management System for reserving a time for handing over EPF applications with effect from 01.09.2022 thus facilitating the activities of clients visiting the Department for employee registration. Accordingly, a date and time can be booked from the relevant labour office for the required service by contacting hotline 1958 or through the link appointment.labourdept.gov.lk. This enables our clients to obtain the services required at an appointed time without wasting time.



Photograph 2-8 Launching of EPF appointment management system

- II. Similarly, by introducing a new method for downloading A, B and H forms required for the registration of EPF members by employers from the website of the Department of Labour, thus making it easier and more convenient for employers to carry out such activities. Hence, employers can register their employees by downloading A,B and H forms from the website of the Labour Department and forwarding same.

- III. Establishment of Complaint Management System - The CMS developed by the Department with the coordination of the Sri Lanka Right to Information Commission and the sponsorship of the United Nations Development Programme was implemented with effect from 15.03.2022. This enabled employees of the private or semi-government sector who intend to lodge a complaint with the Department of Labour in regard to their employment to do so online using the link <https://cms.labourdept.gov.lk> without visiting the labour offices in person.

- IV. Establishment of formal safety committees for enhancing safety of employers/employees- With the coordination of the Department of Labour, pilot project was launched at the Awissawella Investment Promotion Zone to enhance employer/employee safety by promoting safety and health committees. Since it was observed that there were no formal safety committees within the Zone, safety committees were established having inspected each factory. As at 30.09.2022, formal safety committees had been established in 29 factories.

V. Improving relationships with international organizations associated with labour sector and countries.

- Two committees were established under the patronage of the ILO for the amendment of 'Field Guide to Labour Inspection' and reprint the 'Labour Code' incorporating new amendments.
- A committee was established for carrying out future activities of the proposed 'Small Scale Plantation Sector Occupational Safety Health Promotion Project' to be implemented under the auspices of the ILO with suitable representation from officers of the ILO and Department of Labour and employers and employees of that sector.
- Under the financial sponsorship of the ILO, 30 short videos each from Sinhala, Tamil and English languages on main services of the DoL were produced and posted on the official YouTube Channel of the Department. The videos give out information on EPF, legal framework of industrial relations, legal aspects relating to the employment of women, children and young persons and labour standards,
- The Department extended its assistance in the preparation of the Trafficking in Persons (TIP) Report 2022 of the United States issued by the State Department of the United States on 19th July, 2022 by liaising with the State Department to provide necessary information as a state sector stakeholder. According to the said report, it was observed that Sri Lanka which remained in the list of Tier 2 Watch List level countries in 2021 has been included in the list of Tier 2 countries in 2022 thus signifying an improvement in the level of Sri Lanka. At the ceremony organized by the Ministry of Defence for appreciating the institutions which supported to the formulation of the said report, the support extended by DoL by providing necessary information came in for praise.
- Scholarships were awarded to ten schoolchildren of ten employees who died while engaged in employment with the financial assistance of the Russian Cultural Centre.

2. Sri Lanka Bureau of Foreign Employment

As remittances sent to Sri Lanka by foreign workers are the main source of foreign exchange for Sri Lanka, with the aim of getting more foreign exchange to Sri Lanka, the foreign employment opportunities of licensed foreign employment agencies to refer 300,000 Sri Lankans for foreign jobs in 2022.

Following steps have been taken for promotion.

- I. To encourage Sri Lankans employed abroad to remit their earnings to Sri Lanka through legal channels
 - Granting permits to import fully electric vehicles for encouraging Sri Lankan migrant workers to remit their earnings to Sri Lanka through legal channels.
 - Obtaining self-declarations from persons registering with the SLBFE to migrate for employment stating that they will remit their earnings from foreign employment to Sri Lanka through legal channels.
 - Creating awareness through Sri Lanka diplomatic missions for encouraging Sri Lankan migrant workers to remit their earnings from foreign employment to Sri Lanka through legal channels.

- II. Implementing a contributory pension scheme

Initiating action in partnership with the Sri Lanka Social Security Board to propose a contributory pension scheme named 'Manusavi' enabling a worker who has undertaken foreign employment having registered with the SLBFE to obtain a monthly pension upon reaching 60 years of age. The contributions for this contributory pension scheme should be paid in foreign exchange.

- III. Conducting foreign employment promotion programmes at the national and provincial level with the participation of licensed foreign employment agencies to promote more and more Sri Lankans to take up foreign employment.
- IV. Entering into agreements to secure employment opportunities with countries having potential for higher level of earnings for migrant workers. (Eg. South Korea, Japan, Israel)
- V. Designing and implementing a mobile phone software with facilities for lodging complaints of migrant workers with the Bureau and review progress thereof.
- VI. Simplifying the procedure for recruitment of foreign jobseekers by licensed foreign employment agencies and registration for foreign employment through workers own channels.
- VII. The SLBFE in collaboration with the Department of Immigration & Emigration established a special counter at the Department of Immigration & Emigration to enable migrant workers to obtain passports without delay.



Photograph 2-9 Launching a contributory pension scheme for migrant workers

- VIII. “Hope Gate” was opened with the aim of offering more facilities to Sri Lankan migrant workers at the airport.
- IX. The SLBFE in partnership with the Central Bank of Sri Lanka introduced mobile app ‘Lanka Remit’ to facilitate migrant workers to remit their money to Sri Lanka through legal channels. Lanka remit mobile phone app offers access to migrant Sri Lankan workers to remit their earnings to Sri Lanka speedily, safely and more conveniently.

3. Department of Manpower & Employment

With the objective of optimizing the services of the Department, activities for restructuring the department were initiated in 2021. Programmes are implemented with the aim of providing career guidance services to all persons in need of such services and delivering the services of the Department optimally and these activities are carried out without incurring any costs. New programmes activated in the year 2022 are outlined below.

I. Programmes conducted together with ‘Dream Brigade– No. of programmes 20

This is a programme oriented towards empowering voluntary groups with the objective of popularizing career guidance services, improving employment opportunities and preparing the youths to fulfill the local and foreign labour market demand. ‘Dream Brigade’ is a voluntary organization of youths who offer consultancy service of the DMP & E under the said programme. The brigade offers its services targeting principals, teachers and schoolchildren.

II. Shramabhimani Programme

This is a programme aimed at empowering public officers with the objective of propagating career guidance services and improving employment opportunities. 'Shramabhimani' is a voluntary organization formed by Grama Niladharis who provide consultancy services of the DMP&E. This organization offers its services targeting the entire community of the GN division.

III. Sara Sri Lanka Programme

This is a programme launched to create community awareness with the participation of other stakeholders to popularize home gardening to prevent any collapse in food security in the aftermath of fertilizer shortage and economic crisis. It mainly focuses on preventing protein deficiency among children, preventing nutrient deficiency among future labour force and preserving present labour productivity. Nearly 1.5 million people have been educated under this programme and the promotion of home gardening and community coordination activities are carried out by the Department of Agrarian Services.

IV. Online Career Guidance Programmes – 173

These are several testing tools used for assessing beneficiaries in providing career guidance services and some of them are skills and interests test, career key test, multiple intelligence quotient tests and entrepreneurial skills test. These assessment tools are used as documentary tools and since the documentary tools are gradually becoming extinct in the present socioeconomic context, the Department is engaged in a process of converting these tools into digital tools that can be used online and already two types of psychometric tests, i.e. career key test and multiple intelligence quotient test have been upgraded to be used as online tools. (https://bit.ly/DOME_SkillTests) Using these linkages, 173 online programmes have been conducted as at 30.09.2022.

V. Giving publicity to departmental programmes using national communication media.

National level media outlets such as National Television, IITN, Sirasa TV, SirasaFM and Lakhandha have agreed to allocate 4 minutes free of charge to give free publicity to departmental programmes and from January to September 2022, 144 publicity programmes have been aired.

VI. Q & A Programme

Arrangements have been made to include 1,000 questions under the Frequently Asked Questions of the website to provide better knowledge and career guidance service to beneficiaries who log into the department's website and the questions are being framed as of now.

VII. Publishing subject related articles on topical subjects.

VIII. Submission of concept papers

Concept papers have been prepared and referred to relevant institutions regarding the proper and effective management of the country's financial and human resources as a solution to overcome the prevailing economic crisis in Sri Lanka.

4. National Institute of Labour Studies

I. Registration for training institute was obtained under P01/0717 from the Tertiary Education Commission.

II. The Department of Examination conducted a special workshop for the staff engaged in examination activities, examiners and question paper setters, Resources were contributed to the Department of Examination for such programmes.

III. Approval was granted by the Tertiary Education Commission to offer NVQ 5 to those who follow the Industrial Relations and Labour Legislation Diploma in Sinhala and Tamil medium. Earlier NVQ-5 certificate was offered only for the English medium course.

IV. All arrangements have been put in place to deliver all lessons conducted in lecture halls in online mode as well. Accordingly, it will be possible to deliver high quality online sessions.

5. National Institute of Occupational Safety and Health

I. A research has been commenced under the financial assistance of the ILO on occupational safety and health of employees of tea, rubber and coconut factories.

II. Six 01-day courses on the importance of occupational safety and safety of life were conducted for 600 officers of the Colombo Municipal Council employed under the investment programme of managing and upgrading of wastewater of the Colombo Municipal Council and a 15-day occupational safety certificate workshop was conducted for middle level management, upper level management and engineers.

6. Office of the Commissioner for Workmen's Compensation

Workmen's Compensation Ordinance, No. 19 of 1934 was amended on 21.01.2022, Some of the timely amendments made to the enactment are as follows.

- I. Compensation was hitherto paid only for workers who are injured in the course of their employment. But under the new amendment compensation is paid to workers who are injured in the course of their employment or while coming from their place of residence to the work place or while returning back to their place of residence from the work place.
- II. The maximum amount of compensation was increased from Rs. 550,000/- to Rs. 2,000,000.

By this amendment made after 17 years, compensation can be obtained by dependents of the deceased worker or the worker who became disabled and scope for receiving compensation has been expended by broadening the interpretation of place of residence.

7. National Productivity Secretariat

Implementing special programmes with the contribution of the Asian Productivity Organization

- I. Establishing a Covid laboratory at the Mahiyanganaya Base Hospital and introducing qualitative management concepts to Theldeniya Hospital.
- II. Manufacturing and using high quality compost fertilizer in the Badulla district.
- III. Promoting food security in the Gampaha district through sustainable food value chains.

Activities of all 3 projects have been commenced and the first and second projects are expected to be completed in 2022 and the third project is expected to complete in 2023.

Chapter 3

Future Plans and Activities of the Ministry

Future Plans and Activities of the Ministry

Formulating legal provisions in compliance with recognized national and international socioeconomic situations and labour conventions and standards enabling an investor friendly environment in Sri Lanka and paving the way for the future advancement of the country is a timely responsibility entrusted to the Ministry. The Ministry is bound to amend the existing legislations and regulations to suit the present and future world of work and safeguarding the rights of working people. Further, measures will be taken to send workers to new labour markets and to countries which still have not recruited Sri Lankan workers in addition to labour markets which traditionally accommodate Sri Lankan migrants laying emphasis on sending skilled workers equipped with new technical knowhow and competencies to foreign employment market. In developing future activities, the Ministry has focused on the following matters.

- Vision, mission and objectives of the Ministry
- Duties and functions assigned to the Ministry by Gazette Extraordinary 2289/43 dated 22.07.2022
- Sustainable development goals applicable to the Ministry
- Matters contained in international conventions and agreements ratified by Sri Lanka in relation to labour and foreign employment sectors.

3.1 Ministry of Labour and Foreign Employment

Nearly 50 pieces of legislation including the ordinances enacted from the inception of the Ministry of Labour are currently in force for the welfare of workers and safeguarding their rights. Necessary measures have been taken to amend the existing labour legislations to deal with current and future challenges and to consolidate the rights of workers as well as to remove prevailing complexities in the labour laws simplifying same for ensuring benefits for all stakeholders. Action necessary in this regard have already been initiated and it has been planned to finalize these activities in the year 2023. Similarly, health and occupational benefits, maternity benefits, unemployment benefits, employee compensation benefits have to be borne by the employer at present. A new system should be introduced to provide such benefits without causing an additional burden to the employer.

The foreign employment sector should be positioned as a leading and productive sector in the development agenda/macroeconomic framework of the country and the contribution from the foreign employment sector to national development should be recognized and appreciated within the key national developmental policy plans and the budget. Foreign employment sector should be viewed beyond remittances and treated as an investment for future and also as a sector that help to realize the potential of migrant Sri Lankan workers. Therefore, it is advisable for all relevant ministries to incorporate provisions in their annual plans towards that end . Similarly, plans have been drawn up to initiate following measures for the advancement of the foreign employment sector.

- There is a dire need to find alternative countries instead of depending on the Middle Eastern zone. Am increasing demand is being created for special service such as nursing service and adult caregiver service in advanced countries due to the increase in aging population and incline in the

female labour force participation. Accordingly action should be taken to identify new countries and new fields of employment.

- One of the fundamental matters to be considered in the promotion of foreign employment is to make available more productive foreign employment opportunities for foreign jobseekers. Action should be pursued to identify opportunities for Sri Lanka to gain competitive edge for Sri Lanka within the sector as per employment opportunities available globally and affording greater opportunities for skilled labour migration through the provision of appropriate skills training to match such employment opportunities.
- Continued implementation and further strengthening of programs such as family development plans and care plans currently being implemented by the Ministry for the safety and welfare of workers migrating for employment and their family members and expanding regional awareness on productive and safe migration.
- Implementation of the national policy and action plan of Sri Lanka on migration for employment.
- Implementing programmes jointly with development partners for securing rights and wellbeing of migrant workers and their family members.
Implementation of safe responsible labour migration programs along with the project for developing labour migration strategies for increasing employment in care-giving and hospitality sectors with the contribution of Swiss Agency for Development and Cooperation and ILO
- It has been planned to implement a special project jointly by the Ministry of Public Administration, home Affairs and Provincial Councils and Local Government and the Ministry of Education to assist in regard to providing secured employment opportunities for public officers and other workers who expect to migrate for employment with the coordination of the foreign employment division. For this purpose, an Integrated Guidance and Referral System (IGRS) will be established. The technical and financial assistance of the pilot project will be extended by the International Organization for Migration.
Strengthening the existing mechanism for the reintegration of returnee migrant workers into local labour market with the assistance of the other relevant ministries and institutions.

3.2 Department of Labour

- I. Digitalization of activities of the Department of Labor will be commenced in 2023 and by the beginning of 2026, all services provided by DoL for employees of the private and semi government sector from the day of recruitment until retirement are expected to be digitalized. This will minimize the visits by clients to the Department and the provision of services through the Internet will prevent unnecessary delays and while improving efficiency.

- II. Awarding Social Dialogue Certificate for Quality for institutions maintaining standards relevant to social dialogue from 2023:
Private and semi government institutions will be given the opportunity to submit applications for obtaining this certificate and subsequent a field visit by a committee, marks will be awarded and based on the marks obtained by the institution, a certificate will be issued indicating the level of social dialogue and workplace cooperation.
- III. Taking necessary measures to confirm the districts of Kandy, Nuwaraeliya, Putalam, Batticaloa and Matara as 'child labour free zones' by the year 2023 and all other districts by the year 2025.
- IV. With the aim minimizing delays in labour cases, legal powers concurrent to magistrate's courts were delegated to labour tribunals by Industrial Disputes (Special Provisions) Act, No. 19 of 2022. Accordingly, having determined the day on which the labour tribunal authority will come into force with the consent of the Ministry of Justice, action will be taken for the implementation of same.
- V. Finalizing the development of the new website of the Department by the first quarter of 2023.
- VI. Upgrading the supply of common amenities of 'Mehewara Piyasa' building in partnership with the private sector.

2.7 Sri Lanka Bureau of Foreign Employment

- I. In addition to the duty free allowance granted to Sri Lankan migrant workers returning to the country for purchasing goods from duty free shops of Sri Lanka on the basis of the period of employment abroad, granting an additional duty free allowance to Sri Lankans who remit their earnings from foreign employment to Sri Lanka through lawful means.
- II. Taking action to implement a low interest multipurpose loan scheme in partnership with the Central Bank of Sri Lanka and licensed banks.
- III. Leveling up professionalism of licensed foreign employment agencies by ranking them and promoting the provision of more credible and effective services.
- IV. Regularizing the foreign employment sector, strengthening existing legal frameworks and amending the Bureau Act to facilitate the enforcement of laws locally to ensure compliance with international obligations.
- V. Initiating measures to establish Labor and Welfare Divisions at Sri Lankan embassies in Japan, Romania and Seychelles.

- VI. Identifying new employment market opportunities and refer skilled workers to such employment opportunities.
- VII. Taking measures to afford opportunities to other suitable institutions in addition to Sri Jayawardenapura Hospital to conduct National Vocational Qualifications Level III training courses conducted by the Bureau targeting nursing service employment opportunities in foreign employment markets.
- VIII. In renewing licenses issued to foreign employment agencies, implementing score card system introduced with the objective of identifying victims of human trafficking.

3.4 Department of Manpower & Employment

- I. Adopting a joint approach with partner institutions for entrepreneurship development.
- II. Online registration of jobseekers and job suppliers
- III. Delivering the services of the Department online
- IV. Automation of other psychometric tests (other than career key and multiple intelligence quotient)
- V. Addressing different social tiers using social media such as YouTube, FB, Twitter, LinkedIn, TikTok, WhatsApp, Instagram
- VI. Uploading videos produced on the provision of career guidance services and successful entrepreneurs to the department's YouTube channel.
- VII. Becoming an office that has minimized the use of paper.

3.5 National Institute of Labour Studies

- I. Developing the National Institute of Labour Studies so as to produce graduate and postgraduate professionals in industrial relations and labour laws and human resources management.
- II. Promoting beneficial labour relations by providing necessary training guidance for creating a qualitative work environment and tea plantation companies and tea factories.
- III. Providing thorough knowledge on industrial relations and labour law to public officials offering guidance to small and medium scale entrepreneurs and producing entrepreneurs with good industrial relations.
- IV. Provisions procured from the General Treasury are mostly restricted to the payment of salaries and allowances. For the year 2023, provisions adequate for 06 months were applied for and from 2024, it is expected to be a self-financed institute without depending on the provisions of the Treasury.

- V. Industrial Relations and Labour Law Diploma course has obtained NVQ Level 5 and action is being pursued to introduce a higher diploma course of NVQ 6 level. Necessary action has been taken to update Human resource Development Diploma Course as per NVQ 5 syllabus and commence NVQ Level 6 higher diploma.
- VI. Arrangements have been made to introduce a host of new diploma and certificate courses on labour studies. Some of them are-
 - Certificate course on institutional procedures
 - Executive certificate course on performance measurement and performance management
 - Certificate course on institutional psychology
 - Certificate course on research methods
- VII. One of the institutional objective is to conduct training courses, seminars and workshops on labour studies in collaboration with various universities and private sector institutions. Accordingly, a human resources management diploma course will be conducted in partnership with SANASA Campus, Kegalle. Similarly, the possibility of conducting joint training programmes with Management and Development Training Units operating under provincial councils for further expanding the public service training.
- VIII. A quantitative improvement was witnessed in the number of training courses conducted in Tamil language and the number participating in them. Thus, arrangements have been made to further expand the courses conducted in Tamil language and conduct regional training workshops in the Northern and Eastern provinces.
- IX. A number of programs that should be implemented expeditiously for the advancement of activities of NLS have been identified. Accordingly, arrangements are being made to obtain ISO 9001 quality management system certification and carry out institutional activities using digital methods without papers to the fullest possible extent. Further, it is expected to popularize NLS brand name by expanding the use of social media and other publicity methods.

3.6 National Institute of Occupational Safety and Health

Action will be taken to maintain NIOSH as a stable self financing institution from the year 2023 without obtaining provisions from the Treasury. It is expected to further expand the functions that are currently being carried out in regard to occupational safety and health of workmen and the national duty for the creation of a safe workplace healthy labour force through the prevention of occupation related accidents and diseases. Similarly, measures necessary to make the institute an international level institute on occupational safety and health will be initiated in the year 2023.

3.7 Office of the Commissioner for Workmen's Compensation

Delegating concurrent judicial powers to the Commissioner for Workmen's Compensation and labour tribunals for expediting the process of awarding compensation to workers. It is expected to

amend the Workmen's Compensation Ordinance No.19 of 1934 and the Industrial Disputes Act, No. 43 of 1950 to delegate concurrent judicial powers to the Commissioner for Workmen's Compensation and labour tribunals to hear cases relating to the payment of compensation in order to expedite the process for the payment of compensation for accidents occurred at the workplace.

3.8 National Productivity Secretariat

- I. Empowerment of small and medium scale entrepreneurs of the food production sector by promoting food security through sustainable food chains.

With financial support and consultancy services of the Asian Productivity Organization, solutions are expected to be offered to problems associated with the production of healthy food targeting local and foreign markets. This project will improve the capacity for the provision of high quality healthy food as per the demand in the international market. This project is proposed to be implemented across the country in the dairy and meat, vegetables and fruits, fisheries, minor exports crops and coconut production sectors. It is expected to empower 240 entrepreneurs with 10 small and medium scale entrepreneurs from each district and it will be possible to improve the entrepreneurial strengths through training and consultancy services and create a strong economic pattern intertwined with export trade.

- II. Developing middle level managers of the public sector as productivity experts

Though various productivity promotion programmes are regularly conducted in public sector institutions, it has been reported from various sources that there sustainability gradually is on the wane within a short period of time due to various reasons. Though this happens owing to internal and external factors unique to each institution, it is imperative to find a solution to this problem in the public sector which is the lifeblood of the country. This calls for the adoption of multiple strategies and it is opportune to train all middle level managers of the combined service of all public institutions scattered across the country as "productivity experts". It is proposed to upgrade the National Productivity Secretariat as a certification body of the Asian Productivity Organization to develop the capacity of these officers and assess them officers biennially and award certification.

- III. Implementing programmes with the collaboration of the APO.

- IV. Developing timely training programmes to suit the current requirements through the review of syllabi of training programmes.

3.9 Sri Lanka Foreign Employment Agency

- I. Providing human resources training for the capacity development of the staff
- II. Filling exiting vacancies
- III. Formulating a method for evaluating officers

IV. Developing an efficient recruitment system for vacancies received through embassies.

Details of job orders due to be obtained this year

Country	Jon category	No of jobs
Korea	Welder	140
Saudi Arabia	Maintenance Technician	01
	CNC Technician	01
	Chief Technical Engineer	01
	QA Auditor	01
	QA/QC Superintendent	01
	Senior Quantity Surveyor	04
	Quantity Surveyor	02
	Assistant Quantity Surveyor	03
	Juke Machine Operator	350
Russia	Juki Machine Operator	100
Singapore	Nurse (RN), Nurse (EN), Caregiver	50