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தலாழில் மற்றுடி வெலிநாட்டு வேலைவாய்ப்பு அலைசு
MINISTRY OF LABOUR AND FOREIGN EMPLOYMENT



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ANNUAL PERFORMANCE REPORT

2023

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Ministry of Labour and Foreign Employment

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2023

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Message of the Hon. Minister of Labour and Foreign Employment



It is with utmost pleasure that I share my message with this publication, incorporating the progress achieved during 2023 by the Ministry of Labour and Foreign Employment in succeeding the programme launched to strengthen, stabilize, and sustain the country's economy through the creation of a novel work culture and the programmes expected to be implemented.

In a significant stride towards fortifying the legal and policy framework for the advancement of the labour and foreign employment sectors, the drafting of the new Employment Act is now in its final stage. Further, necessary arrangements are being made to amend the Sri Lanka Bureau of Foreign Employment Act for the advancement in the field of foreign employment, and it is a great achievement of the Ministry to be able to officially launch the Sri Lanka's National Policy and Action Plan on Migration for Employment 2023-2027 on 25.10.2023.

For social security, it is expected to establish a new Social Security Fund and create a new Social Security Scheme that does not burden employers with additional expenses. At the same time, the "Garu Saru" programme has been introduced to foster respect and social acceptance for jobs with low societal regard. The "Smart Youth Club" concept is expected to be launched in 2024 to prepare today's youth for tomorrow's workforce.

Adapting to the latest global trends with a view to providing an efficient and productive service to the public, necessary initial steps are being commenced for digitizing the services offered by the Department of Labour and the Sri Lanka Bureau of Foreign Employment and establishing a National Labour Market Information System integrating all information and services related to the labour sector.

The goal of increasing annual foreign remittances, assigned to this Ministry by His Excellency the President Ranil Wickremesinghe, is currently being reached. To encourage the receipt of foreign labour remittances, a number of programmes have been introduced, such as granting licenses to import fully electric vehicles to Sri Lankans employed abroad, providing additional duty allowances for migrant workers and introducing a concessional loan scheme based on their remittances. Consequently, the foreign exchange reserve, which was 3790 million USD in 2022, increased by 58% to 5970 million USD in 2023.

Similarly, a number of programmes such as the Housing Project with the participation of the National Housing Development Authority for the welfare and protection of migrant workers and their families, the proposed programme to provide higher education opportunities to the children of migrant workers in collaboration with the Kotalawala Defence University, the pilot project to establish day care centers for their children and the establishment of migrant worker societies at the Divisional Secretariat level are expected to be carried out in the year 2024.

Necessary activities are carried out to ensure occupational safety and health of employees and create a safe work culture. There the National Occupational Safety and Health Policy will be revised and the National Institute of Occupational Safety and Health is expected to be expanded to international level.

A series of “GLOCAL FAIR” mobile services programmes have been launched at the district level with the objective of providing the services offered by the institutions affiliated to the Ministry to the public at their hometown.

Likewise, having identified all the activities carried out by our Ministry in 10 Key Results Areas, we are doing the necessary work to approach the development path by quickly making the necessary policy changes to bring about positive change in the government procedures expected by the public. For that, the guidance and cooperation of international organizations such as the International Labour Organization (ILO), the International Organization for Migration (IOM), and the support and cooperation of the organizations representing both employers and employees locally are received. I would also like to take this opportunity to express my gratitude to the Hon. State Minister of Foreign Employment Promotion, Mr. Jagath Pushpakumara and the entire staff including the Secretary to the Ministry, Mr. R.P.A. Wimalaweera, and to the staff officers of all the Institutions affiliated to the Ministry including the heads, who have been instrumental in fulfilling this important role.

Manusha Nanayakkara (M.P.)

Minister of Labour and Foreign Employment

Message of the Hon. State Minister of Foreign Employment Promotion



According to the latest statistics of the Central Bank of Sri Lanka, remittances totaling 5,970 million dollars were received by the end of 2023. This figure represents a remarkable 58% increase from the total remittances of 3,790 million dollars recorded by the end of 2022.

The Ministry of Labour and Foreign Employment, in collaboration with the Sri Lanka Bureau of Foreign Employment and the Sri Lanka Foreign Employment Agency (Pvt) Ltd, are orchestrating numerous initiatives to promote foreign employment and for the betterment of the field of foreign employment. Furthermore, awareness campaigns, self-employment initiatives, and reintegration programs are being implemented to ensure the safety and welfare of migrant workers and their families, as well as those who have returned to Sri Lanka after working abroad. These programs include providing school equipment for the children of migrant worker families, granting scholarships for school and university education, and facilitating referral programs for vocational training opportunities and these programs are taken up to the grassroots level and executed at the district and divisional secretariat levels, by Development Officers (Foreign Employment) attached to the Divisional Secretariats under the aegis of this Ministry.

Under my stewardship, arrangements are being made to conduct progress review meetings for Development Officers (Foreign Employment) at the provincial level in order to enhance the efficiency and effectiveness of the Ministry's programs for migrant workers. They also seek to garner the requisite support and innovative ideas at the provincial level, ensuring future success in the realm of foreign employment. So far, the progress review meetings have been successfully concluded for all provinces.

I extend my heartfelt appreciation to the Hon. Cabinet Minister, the Secretary of the Ministry, and all the dedicated officers, including the Heads of the Statutory Institutions under the Ministry, for their invaluable contributions.

A P Jagath Pushpakumara (M.P.)

State Minister of Foreign Employment Promotion

Message of the Secretary to the Ministry of Labour and Foreign Employment



The Ministry of Labour and Foreign Employment is proudly presenting the Annual Performance Report highlighting its effective role during 2023 and outlining the planned initiatives for 2024. This report details our efforts in safeguarding workers' rights, ensuring job security, establishing industrial peace, and attracting skilled workers to the foreign employment market.

To address current and future challenges as well as to ensure the rights of the working populace, this Ministry has undertaken the significant task of amending existing acts and ordinances. This effort aims to remove and simplify the complexities between these acts, thereby ensuring benefits for all parties involved. This prominent achievement was accomplished in the year 2023. The Ministry is dedicated to amending the existing Acts, Ordinances, rules, and regulations to align with the contemporary world of work while steadfastly safeguarding the rights of the working populace. The new Employment Bill, incorporating provisions from 13 existing Acts, and the amendment to the Sri Lanka Bureau of Foreign Employment Act, which are designed to promote the foreign employment sector, streamline it to adapt to changes in the international labour market, strengthen the existing legal framework, comply with international obligations, and facilitate the local implementation of laws, have been submitted to the Legal Draftsman's Department. With the contribution of all relevant parties, the Sri Lanka's National Policy and Action Plan on Migration for Employment was formulated and launched. Necessary steps are being taken to implement it island-wide.

Further, an extensive study is currently underway to introduce a novel social security scheme aimed at incorporating various benefits for employees, including occupational safety and health, maternity, unemployment, and employee compensation, all without imposing additional costs on employers. Simultaneously, the revision of the Occupational Health and Safety Policy is in its final stages, poised to establish a secure work environment and cultivate a culture of safety across the nation. The anticipated launch of these initiatives in 2024 represents a substantial stride towards enhancing the welfare of the workforce and fostering a safer, more supportive work environment.

The preparation of a National Labour Market Information System, excluding the public sector employment in Sri Lanka, to incorporate all educational and vocational qualifications of the employed and unemployed total labour force and school leavers has been initiated. This system will also include all job opportunities available in the labour market, vocational training opportunities, and the ability to manage entire salary payments and all other related services. It will cover the formal and informal sectors, updating all quantitative and qualitative differences in the workforce. Additionally, it will enable implementation of all policy decisions relevant to the workforce.

Necessary steps have been taken to digitalize the activities of the Department of Labour and the Sri Lanka Bureau of Foreign Employment in order to provide an efficient and productive service to the people through adapting to the latest technology.

It is anticipated that the ongoing initiatives aimed at enhancing the comprehensive family development and care plans for the safety and welfare of migrant workers and their families will be further fortified. Additionally, the implementation of the housing development project and the provision of opportunities for their children to

pursue higher education at the Kothalawala Defence University at a nominal cost are integral components of this endeavor. Furthermore, several welfare programs have been instituted to incentivize the regularization of foreign remittances. These measures include the issuance of fully electric vehicle import licenses to migrant workers, the introduction of a concessional loan scheme predicated on foreign remittances, and the provision of additional duty allowances. Consequently, these initiatives have resulted in a notable 57% increase in labour remittances in the year 2023 compared to 2022.

The Department of Manpower and Employment has introduced the "Dignity of Labour" (GARUSARU) programme to enhance social recognition for blue-collar jobs. The SMART YOUTH CLUB programme has also been launched to guide school leavers to suit the future world of work and entrepreneurship. Additionally, the Department of Labour is currently working to make Sri Lanka a child labour-free zone by 2025.

The Office of the Commissioner for Workmen's Compensation, the National Institute of Labour Studies, the National Productivity Secretariat, the Shrama Vasana Fund, and the National Institute of Occupational Safety and Health, all under the purview of the Ministry, have spearheaded a plethora of initiatives. These endeavors aim to enrich employee welfare, foster a deeper understanding of labour laws and regulations, boost productivity across public and private sectors, nurture a culture of occupational safety, and forge secure, healthy work environments with minimized occupational hazards. Moreover, these entities play a pivotal role in guiding individuals towards promising opportunities in foreign employment.

I would like to express my gratitude to Hon. Manusha Nanayakkara, Minister of Labour and Foreign Employment, and Hon. Jagath Pushpakumara, State Minister of Foreign Employment Promotion, for their leadership, guidance and patronage in fulfilling the above-mentioned tasks. My sincere thanks goes to the staff, including the Additional Secretaries of the Ministry, the Commissioner General of Labour, the Director General of the Department of Manpower and Employment, the Commissioner General of Labour Compensation, the Director General of the National Institute of Occupational Safety and Health and the National Institute of Labour Studies, the Director of the National Productivity Secretariat, the Sri Lanka Bureau of Foreign Employment, the Shram Vasana Fund and the Sri Lanka Foreign Employment Agency Pvt. Ltd, as well as the officers at all levels of these institutions.

R.P.A. Wimalaweera

Secretary

Ministry of Labour and Foreign Employment

Contents

Chapter One	: Institutional Profile -Ministry of Labour and Foreign Employment	1 - 11
1.1	Introduction	01
1.2	Vision, Mission and Objectives	01
1.3	Key Functions of the Ministry	01
1.4	Organizational Chart	03
1.5	Divisions under the Ministry	04
1.6	Institutions under the purview of the Ministry	06
1.6.1	Department of Labour	06
1.6.2	Department of Manpower and Employment.....	07
1.6.3	National Institute of Labour Studies (NILS)	07
1.6.4	National Institute of Occupational Safety and Health	08
1.6.5	Office of the Commissioner for Workmen's Compensation	08
1.6.6	National Productivity Secretariat	09
1.6.7	Shrama Vasana Fund	10
1.6.8	Sri Lanka Bureau of Foreign Employment	10
1.6.9	Sri Lanka Foreign Employment Agency (Pvt.) Ltd	11
Chapter Two	: Progress and Future Outlook	13 - 58
2.1	Progress Achieved by the Ministry	13
2.1.1	Labour Sector.....	19
2.1.2	Foreign Employment Sector.....	39
2.2	Future Outlook of the Ministry	53
2.2.1	Labour Sector.....	53
2.2.2	Foreign Employment Sector.....	56
Chapter Three	: Overall Financial Performance for the Year Ended 31 December 2023	59 - 72
Chapter Four	: Performance Indicators	73 - 74
Chapter Five	: Performance of the Achieving Sustainable Development Goals (SDGs)	75 - 78
Chapter Six	: Human Resource Profile	79 - 96
Chapter Seven	: Compliance Report	97 - 102

Tables

	Page
Table 2.1	Awareness programs conducted from 01.01.2023 to 31.12.2023 19
Table 2.2	Inspections conducted - Progress from 01.01.2023 to 31.12.2023..... 20
Table 2.3	Reported data on strikes - 01.01.2023 to 31.12.2023 21
Table 2.4	Protecting and promoting labour standards in 2023 22
Table 2.5	Activities performed during the period from 01.01.2023 to 31.12.2023 23
Table 2.6	Activities carried out for ensuring occupational health and safety of employees 23
Table 2.7	Progress in protecting the rights of women, youth and children in employment 24
Table 2.8	Performance of Cases by Courts - From 01.01.2023 to 31.12.2023 26
Table 2.9	Infrastructure development in the Department of Labour 28
Table 2.10	Progress of the Department Manpower and Employment 28
Table 2.11	Placement in employment-DMP&E 29
Table 2.12	Special programs conducted-NIOSH 34
Table 2.13	Nature of fatal and non-fatal accidents reported 35
Table 2.14	Nature of damage caused in non-fatal accidents 36
Table 2.15	Progress in the payment of compensation-OCWC 37
Table 2.16	Issuing licenses to licensed foreign employment agencies, approving foreign employment orders and registration for foreign employment 42
Table 2.17	Instituting legal action against licensed employment agencies/ other parties which are not licensees regarding recruitment for foreign employment 43
Table 2.18	Redressal of complaints from or on behalf of migrant workers and anti-trafficking activities- SLBFE 44
Table 2.19	Welfare programmes being implemented for migrant workers and members of their families- SLBFE 44
Table 2.20	Conducted Training Programmes-SLBFE 45
Table 2.21	Registration of job aspirants through the job bank-SLBFE 46
Table 2.22	Recruitment by the SLBFE for employment-SLBFE 46
Table 2.23	Conducting programs / mobile services for foreign job aspirants and public awareness about foreign employment opportunities and safe labour migration-SLBFE 46
Table 2.24	Conducting career fair programs at regional and district level to promote foreign employment opportunities-SLBFE 46
Table 2.25	Signing of Memoranda of Understanding (MoUs)-SLBFE 48
Table 2.26	Progress of Decent Work Programme-2023 49
Table 2.27	Progress of establishments activities 51
Table 2.28	Utilizing treasury provisions 51
Table 2.29	Job Order Quantity (Sri Lanka Foreign Employment Agency) 58
Table 3.1	Performance in revenue collection 64
Table 3.2	Performance in the utilization of allocated funds 65
Table 3.3	Financial Provisions granted to this Ministry as an agent of other Ministries/Departments in terms of F.R.208 65
Table 3.4	Performance in reporting non-financial assets 65
Table 4.1	Performance indicators of the Ministry 73
Table 5.1	SDGs relevant to the Ministry 75
Table 6.1	Staff of the Ministry as at 31.12.2023 79
Table 6.2	Training Programs held for Labour Ministry Staff-2023 79

Table	6.3	Participation of Labour Department officials in local training programmes-2023	82
Table	6.4	Participation of Sri Lanka Bureau of Foreign Employment officers in local training programmes -2023	85
Table	6.5	Participation of Department of Manpower and Employment officers in local training programmes -2023	88
Table	6.6	Training Programs of National Productivity Secretariat	90
Table	6.7	Training Programs of Sri Lanka Foreign Employment Agency Pvt. Ltd	90
Table	6.8	Participation of ministry officials in foreign training courses	90
Table	6.9	Participation of Sri Lanka Bureau of Foreign Employment officers in foreign training courses	95
Table	7.1	Compliance Report	97

Graphs

Graphs	2.1	Receipts and resolutions of complaints on infringement of constitutional rights from 2019 to 31.12.2023	21
Graphs	2.2	Receipt and settlement of complaints on industrial disputes from 2019 to 31.12.2023	21
Graphs	2.3	Cases filed and closed in Magistrate's Courts from 01.01.2023 to 31.12.2023	26
Graphs	2.4	Number of fatal accidents reported	35
Graphs	2.5	Number of non-fatal accidents reported	35
Graphs	2.6	No. of accidents reported by circuit court areas	36
Graphs	2.7	Growth of the Shrama Vasana Fund	39
Graphs	2.8	Lottery Revenue-S.W.F	39
Graphs	2.9	Registration under "Shramika Surakuma"	40
Graphs	2.10	Family development plans and care plans prepared by Development Officers	40
Graphs	2.11	Audit Management Committee meetings and audit inquiries conducted	52

Photographs

Photograph	2.1	National Labour Advisory Council meeting	16
Photograph	2.2	Signing of Memorandum of Understanding with Japanese Government	17
Photograph	2.3	Child Labour Programme	24
Photograph	2.4	Launch of "Wadaliya" publication on the occasion of International Women's Day	24
Photograph	2.5	Discussion on "Garu Saru" programme	31
Photograph	2.6	Diploma Awarding Ceremony of National Institute of Labour Study	33
Photograph	2.7	National Occupational Safety and Health Conference	34
Photograph	2.8	Discussion on Korean job orders	43
Photograph	2.9	Implementation of welfare programs for migrant workers	45
Photograph	2.10	Meeting with Korean Ambassador	48
Photograph	2.11	Meeting with Saudi Arabian High Commissioner	48
Photograph	2.12	Mobile service program held in Jaffna district	50

Diagrams

Diagram	1.1	Diagram Organization Chart of the Ministry	03
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Chapter One

Institutional Profile/ Executive Summary

Institutional Profile/ Executive Summary

Ministry of Labour and Foreign Employment

1.1 Introduction

The prime mission of the Ministry of Labour and Foreign Employment is to formulate and implement policies to enhance the contribution of the local and foreign labour force to economic development by promoting productivity of the country, ensuring social security, providing employment, directing skilled labour to the foreign job market, ensuring social security, industrial peace and protecting the occupational rights of the private and semi-government sector employees. In realizing this mission, the programmes of the ministry have been lined up based on the sustainable development goals and the 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

Furnishing skilled human resources to both domestic and foreign job markets and Contributing towards the socio-economic development through the promotion of industrial peace, social security, workers' rights and productivity

Objectives

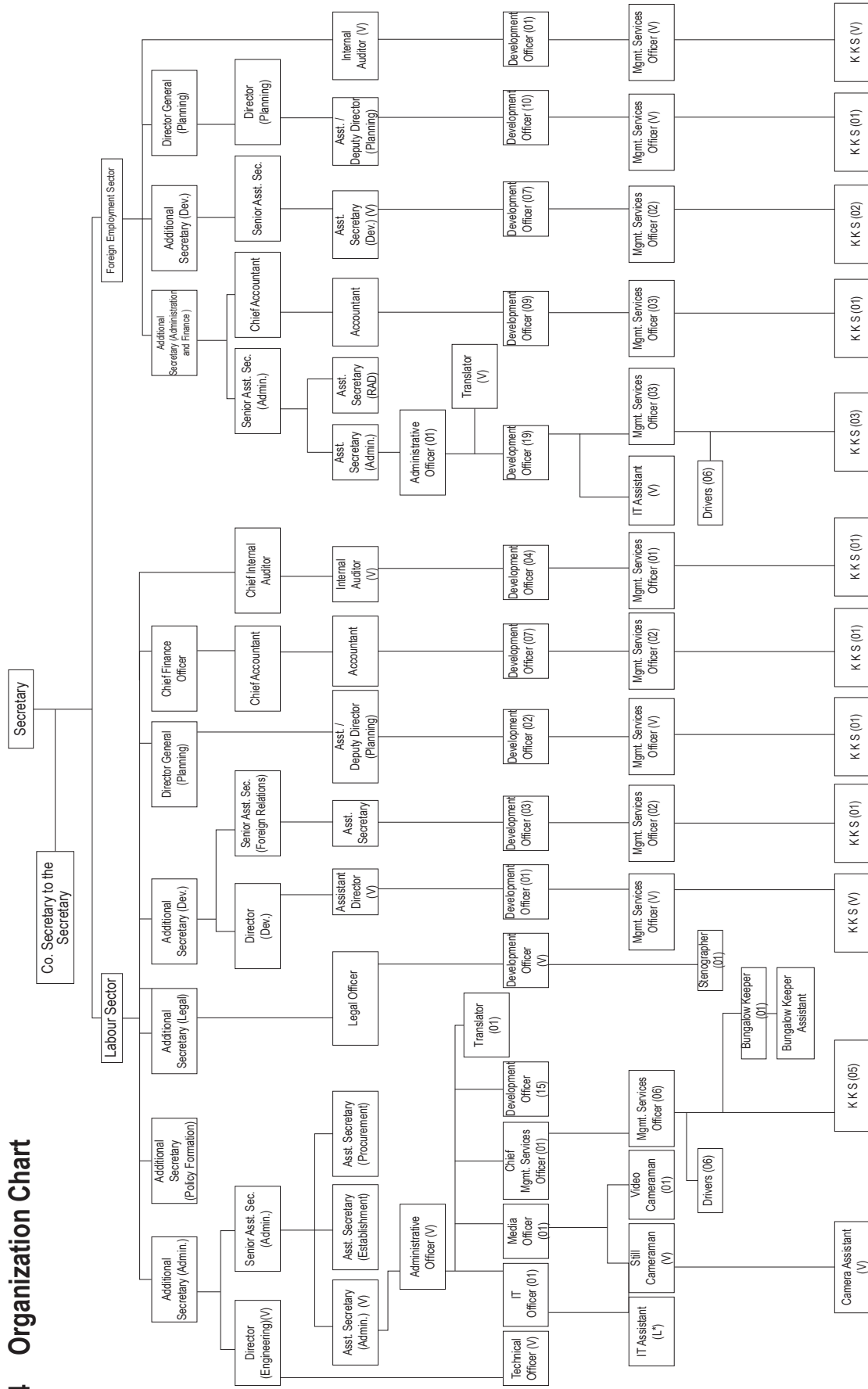
- Sri Lanka reaping the rewards of a well-governed labour migration sector that fosters decent, secure and productive employment.
- Ensuring the rights, health, safety, social security, and overall welfare of migrant workers and their families throughout all stages of their migration journey.
- Facilitating Sri Lanka's workforce to effectively access the global labour market and thereby enjoy better socio-economic benefits
- Sri Lanka effectively positioning emigration for employment as a vital component of the country's development.
- Strengthening employer-employee relations through tripartite empowerment.
- Ensuring working conditions and employee rights align with international standards.
- Elimination of child labour.
- Empowering working women, strengthening occupational safety and occupational laws, rights
- Enhancing flexibility in labour laws and procedures.
- Formulating effective strategies to ensure social security of working people.
- Policy guidance for creating a skilled foreign workforce

1.3 Key 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 Organization Chart



V - Vacant

Diagram 1.1 Organization Chart of the Ministry

1.5 Divisions under the Ministry

● Administration and Establishments Division

Overseeing the overall administration, management, maintenance, training and coordination of the Ministry and its affiliated institutions falls under the purview of this division. It is also responsible for human resources management and related functions. Accordingly,

- Maintaining personal 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
- Establishment and administrative affairs to be concerned at the ministerial level in respect of the officers working in the departments and statutory bodies under the Ministry
- Preparation of cabinet memoranda and taking action in respect of cabinet decisions
- Providing policy contribution to promote and secure industrial cooperation and foreign employment through updating existing laws and enacting new laws
- 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, gratuity insurance and approval of distress loans.

● Development Division

Sri Lanka's association with the International Labour Organization (ILO) as a member nation, safeguarding the labour rights within Sri Lanka through the adoption of internationally accepted conventions and recommendations, addressing labour-related issues and activities related to preparing, enacting, and enforcing relevant acts and ordinances, regulations, and guidelines, in alignment with international conventions pertaining to the field of immigration, fall under the purview of this division.

- Presenting 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.
- Taking necessary action and extending assistance to draft new laws and amend existing labour laws to be in tune with the present.
- Providing insights, proposals, and relevant reports on emigration matters as requested periodically by the Ministry of Foreign Affairs, the United Nations, and other relevant organizations.
- Entering into new MOUs/agreements related to the field of foreign employment, updating agreements, following up on the performance of agreements
- Activities related to Joint Committee Meetings and all activities related to Regional / Global Dialogue
- Providing subject-specific training to field-attached development officers (Foreign Employment) and maintaining the trainers training pool
- Implementation of programmes related to the field of foreign employment at District and Divisional Secretariat levels through Development Officers
- Conducting arbitration committees on family background reports related to migrant workers, informing committees decisions and steering follow-ups
- Organizing mobile service programmes in the residential areas of the working masses to provide solutions to issues related to the labour sector
- Initiating action to have foreign training provided to officials of the Ministry and institutions thereunder.

● **Planning and Monitoring Division**

Devising plans of the Ministry and all institutions under its purview required for navigating the development plans towards the set targets and the implementation of them, progress review and follow up thereof are the key functions of this division. In addition, the division executes the following duties as well.

- Preparation of the annual action plan, outlining the development goals of the Ministry and its affiliated institutions, and submit it to the relevant stakeholders. Monitor and promote the attainment of targets by preparing, implementing, and evaluating the progress of the annual action plan on a monthly basis, in accordance with the zero-based budget development programme.
- 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.
- Planning, monitoring and reporting of programmes related to the field of foreign employment implemented at the district and divisional secretariat levels with the support of the Foreign Employment Bureau through the development officers attached to the district secretariats and divisional secretariats
- Publication of a journal annually based on various timely themes of the field of labour.
- Publication of Sri Lanka Employee magazine
- Preparation of the annual performance report detailing the progress achieved by the Ministry and progress report for the committee stage debate of the budget.

● **Finance Division**

The core 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.

- Conducting Annual Board of Survey as per Public Finance Circular 01/2020
- Preparation of reports related to the agency of the financial authority and carrying out the work of delegation of financial powers
- Preparation of annual budget estimate
- Preparation of annual financial statement
- Preparation of Committee Report on Government Accounts, submission of monthly and quarterly financial reports to the General Treasury and other relevant institutions.
- Updating and maintaining the audit query documents and forwarding the answers to the relevant audit queries to the Auditor General

● **Internal Audit Division**

The internal audit activities of the Ministry are carried out in terms of 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 (f) 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 responsibility conducting the relevant internal audit activities of the Ministry of Labour and Foreign Employment and institutions under it including Department of Labour, Office of the Commissioner for Workmen's Compensation, National Institute of Labour Studies, National Institute for Occupational Safety and Health, Shrama Vasana Fund, National Productivity Secretariat, Department of Manpower and Employment, Sri Lanka Bureau of Foreign Employment and Sri Lanka Foreign Employment Agency (Pvt.)Ltd., and carrying out special investigations as per the requirement also fall under the scope of internal audit.

Key Functions of the internal audit division are as follows.

- Assessing the effectiveness of the internal audit and control system within the organization.
- Examining the compliance with the Establishment Code of the Government, the Finance Regulations of the Government, and the Finance Regulations and circulars, as well as other supplementary instructions periodically issued by the Ministry of Public Administration and the General Treasury.
- Efficient management of internal audit activities in alignment with the mission and objectives of the Ministry of Labour and Foreign Employment, its departments, and other affiliated institutions, adhering to audit principles and systems.
- Assessing the control systems established to ensure adherence to policies, plans, procedures, laws, and regulations that may significantly impact the activities of the Ministry.
- Evaluating and verifying the measures taken to protect assets and verify the existence of assets
- Evaluation of activities or programs and verification of information to ascertain whether physical and financial progress has been achieved in accordance with the established objectives of the Ministry
- Provide guidance to establish appropriate internal control processes and risk management processes for each division of the organization
- Communicating findings post-audit and submitting necessary corrections thereafter.
- Preparation and implementation of annual audit plan
- Making necessary arrangements for the submission of reports to the Department of Management Audit by the due date.
- Convening the Audit and Management Committee meeting and conducting the necessary activities
- Performing and reporting on specific duties as assigned by management from time to time.

1.6 Institutions under the purview of the Ministry

1.6.1 Department of Labour

During the colonial era, the British authorities implemented the Indian Migrant Labour Ordinance No. 01 of 1923 with the intention of ensuring the welfare of Indian labourers who were brought to Sri Lanka for employment in the commercial cultivation of coffee and tea on plantations. This initiative led to the establishment of the Department of Indian Labour Controller, which eventually evolved into the present-day Department of Labour. Currently, the Department of Labour plays a pivotal role in strengthening the national economy by fostering a robust tripartite relationship among employers, employees, and the government.

A key role of the Labour Department is to uphold the rights of the Sri Lankan private sector and semi-government sector employee community under the labour laws. In 2023, the Labour Department furthered its role by prioritizing and implementing initiatives to ensure industrial harmony at the institutional level. This was achieved through fostering positive relations between employers and employees and safeguarding the rights of employees with the cooperation of employers.

In line with the government's commitment to fostering a more conducive investment climate, the Department of Labour took initial efforts in 2023 to introduce the New Labour Law. This updated legislation aims to simplify the decades-old and intricate labour laws, thereby enhancing employer-employee relations.

Objectives

- Ensuring sustainable industrial peace in private and semi-government sector service establishments.
- Improving the working conditions of employees by creating a healthy work environment and setting labour standards.
- Ensuring the social security of employees.
- Ensuring the occupational safety of women and youth and eliminating child labour.
- Creating a work environment that is conducive to the health conditions of employees and is safe.

Key Functions

- Making arrangements to enhance employer-employee relations at the institutional level by promoting social dialogue.
- Ensuring the protection of workers' rights through the enforcement of labour laws.
- Settlement of industrial disputes through conciliation, collective agreements, and arbitration.
- Provision of social security for employees through the Employees' Provident Fund.
- Addressing the occupational safety and health of employees.
- Dealing with elimination of child labour and protection of employed women
- Making arrangements to protect labour standards by strengthening wages and working conditions

1.6.2 Department of Manpower and Employment

The optimal utilization of a country's limited resources is a critical factor in its progress. The absence of an active and high-quality human resource base for the optimal utilization of existing resources hinders the country's development. Therefore, the development and management of human resources, which are the most important assets of a country, are mandatory and essential components of its development process.

To achieve these objectives, such as developing human resources in Sri Lanka to eliminate youth unemployment and assist in achieving development goals, improving the quality of the workforce, and engaging the youth community in contributing to the national economy through career guidance and job creation, the Department of Manpower and Employment was established, effective from 01.01.2010.

Key Functions

1. Provision of career guidance services.
2. Collection, analysis, and dissemination of labour market information.
3. Provision of public employment services.
4. Building international connections.
5. Carrying out activities related to human resource development.

Objectives

- Increase of the male labour force participation rate from 70% to 73% and the female labour force participation rate from 32% to 34.5% by 2025 and the male labour force participation rate to 75% and the female labour force participation rate to 45% by 2030.
- Doubling the percentage of skilled/professional workers going abroad by 2030 (from 36.5% to 73%) and reducing the percentage of unskilled workers going abroad.
- A policy dialogue to raise Sri Lanka's position on the EDBI Index from 99 to 89 by 2025.
- Providing policy guidance for creating an efficient and ethical workforce to meet domestic and global demand by 2030.

1.6.3 National Institute of Labour Studies

The National Institute of Labour Studies, operating under the Ministry of Labour, was established on September 11, 2007 and enacted by the National Institute of Labour Studies Act No. 12 of 2010. The Institute is governed by a governing body made up of tripartite partners in the field of labour, employer, employee and government employees. The prime role of the National Institute of Labour Studies is to plan and implement necessary training and research activities aimed at cultivating an informed and productive workforce on labour ordinances, laws, rules, and regulations. The institute is currently located and operated on the second floor of the Labour Secretariat building, with the objective of providing more effective services to trade union activists and employees.

Key Functions

- Conducting labour study programmes in collaboration with local or foreign institutions, taking steps to ensure the welfare of workers to make them active participants in the development process.
- Conducting seminars, workshops, conferences and meetings on labour studies and publishing magazines, journals, periodicals and books.
- Conducting research, surveys and making arrangements for courses related to labour studies, establishing and maintaining library and information services.
- Working in close cooperation with national and foreign institutions, organizations, associations and societies with similar objectives
- Conducting courses, including diploma programmes in labour studies, in collaboration with universities and similar institutions and awarding certificates and diplomas as necessary
- Engaging in activities aimed at maintaining industrial peace

1.6.4 National Institute of Occupational Safety and Health

With the aim of creating a safe and healthy workforce in Sri Lanka by following upright occupational safety measures and good health practices, the National Occupational Safety and Health Institute was established as a subsidiary of the Ministry of Labour and Labour Relations by the National Occupational Safety and Health Institute Act No. 38 of 2009.

This institute works on to creating a prolific workforce in Sri Lanka through daily environmental measurement surveys, risk assessment and medical examinations as well as trainings conducted as special programmes, projects and activities carried out on the basis of international cooperation with other countries.

Programmes and activities of the National Institute for Occupational Safety and Health

- Advanced Diploma Course in Occupational Safety and Health
- Diploma Course in Occupational Safety and Health (English Medium)
- Diploma Course in Occupational Safety and Health (Sinhala Medium)
- Certificate Course in Occupational Safety and Health
- Course for Executive Grade Officers on Occupational Safety and Health
- Advanced Certificate in Occupational Safety and Health in Plantation Sector
- Training of boiler operators
- Work study programme on industries
- Training nurses in the industrial sector
- Occupational safety and health for hospital staff
- Occupational safety and health for office staff
- Occupational safety and health in laboratories
- Safe use of chemical substances
- Occupational safety and health for food handlers
- Training program on stress management

1.6.5 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

- 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)
- Keeping the custody of the compensation entitled to minor dependants of a deceased workman in National Savings Bank until they reach maturity.
- 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.
- Issuance, renewal and cancellation of workmen compensation insurance licenses
- Conducting onsite inspections in event of an accident caused to an employee.
- Causing compensation to be recovered for workmen employed in ships and aircraft registered in Sri Lanka for accidents caused outside Sri Lanka.

1.6.6 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.

Objectives

- Developing organizational excellence and human capital to build a knowledge-based society through training, system and process development and the exchange of excellence.
- Measuring, evaluating and developing productivity in various sectors of the economy.
- Establishing national productivity standards and targets taking into account the different conditions of different sectors and setting leading performance indicators of the relevant sectors.
- Appraisal of new policies of ministries and agencies related to the public sector, with a view to advising on policy adjustments to ensure maximum alignment with productivity movements.
- Attributing productivity consciousness and a culture of creativity through productivity and quality promotion and partnership programs.

Key Functions

- Empowering SMEs through productivity concepts
- Improving Public Sector Procedures
- Implementation of productivity promotion programs targeting government, education, services and production, and community sectors.
- Implementing training programmes relating to productivity subjects
 - Productivity Certificate Course
 - Short term Courses on Productivity
 - Training of Trainers Programmes

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

1.6.7 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. With the growth of Jathika Sampatha lottery sales, the services to be performed for the welfare of workers can also be developed.

Objectives of the fund

- Promotion of the welfare of employees and their dependants.
- Providing financial and other assistance to employees when the institutions they were working in, are closed down without prior notice
- Providing medical and other facilities to employees and their dependants in times of emergency
- Providing temporary assistance to employees when inquiries are instituted against them
- Providing financial and other benefits to employees or their dependents, in times of distress.
- Presenting gifts to persons who have rendered outstanding service to employee welfare
- 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

1.6.8 Sri Lanka Bureau of Foreign Employment

The Sri Lanka Bureau of Foreign Employment was established by Act of Parliament No. 21 of 1985 as amended by Acts No. 4 of 1994 and No. 56 of 2009, with the aim of controlling and regulating the foreign employment sector in Sri Lanka, protecting the safety and welfare of Sri Lankan workers employed abroad and their family members and promoting and developing employment opportunities for Sri Lankans overseas.

In addition to the 31 main operational units established at the Battaramulla main office premises, the Bureau provides services to the public through 09 provincial Migrant Resource Centers, 07 district offices, 02 training centers, and 03 airport units. With a permanent staff of 1,117 people, this institution significantly contributes to the national economy by bolstering the foreign employment sector in Sri Lanka.

The National Policy and Action Plan on Migration for Employment in Sri Lanka has emphasized the following 04 basic objectives, and the annual action plan of the Sri Lanka Foreign Employment Bureau is aligned with these activities.

1. Controlling labour migration to promote decent and productive employment.
2. Ensuring the protection and safety of migrant workers' rights and the welfare of their families.
3. Promoting employment opportunities for skilled and semi-skilled migrant workers in local and global economies.
4. Improving the benefits of labour migration and its relationship with national development.

Special Priorities (Key Functions) of the Sri Lanka Bureau of Foreign Employment

- Issuance of licenses to operate foreign employment agencies.
- Conducting training programs for foreign job aspirants.
- Registration of Sri Lankans leaving for foreign employment in the Bureau/ recruitment of Sri Lankans for foreign employment.
- Redressal of complaints filed by or on behalf of migrant workers.
- Providing welfare facilities to migrant workers and their family members.
- Enforcement of laws related to the field of foreign employment.
- Promotion of foreign employment opportunities for Sri Lankans.

1.6.9 Sri Lanka Foreign Employment Agency (Pvt.) Ltd.

The Sri Lanka Foreign Employment Agency (Pvt.) Ltd., the only government-owned foreign employment agency, was established in October 1996. It operates as an administrative agency of the Sri Lanka Bureau of Foreign Employment, which is the regulatory body in the field of foreign employment.

Objectives

- The Sri Lanka Foreign Employment Agency is required to operate in accordance with the laws and regulations set forth by the Sri Lanka Bureau of Foreign Employment. These regulations, established under Act No. 21 of 1985, govern the agency's operations. Additionally, the agency must comply with any other relevant statutory laws or legal frameworks.
- Offering jobs upon confirmation of qualifications to professionals, administrators, technicians, industrial sanitation workers, as well as skilled, semi-skilled, or unskilled workers for domestic and non-domestic positions in Sri Lanka or abroad, across all job classifications.
- Entering into Memorandums of Understanding (MoUs) with individuals in the manpower supply trade, insurance, commerce, or industry, as well as with institutions, organizations, and other entities involved in providing such services.
- Developing facilities to enhance the capabilities of the workforce to meet the demands of overseas employment and managing skill development and awareness programs.