

## Labour Inspection Policy – State of Qatar

### Introduction :

This policy sets out the principles concerning labour inspection endorsed by the Ministry of Administrative Development, Labour and Social Affairs (MADLSA) of the State of Qatar.

This policy rests on the Guiding Principles established in the Permanent Constitution, and in particular the values of justice, benevolence, freedom, equality, and high morals (Article 18) and the ideals of social justice upon which the workers and employer relationship shall be based (Article 30).

It operates alongside other nationally agreed policies, including Qatar National Vision 2030, which defines broad future trends and reflects the aspirations, objectives and culture of the Qatari people. In particular, the Vision recognizes that a capable and motivated workforce, whose rights are protected and safety is ensured, is instrumental to the achievement of long-term national goals.

Moreover, the second National Development Strategy (2018-2022) aims at promoting human development through an efficient and committed workforce and at enhancing sound social development through social protection, as well as public security and safety. The Strategy further stresses that labour market data and related research are essential for evidence-based policymaking. To achieve this outcome, the Government committed to build on the databases of various State bodies, such as Ministry of Interior, Ministry of Administrative Development, Labour and Social Affairs, the Ministry of Development, Planning and Statistics, and Qatar Petroleum and to link them all in order to provide necessary, quality and timely data and indicators.

This policy recognizes that a professional and effective Labour Inspection system is a precondition for economic and social development. The values of public service, honesty, impartiality, integrity, independence from improper external influence, and quality of services underpin this policy document and will influence all aspects of policy implementation.

This policy provides guidance to underpin Qatar' commitments to the ILO Labour Inspection Convention (No.81), 1947, ratified in 1976.

### Aims :

The policy aims to reaffirm the role of Labour Inspection as a core Government service. It intends to emphasize the commitment of the Labour Inspection Department to ensure the effective compliance and enforcement of the legal requirements within its authorised scope. This is particularly relevant in the light of the ongoing raft of labour reforms in Qatar.

To achieve this goal, the Ministry is committed to work closely with other State Bodies, such as the Ministry of Interior, the Ministry of Justice, the Authority of Planning and Statistics, as well as the National Committee for Combating Human trafficking.

The policy also intends to underline the vocation of the Labour Inspection Department to act as a catalyst for the prevention of occupational accidents, diseases and fatalities, and for promoting compliance with labour law in general. To achieve this goal the Labour Inspection Department will a) promote, b) inform, c) influence and d) enforce the law, as necessary.

The policy will guide all labour inspection actions and will ensure that labour inspectors act in a strategic and consistent manner and following common values embedded in national law and ratified International Labour Standards. The implementation of the policy relies on the adoption and use of IT equipment and commitment to technology-driven solutions to enhance the effectiveness and impact of a modern labour inspectorate.

### Actions :

Pursuant to article 20 of the Amiri Decree No. 6 of 2016 concerning the organizational structure of the MADLSA, the Labour Inspection Department is the administrative unit competent to:

1. Monitor the implementation of labor legislation and the general plan of labor inspection;
2. Conduct regular and sudden inspections of the workplaces to ensure that the labor law and the implementing decisions are implemented;
3. Provide guidance to employers on how to correct irregularities;
4. Direct warnings and edit the minutes of violations, and submit them to the competent authorities, to take the necessary action;
5. Ensure that private institutions and establishments take the necessary precautions and requirements, in accordance with the Labor Law and the decisions implemented therein;
6. Conduct an assessment of the risks arising from the use of hazardous substances at work, in coordination with the competent authorities;
7. Monitor the obligation of employers to pay workers' wages regularly and on time;
8. Monitor and follow-up occupational safety and health procedures.

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In performing these tasks, the Labour Inspection Department is mandated with a range of functions including the following:

1. Collection of data according to agreed indicators and analysis of information for strategic deployment of the Labour Inspection Department resources.

The Labour Inspection Department will ensure that a strategic planning process is in place to underpin an effective and modern approach to implementation of national labour legislation, delivery of regulatory functions and strategic monitoring processes. Planning will rely on the accurate collection and analysis of internal and external data, in consultation of relevant stakeholders. In particular, the Labour Inspection Department will adopt measures to promote effective collaboration with the judicial system (including with regard to the exchange of information on the outcome of cases referred to the judiciary).

Data collected and analysed include violations detected, complaints received, sanctions imposed, occupational accidents and diseases notified, and the history of compliance of enterprises. As it is not possible for labour inspectors to investigate all issues of non-compliance with the law which are uncovered in the course of an inspection, or in response to a complaint, these notifications and requests will be triaged to determine an appropriate regulatory response.

2. Evidence-based strategic inspections.

i. The labour inspection Department will set strategic priorities which are determined at the national level. Inspection visits will be predominantly proactive and based on risk analysis in targeted priority sectors, types of labour protection legislation, or particular occupational hazards. The frequency of visits will be based on predetermined criteria.

ii. Labour inspectors also carry out reactive inspection visits, including in cases of complaints that when are anonymous will be treated as confidential. Prior to determining whether to take any action in relation to a possible breach, labour inspectors will conduct investigations to determine whether a breach has occurred and gather information that may assist in preventing future breaches.

3. Definition and dissemination of guidelines for the most appropriate action to take.

To ensure consistency, responsiveness and the efficient use of resources, labour inspectors will be provided with and will follow clear guidelines that inform their actions, including through the definition of criteria when immediate action is required (zero-tolerance situations in which labour inspectors have the power to issue a prohibition notice and to adopt other strict enforcement measures to ensure that non-compliance with labour laws and serious risks is remedied). The guidelines will ensure that labour inspectors maintain a nationally consistent approach to compliance and that emerging national issues are dealt with appropriately. The guidelines will guide the levels of discretion allowed to inspectors and ensure that similar circumstances at workplaces lead to similar approaches being taken, providing greater certainty in workplace and industry.

4. Learning and development framework, as well as adequate technical support, for the staff of the Labour Inspection Department.

Labour inspectors will be recruited with sole regard to their qualifications for the performance of their duties for which they are adequately trained. Furthermore, the number of male and female labour inspectors will be sufficient to secure the effective discharge of the duties. In addition, labour inspectors will be enabled to communicate effectively with all workers by means of interpreters proficient in the most prevalent languages spoken by workers. Labour inspectors will be given opportunities for initial and long-life training which are adequate to the performance of their duties and responsive to the needs of the Labour Inspection Department. Staff development plans will be articulated around national inspection priorities and will make use of all potential synergies inside and outside the MADLSA.

5. Awareness raising and information campaigns.

Labour inspectors will perform awareness raising and information campaigns, as part of their role and functions. Campaigns will address topics and sectors deemed relevant under a perspective of national economic and social development, and protection of worker's rights, in particular migrant workers.

6. Transparency and accountability of inspection.

The Labour Inspection Department will develop its action in accordance with the principles of transparency and accountability, with due respect for the protection of confidential data, and without prejudice to the effectiveness of inspection. An annual report on the work of the inspection services will be regularly published by the central inspection authority. In line with the requirements of ILO Convention No. 81, the report will deal with the following (and any other relevant) subjects:

- laws and regulations relevant to the work of the inspection service;
- staff of the labour inspection service;
- statistics of workplaces liable to inspection and the number of workers employed therein;
- statistics of inspection visits;
- statistics of violations and penalties imposed;
- statistics of industrial accidents;
- statistics of occupational diseases.