

ASSESSMENT OF THE PANAMANIAN LABOR INSPECTORATE'S WORK ON CHILD LABOR 2017



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Prepared by Verité

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EXECUTIVE SUMMARY

Over the past several years, Panama has made significant progress in reducing child labor. In 2016, 23,855 children ages 5-14 were engaged in child labor which, according to Panama's National Institute of statistics, is a 10% drop in the number of child laborers found in 2014. Additionally, 100% of children in this age group completed primary school. However, despite this progress, too many children remain trapped in hazardous child labor including commercial sexual exploitation, domestic work, street selling, and dangerous work in agriculture, which is particularly prominent among indigenous and migrant worker communities where children's schooling is often interrupted due to family migration for work.

MITRADEL, the Labor Ministry in Panama, plays a critical role in addressing child labor. In 2010, the government established a National Directorate to Combat Child Labor and Protect Young Workers (DIRETIPPAT) within MITRADEL to support the formulation and implementation of the Hoja de Ruta (national plan of action) to combat child labor, and in Panama City a team of inspectors are exclusively responsible for addressing child labor issues. Despite this, significant challenges remain in eliminating child labor, including high turnover within the inspectorate, limited resources to address child labor in rural and remote areas where the risk is highest, a lack of institutionalized training on child labor within the inspectorate, and a lack of strategic planning on how to reach the most vulnerable children. The Government of Panama is committed however, to improving its response to child labor and has partnered with Winrock International, Verité and Lawyers without Borders through the CLEAR II project to build the capacity of public institutions, including the Labor Inspectorate, to address the issue. This assessment of the Labor Inspectorate is the first step in the capacity building process and will contribute to a better understanding of the legislative, social and administrative environment in which Inspectors function, and the challenges they face in their day-to-day work.

Information gathered from desk research and interviews with key stakeholders revealed common themes that informed the recommendations in this assessment. Below is a summary of those recommendations which focus mainly on training, institutional strengthening, enforcement, data collection and promoting decent work for youth. Further details regarding each of these recommendations can be found in the body of the report.

- **Training:**
 - Regular training on child labor should be institutionalized within MITRADEL. Trainers within the Ministry should be equipped to provide training to all inspectors, including those working in Panama City as well as regional labor offices, during their initial on-boarding process and periodically thereafter as part of a professional development program.
 - Training needs include: assessing hazardous work; child friendly approaches to interviewing children; identifying child labor in hidden workplaces and the informal sector; awareness raising; strategic planning to address situations where children are most at risk; planning and collaborating with other stakeholders; using data for planning interventions; and advising companies on how to address risks of child labor in supply chains.

- **Institutional strengthening:**

- CETIPPAT, the Committee for the Eradication of Child Labor and the Protection of Young Workers, should promote better inter-agency coordination to ensure that agencies and organizations are connecting and collaborating to address child labor. To that end, a self-evaluation tool should be developed to assess each CETIPPAT members' progress in meeting their commitments under the National Plan of Action (Hoja de Ruta) and tools and training should be developed to help CETIPPAT members clarify their roles and responsibilities, and draft plans of action for its implementation.
 - CETIPPAT should work with local chapters to promote implementation of the Hoja de Ruta at the provincial level and ensure that actions are aligned with national priorities.
- **Enforcement:**
 - MITRADEL would benefit from the development of a strategic plan for taking a pro-active approach to eliminating child labor by conducting regular and targeted inspections focusing on sectors that have a high risk of child labor, such as in agriculture. Most child labor in Panama takes place in rural areas among indigenous populations and migrants. Thus, Labor Inspectors would benefit from collaboration with SENNIAF (the National Secretariat for Children, Adolescents and Families), the Ministry of Agriculture, SENADAP (National Secretariat for the Development of AfroPanamenios), the Indigenous Congress and “inspectors al Caldia” or “Mayors inspectors” to increase child labor inspections and raise awareness among populations working in agricultural sectors most at risk. It is recommended that objective criteria for the selection of employers to be inspected is made public to avoid any perception that only certain businesses are targeted.
 - It is recommended that MITRADEL develop a protocol for working with the Police, CONAPREDES and other CETIPPAT members on how to respond to the worst forms of child labor in other parts of the informal sector such as domestic work, street selling and commercial sexual exploitation.
 - It is recommended that DIRETIPPAT develop tools to help enforcement personnel better track children who are working legally to ensure they are not being exploited, and track children who have been rescued in order to monitor their progress and ensure that they do not return to child labor.
 - In addition to inspectors in the Minor Unit, it is recommended that inspectors in the Migration, OSH and Employment Conditions units are also responsible for conducting child labor inspections and understanding the protocols for what to do when child labor is detected. Those in the Minor Unit could act as advisors and training resources for other inspectors, supporting outreach efforts and awareness raising efforts, and working with DIRETIPPAT to follow up on child labor cases.
 - **Data collection:** MITRADEL is recommended to disaggregate data collected on child labor to include information on type of work, disabilities, family situation, school attendance, and how long the child has been working. This information should be used to target vulnerable children and plan interventions.

- **Decent work for youth:** MITRADEL should promote decent work for youth by raising awareness among the government and private sector that it is legal for youth ages 16-17 to work under the right conditions. The Government should also develop a light work list and consider enacting a National Plan of Action to promote Youth Employment.

GLOSSARY

CEACR	Committee of Experts on the Application of Conventions and Recommendations
CETIPPAT	Committee for the Eradication of Child Labor and the Protection of Adolescent Workers
CLEAR II	Country Level Engagement to Assist in Reducing Child Labor
CLMS	Child Labor Monitoring System
CONAPREDES	National Commission for the Prevention of Crimes of Sexual Exploitation
CONATO	National Workers Union
CoNEP	National Council for Businesses
CRC	Convention on the Rights of the Child
DIRETIPPAT	Directorate Against Child Labor and for the Protection of Adolescent Workers
DOL ILAB	US Department of Labor - International Labor Affairs Bureau
FAO	UN Food and Agriculture Organization
IIECL	International Initiative to End Child Labor (Ressource Humaine Sans Frontières (RHSF), IIECL's sister agency in Europe)
IFARU	Institute for Training Human Resources
ILO-IPEC	International Labor Organization, Program on Elimination of Child Labor
INADEH	National Institute for Professional Training and Human Resource Capacity Building
INEC	National Institute for Statistics
IOM	International Organization for Migration
IUU	Illegal, unreported, and underregulated fishing
MEDUCA	Ministry of Education
MIDES	Ministry of Social Development
MITRADEL	Ministry of Labor and Labor Development
OSH	Occupational Safety and Health
SENADAP	Secretaria Nacional de AfroPanamenios
SENNIAF	Child and Adolescent Courts or to the National Secretariat for Childhood, Adolescence, and Family
UNGC	United Nations Global Compact

INTRODUCTION

Project Background

This assessment of the capacity of Panama’s labor inspectorate to prevent, detect and address child labor was carried out as part of the CLEAR II project, funded by the US Department of Labor’s International Labor Affairs Bureau (ILAB). CLEAR II (Country Level Engagement to Assist in Reducing Child Labor) assists countries that have expressed interest in acting upon information and specific recommendations contained in the U.S. Department of Labor’s most recent *Findings on the Worst Forms of Child Labor* (TDA) report. CLEAR II has a three-tiered strategy: to strengthen legal frameworks, improve enforcement, and support social and economic programs.

Purpose

The purpose of the assessment was to gain an understanding of the inspectorate’s mandate and authority, as well as its resources, management structure and overall ability to enforce national laws and meet international obligations as they pertain to child labor. Information gleaned from the assessment will be used to develop tools and a training program on eliminating child labor for labor inspectors, labor controllers, supervisors, trainers, and anyone else at the Ministry of Labor and Development (MITRADEL) that is charged with addressing child labor.

Methodology

The assessment is based on an extensive literature review of laws, policies and reports from international and national NGOs on current issues related to child labor in Panama. Additionally, field visits and in person interviews with staff from government, trade unions, industry groups, international NGOs and civil society stakeholders were held in country between June 26 – July 5, 2017, to learn about gaps, challenges and successful approaches to dealing with child labor. Prior to each interview an explanation about the CLEAR II project and the purpose of the interview was given, and interviewees were notified that their suggestions and recommendations would be included in the report. The information gathered has been distilled into a series of recommended actions that the government, and specifically MITRADEL, can take to improve its response to child labor.

The individuals and organizations interviewed as part of this research include:

Organization	Individuals
Government	
MITRADEL – Ministry of Labor	
<ul style="list-style-type: none">Directorate of Employment	Andrés Saúl Salazar, Sub-Director Denis Montenegro, Observatorio del Mercado Laboral Dixenia Saavedra, Departamento de Intermediacion laboral Sullyn Rojas, Programa de Apoyo a la inspeccion aboral Publio Caballero, Programa de Orientation vocacional y Empleo (POVE) Mercedes de la Cruz, Projecta Panama Pro Joven
<ul style="list-style-type: none">“Yo Si Cumpló” Project	Aracelis Guardia, Project Coordinator
<ul style="list-style-type: none">Inspectorate Department	Edgar I. D’Ángelo, Director Rolando Fuentes, Sub-Director
<ul style="list-style-type: none">“Minor” Inspection Unit	Magaly Venegas, Lead Inspector Department of Minors

	8 inspectors
• Training Unit	
• Statistics and analysis unit	Edwin Macias
• Office of International Technical Cooperation	Rorix Javier Nuñez, Director of International Technical Cooperation Vielka Vigil de Gracia, Sub-Director of International Technical Cooperation
• DIRETIPPAT	Nohely Nieto, Director
SENNIAF – National Secretariat for Women, Children and Families	Yazmin Cardenas Quintero – Director General Luz Marina Vergara – Secretary General
INEC – National Institute for Statistics and Census	David Saied – National Director
National Police	Teniente Stephanie Agnes Anorio, Director of Human Development Programs
Local NGOs and Trade Unions	
Casa Esperanza	Angelica La Vitola – Directora Ejecutiva Nacional Maritza, Subdirectora Nacional
CONATO	Carmen Taitt, Assistant Secretary General Melkys Miranda
Private Sector	
Café Eleta	Mercedes Morris, V.P. Sustainability and Public Affairs
CONEP (National Counsel for Private Enterprise)	Marisol Linero, Regional Focal Point of the Employer Sector in the Regional Initiative Latin America and the Caribbean Free of Child Labor
International Organizations	
Partners of the Americas – Educa Futuro Program	Carmen Peña, Director of Program Development Martha Villada, Program Manager EducaFuturo Natasha Gartner, Director of EducaFuturo
ILO - IPEC	Jose Roberto, Principal Technical Advisor on child labor Ahychel Elías, National Coordinator
IOM	Gonzalo Medina, Program Coordinator

COUNTRY BACKGROUND



Demographics

The Republic of Panama is divided into ten provinces and three indigenous regions with a total population of 3,753,142 Panamanians.¹ Indigenous people make up about 12 percent of the population.

Socio-Economic Profile

Panama's GDP in 2015 was USD 52.1 billion, and its top exports were oil and petroleum products. Its agricultural exports totaled USD 277 million in 2015 and included coffee, bananas, melons, and other tropical fruits and vegetables.² The Panama Canal is a large source of revenue for the Central American nation, accounting for nearly 40 percent of GDP.

Panama scores relatively high on the UN Human Development Index, ranking 60th out of 188 countries. However, despite a reduction in poverty by ten percentage points from 2006 to 2012, Panama has the second most unequal income distribution in Latin America, with nearly one-fourth of the population living in poverty.³ Indigenous and rural groups are most impacted by poverty; with over 70 percent of the population in indigenous areas living in poverty. These regions frequently lack access to water, sanitation, and health services.⁴ Children in indigenous regions often live far away from schools, creating barriers to education.⁵ In addition to higher poverty rates, indigenous populations experience higher rates of disease, malnutrition and illiteracy.⁶

The Guaymí are the most numerous indigenous group in Panama. They are also known by the name Ngöbe and are closely affiliated with a small group known as the Buglé. The Ngöbe-Buglé (Guaymí)

¹ <https://www.cia.gov/library/publications/the-world-factbook/geos/pm.html>

² <http://atlas.media.mit.edu/en/profile/country/pan/#Exports>

³ <https://www.cia.gov/library/publications/the-world-factbook/geos/pm.html>

⁴ <http://www.worldbank.org/en/country/panama/overview>

⁵ <https://www.dol.gov/sites/default/files/images/ilab/child-labor/Panama2016.pdf>

⁶ <http://minorityrights.org/minorities/afro-panamanians/>

traditionally live in the western provinces of Bocas del Toro, Veraguas and Chiriqui. However, many Guaymi (Ngöbe-Buglé) have migrated to other parts of Panama in search of employment.⁷ Inadequate social services continue to be the major issue in the remote areas where Ngöbe-Buglé comarcas are located. Although the Panama Government is committed to children's rights and welfare, these benefits often do not reach Ngöbe-Buglé areas.

The Constitution establishes free compulsory public education up to the 9th grade but indigenous children do not always attend school due to financial and economic constraints, lack of schools or transportation, and insufficient government resources. Only 18 per cent of children ages 15-19 in the Ngöbe-Buglé comarcas had schooling beyond sixth grade compared to the national average of 65 per cent. In the country's sugar, coffee, and banana plantations Ngöbe-Buglé work under worse conditions than their non-indigenous counterparts. They frequently do not receive the basic rights provided by the Labor Code including minimum wage, social security benefits, termination pay, and job security.

Like other indigenous groups, the problem of child labor in agricultural areas also affects the Ngöbe-Buglé. Migrant Ngöbe-Buglé families leave their isolated reserves in search of income. During the harvest of sugar cane, coffee, bananas, melons, and tomatoes, farm owners often pay according to the volume harvested, leading many Ngöbe-Buglé laborers to bring their young children to the fields to help with the work. Due to inadequate education and poor Spanish language skills members of this group are often unaware of their rights and fail to employ legal channels when threatened.⁸

Government

Panama's government is a constitutional democracy comprised of an executive, legislative, and judicial branch.⁹ Panama's most recent elections took place in 2014 and were deemed to be fair by the U.S. Department of State. Human rights issues in Panama include delayed court proceedings; corruption; trafficking in persons; child labor; discrimination based on sexual orientation; and marginalization of indigenous people, HIV/AIDS patients, and people with disabilities.¹⁰

STATISTICS RELATED TO CHILD LABOR

- According to statistics published in 2016 by the Instituto Nacional de Estadística y Censo, 23,855 children ages 5-14 were engaged in child labor.¹¹
- 68.8 percent of working children are engaged in agriculture, and another 26 percent work in services such as domestic work, scavenging and street work, and collecting bus fares.¹²
- 94.9 percent of Panamanian children are enrolled in school, while 4.9 percent work and attend school simultaneously.¹³
- Over half of working children and young people do not attend school. This is more prevalent in rural and indigenous regions. Further young people who do work and attend school are more

⁷ <http://minorityrights.org/minorities/guaymi-ngobe-bugle/>

⁸ <http://minorityrights.org/minorities/guaymi-ngobe-bugle/>

⁹ <https://www.state.gov/documents/organization/265816.pdf>

¹⁰ <https://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>

¹¹ https://www.contraloria.gob.pa/inec/Publicaciones/Publicaciones.aspx?ID_SUBCATEGORIA=61&ID_PUBLICACION=803&ID_IDIOMA=1&ID_CATEGORIA=5

¹² UCW. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Encuesta de Trabajo Infantil (ETI), 2014. As cited in:

<https://www.dol.gov/sites/default/files/images/ilab/child-labor/Panama2016.pdf>

¹³ UCW. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Encuesta de Trabajo Infantil (ETI), 2014. As cited in:

<https://www.dol.gov/sites/default/files/images/ilab/child-labor/Panama2016.pdf>

likely to fall behind academically.¹⁴ Children of afro-Panamanian and indigenous descent, as well as rural children, are particularly vulnerable to child labor.¹⁵

- Out of all working children, 75 percent are located in rural or indigenous areas.¹⁶
- Children in Panama work an average of 35 hours per month for an average monthly wage of USD 113,¹⁷ whereas in indigenous provinces, known as “comarcas,” the average monthly wage is USD 51.90.¹⁸

SECTORS LINKED TO CHILD LABOR

Agriculture

In March 2017, the Instituto Nacional de Estadística y Censo Panama (INEC) conducted a labor force survey which showed that 143,000 people are working in the agriculture sector.¹⁹ Recent surveys have shown a high rate of child labor in the Comarcas (indigenous regions) where children work in subsistence agriculture. Children can be found working in a variety of agricultural crops including beans, grains, coffee, corn, melons, pineapple, onions, rice, sugarcane, tomatoes, and livestock.²⁰ According to the U.S. Department of Labor, entire indigenous families often migrate for work in agriculture, causing disruptions to child education. The U.S. Department of State has reported on long hours, wage violations, overcrowding in housing, and lack of grievance mechanisms due to language barriers in the Panamanian agricultural sector.²¹

Sugar

The U.S. Department of Labor *Worst Forms of Child Labor Report* and the 2016 *List of Goods Produced with Child Labor or Forced Labor* both note risk of child labor in sugarcane production in Panama.²² According to a 2015 U.S. Department of State Human Rights Report, workers on sugar plantations faced poor living conditions. Migrant indigenous workers were reportedly the most vulnerable.²³ There is some evidence of indigenous children working in sugar production in the district of Aguadulce.²⁴

Coffee

Although it produces one of the lowest coffee yields in the region, Panama has ideal growing conditions for coffee and produces well-regarded specialty varieties. Because the harvest is limited to a relatively

¹⁴ <http://unesdoc.unesco.org/images/0014/001462/146287e.pdf>

¹⁵ UCW. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys.

Original data from Encuesta de Trabajo Infantil (ETI), 2014. As cited in:

<https://www.dol.gov/sites/default/files/images/ilab/child-labor/Panama2016.pdf>

¹⁶ <https://www.unicef.org/panama/spanish/Infografia.jpg>

¹⁷ [https://www.partners.net/sites/default/files/job-pdfs/ToR%20-%20EducaFuturo%20Endline%20Survey%20-%20August%2011%202016%20ENGLISH%20\(edit\).pdf](https://www.partners.net/sites/default/files/job-pdfs/ToR%20-%20EducaFuturo%20Endline%20Survey%20-%20August%2011%202016%20ENGLISH%20(edit).pdf)

¹⁸ <https://www.unicef.org/panama/spanish/Infografia.jpg>

¹⁹ Interview with David Saied, INEC National Director, July 3, 2017.

²⁰ <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/panama>

<https://www.dol.gov/ilab/reports/child-labor/list-of-goods/>

²¹ <https://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#section6indigenouspeople>

²² <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/panama>

²³ <https://www.state.gov/documents/organization/253243.pdf>

<http://unesdoc.unesco.org/images/0014/001462/146287e.pdf>

²⁴ <http://unesdoc.unesco.org/images/0014/001462/146287e.pdf>

short seasonal timeframe, entire families, including children may migrate to coffee plantations. The majority of these coffee pickers are from indigenous populations such as the Ngäbe-Buglé.²⁵

Inspections conducted by the Ministry of Labor in 2016 detected child labor in early 2016 on four coffee plantations near Boquete in the province of Chiriquí. A total of 35 minors between the ages of 5-12 were found to be working. These same inspections uncovered inhumane living conditions for children and the mostly temporary workers who migrated from neighboring provinces to work on the plantations.²⁶ Panamanian indigenous families will also migrate across the border to work on Costa Rican coffee plantations.²⁷

Fishing & Aquaculture

Both industrial and artisanal fisheries are present in Panama.²⁸ Fishing activity takes place in the Pacific Ocean as well as the Caribbean coast.²⁹ Lobster is a primary target species of Panama's artisanal fisheries.³⁰ Other key species in Panama are shrimp, herring, and anchovies.³¹ According to the U.S. Department of Labor, there is some evidence of child labor – including hazardous child labor – in the fishing sector in Panama.³² There is little documentation of specific child labor issues, but previous studies have noted that indigenous populations are highly dependent on artisanal fishing activities, and it is likely that child labor takes place in this context.³³

Domestic Work

The U.S. Department of Labor reported that children were forced into domestic work in Panama.³⁴ In the country's most recent survey on child labor, 1,976 children were found to be engaged in domestic work, many of them in foreigners' homes, but also in hotels and restaurants. Tasks included general cleaning, cooking, cleaning and ironing clothing, and taking care of children, the elderly, or sick and disabled persons. The majority of domestic workers, 85 percent, were young girls.³⁵ In domestic work, children worked longer on average than children employed in other sectors, averaging 48 - 69 hours per week. There were anecdotal reports that some children received no remuneration other than room and board.³⁶ The ILO noted that in recent years 37 "denunciations" or complaints had been received regarding child domestic workers, but there is no evidence that the government took any significant measures to address the problem.³⁷

²⁵ <http://www.rhsansfrontieres.org/en/activities/our-projects/child-labor-project/1036-a-culture-at-high-risk-for-violations-of-human-rights-at-work>

²⁶ <http://laestrella.com.pa/panama/nacional/mitradel-detecta-menores-fincas-cefetalaras-boquete/23917349>

²⁷ <https://www.iom.int/news/costa-rica-panama-open-information-hubs-migrants-paso-canoas-border>

²⁸ <http://www.fao.org/fi/oldsite/FCP/en/PAN/profile.htm>

²⁹ <https://www.dol.gov/ilab/reports/child-labor/findings/2012TDA/panama.pdf>

³⁰ <http://www.fao.org/fi/oldsite/FCP/en/PAN/profile.htm>

³¹ <http://www.fao.org/fi/oldsite/FCP/en/PAN/profile.htm>

³² <https://www.dol.gov/ilab/reports/child-labor/findings/2012TDA/panama.pdf>

³³ <http://aquaticcommons.org/20833/1/076%20Small-scale%20Fishing%20in%20Central%20American%20Indigenous%20People.pdf>

³⁴ <https://www.dol.gov/sites/default/files/images/ilab/child-labor/Panama2016.pdf>

³⁵ <http://elsiglo.com.pa/panama/1976-menores-hacen-trabajo-infantil-domestico-casas-ajenas/23945793>

³⁶ http://globalmarch.org/Child-Labour-Domestic/panama/images/Situational%20Analysis_CD_L_Panama_ESP.pdf

³⁷ http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3294395,102792,Panama,2016

Sex Trafficking/Exploitation

The U.S. Department of State reported that commercial sexual exploitation of children occurred in Panama.³⁸ The Panamanian Government noted that this specifically occurred around Panama City, in the mostly urban provinces of Chiriquí y Coclé, and touristy beach areas, although it was also reported in rural and indigenous communities.³⁹ Nearly 1,500 cases of sexual violations against minors were reported in the first three months of 2017.⁴⁰ From 2014 through August 2016, 2,620 cases of sexual exploitation of children were reported, 90 percent of which involved child pornography.⁴¹ According to the National Commission for the Prevention of Sexual Exploitation Crimes (CONAPREDES), “sexual exploitation is a very broad concept, which is increasingly spread through social networks thanks to “grooming” (behaviors undertaken by an adult to gain the trust of a child and commit sexual abuse) and “sexting” (sending material with sexual content through the internet).”⁴² Because sexual exploitation of children is often linked to tourism, the national secretariat for childhood and families (SENNIAF) signed an agreement with the Panamanian Hotel Association to support workshops on child rights and eliminating sexual exploitation of children in the industry.

LEGAL AND POLICY FRAMEWORK TO ADDRESS CHILD LABOR

International Standards

Panama’s international and regional commitments include:

Ratification of all 8 of the ILO’s Fundamental Conventions, including:

- C029 – Forced Labor Convention 1930 (May 16, 1966)
- C087 – Freedom of Association and Protection of the Right to Organize, 1948 (June 3, 1958)
- C098 – Right to Organize and Collective Bargaining, 1949 (May 16, 1966)
- C100 – Equal Remuneration Convention, 1951 (June 3, 1958)
- C105 – Abolition of Forced Labor Convention, 1957 (May 16, 1966)
- C111 – Discrimination (Employment and Occupation), 1958 (May 16, 1966)
- C138 – Minimum Age Convention, 1973 (October 31, 2000), minimum age specified at 14
- C182 – Worst Forms of Child Labor Convention, 1999 (October 31, 2000)

Ratification of 3 of the 4 Governance (Priority) Conventions, including:

- C122 - Employment Policy Convention, 1964 (June 19, 1970)
- C144 - Tripartite Consultation (International Labor Standards) Convention, 1976 (June 11, 2015)
- C081 - Labor Inspection Convention, 1947 (June 3, 1958)

³⁸ <https://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>

http://www.telemetro.com/nacionales/Panama-registra-explotacion-sexual-infantil_0_1064294145.html

³⁹ *Panama 2016 Human Rights Report*, p. 17, U.S. State Department, 2016.

<https://www.state.gov/documents/organization/265816.pdf>

http://www.telemetro.com/nacionales/Panama-registra-explotacion-sexual-infantil_0_1064294145.html

⁴⁰ <http://ministeriopublico.gob.pa/conapredes/estadisticas/>

⁴¹ http://www.telemetro.com/nacionales/Panama-registra-explotacion-sexual-infantil_0_1064294145.html

⁴² http://www.telemetro.com/nacionales/Panama-registra-explotacion-sexual-infantil_0_1064294145.html

“ILO Convention 81 establishes an explicit link between labor inspection and child labor in Article 3.1(a) which includes amongst the primary functions of labor inspections “to secure the enforcement of the legal provisions relating to conditions at work and the protection of workers while engaged in their work, such as provisions relating to ... the employment of children and young persons ...”

Panama has not ratified ILO Convention C129 - Labor Inspection (Agriculture) Convention (1969).

Other relevant UN Conventions and regional agreements:

- Convention on the Rights of the Child (CRC) (ratified 1990)
- CRC Optional Protocol on Armed Conflict (ratified August 8, 2001)
- CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography (ratified February 9, 2001)
- Paloma Protocol on Trafficking in Persons (ratified August 18, 2004)
- ILO Protocol to the Forced Labor Convention (ratified July 2016)
- C189 - Domestic Workers Convention, 2011 (No. 189) (ratified June 11, 2015)
- Latin American and Caribbean Economic System (SELA): a regional intergovernmental organization comprised of 26 Latin American and Caribbean countries⁴³

National Laws Related to Child Labor

The following table summarizes Panama’s national legislative mechanisms to regulate and eliminate child labor.⁴⁴

Standard	Meets International Standards (yes/no)	Age	Related Legislation
Minimum Age for Work (14)	Yes	14	Article 70 of the Constitution; Articles 508–509 and 716 of the Family Code; Articles 117, 119, and 123 of the Labor Code (50-52)
Minimum Age for Hazardous Work (18)	No [Article 118 of the Labor Code and Article 510 of the Family Code allow minors to perform hazardous	18	Article 510 of the Family Code; Article 203 of the Penal Code; Article 4 of Executive Decree No. 19 of 2006; Article 118 of the Labor Code (51-55)

⁴³ <http://www.sela.org/en/what-is-sela/>

⁴⁴ *2016 Findings on the Worst Forms of Child Labor*. US Department of Labor, Bureau of International Labor Affairs. September 30, 2016. <https://www.dol.gov/sites/default/files/images/ilab/child-labor/Panama2016.pdf>.

	work in training establishments]		
Identification of Hazardous Occupations or Activities prohibited for Children	Yes		Articles 2 and 3 of Executive Decree No. 19 of 2006; Article 118 of the Labor Code; Article 510 of the Family Code (51, 52, 54)
Prohibition of Forced Labor	Yes		Articles 157–158, 205–208, and 456 of the Penal Code; Article 489 of the Family Code; Article 21 of the Constitution (50, 51, 53, 56)
Prohibition of Child Trafficking	Yes		Articles 205–208 and 456 of the Penal Code; Article 489.17 of the Family Code (51, 53, 56)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 179–187, 189–191, 202–203, 207, and 456 of the Penal Code (53, 56)
Prohibition of Using Children in Illicit Activities	Yes		Articles 318, 333, and 336 of the Penal Code; Article 489.16 of the Family Code; Article 2.16 of Executive Decree No. 19 of 2006 (51, 53, 54)
Minimum Age for Military Recruitment			
• State Compulsory	N/A		
• State Voluntary	N/A		
• Non-state compulsory	Yes	18	Article 448 of the Penal Code
Compulsory Education Age	Yes	15	Articles 34 and 45 of the Law on Education; Article 489 of the Family Code; Article 95 of the Constitution (50, 51, 57, 58)
Free Public Education	Yes		Articles 34 and 41 of the Law on Education; Article 95 of the Constitution (50, 57, 58)

The U.S. Department of Labor noted that despite having many child labor laws in place, Panama’s legal framework was not quite sufficient to protect children in situations of child labor.⁴⁵ By example, Panama’s Labor Code allows children to perform “light work” in agriculture and domestic work, but does not define what that means, nor does it set a total number of hours children are permitted to work.⁴⁶

Hazardous work, which is a subset of child labor, is defined as work which by its nature or the circumstances in which it is carried out, is likely to harm the health, safety, and morals of children. The Panamanian government prohibits children under 18 from doing hazardous work, however Article 118 of the Labor Code and Article 510 of the Family Code allow minors to perform hazardous work in training establishments, when the work is approved by the competent government authority and

⁴⁵ 2016 Findings on the Worst Forms of Child Labor. US Department of Labor, Bureau of International Labor Affairs. September 30, 2016. <https://www.dol.gov/sites/default/files/images/ilab/child-labor/Panama2016.pdf>.

⁴⁶ US Department of Labor, Bureau of International Labor Affairs (ILAB). *Findings on the Worst Forms of Child Labor*. 2016. <https://www.dol.gov/sites/default/files/images/ilab/child-labor/Panama2016.pdf>

carried out under its supervision. In 2016 the Government officially updated the list of hazardous occupations for children and added a minimum age of 14 for children to carry out hazardous tasks during training. Specific tasks and jobs that are prohibited include:⁴⁷

- ✓ Work in extreme temperatures, hot or cold
- ✓ Underwater activities
- ✓ Underground activities
- ✓ Use of dynamite and other explosives
- ✓ Activities in which acoustic levels or vibrations surpass legal limits
- ✓ Work with any toxic, flammable, or carcinogenic chemical products
- ✓ Heights over 1.8 meters
- ✓ Work with chemical pesticides and herbicides
- ✓ Work with heavy or automated machinery; or the cleaning and maintenance of such machinery
- ✓ Work with any type of radiation, nuclear or other
- ✓ Industrial or artisanal fishing, or activities farther than 12 nautical miles offshore, including catching fish, setting up traps, recollection or classification of fish
- ✓ Work with electrical components of any voltage
- ✓ Work that requires the body to be in contorted positions, or standing or sitting for long periods of time
- ✓ Work where there is human or animal suffering
- ✓ Work in unsanitary places or without potable water
- ✓ Domestic work that includes sleeping at the home of the employer or being unable to leave, with long work days and little to no rest or days off, caring for property or people
- ✓ Work that exposes children to psychological or psychosocial abuse or forces them to stay on the site of employment
- ✓ Work where children are caring for sick people or exposed to biological risks
- ✓ Work in the disposal, collection, transport, or sorting of trash
- ✓ Jobs that include interacting with money, goods of significant value, or jobs that include the security of others
- ✓ Jobs that include the use of excessive force, manually carrying boxes, bags, packs, or other heavy materials
- ✓ Driving heavy machinery in industry or construction that require special authorization by transit authorities
- ✓ Use of sharp cutting tools such as chains or presses
- ✓ Construction sector tasks such as transforming structures, demolition, moving earth, excavation, and engineering
- ✓ Work with pornographic, erotic, or violent content
- ✓ Work with alcoholic beverages

⁴⁷ MITRADEL (Panamanian Department of Labor). January 2016. <https://www.mitradel.gob.pa/wp-content/uploads/2016/11/Lista-del-Trabajo-Infantil-Peligroso-2016.pdf>

National Policies Related to Child Labor

Over the past several years several policies have been enacted that raise the profile of child labor in Panama and promote implementation of national laws and compliance with international commitments. These policies include:⁴⁸

- **Hoja de Ruta - The Roadmap Towards the Elimination of Child Labor (2016–2019)** seeks to eradicate all forms of child labor in Panama by 2020. The Roadmap is focused on six areas: fighting poverty; education; health; comprehensive protection of rights through improved legal and institutional frameworks; awareness raising and social mobilization; and development of a monitoring framework that includes objectives, expected results, indicators and targets.⁴⁹
- **The National Plan Against Trafficking in Persons (2012–2017)** targets populations vulnerable to human trafficking through prevention, victim assistance, and international cooperation. The plan contains a provision aimed at protecting child victims of human trafficking as well. It does so by promoting training for government institutions and civil society organizations so that they are equipped to provide the victim appropriate assistance to enable their recovery and safe reintegration into society.
- **The National Action Plan for the Prevention and Elimination of Sexual Commercial Exploitation of Children and Adolescents** aims to stop commercial sexual exploitation of children and adolescents. Implemented by CONAPREDES with assistance from the Public Ministry, this plan includes awareness-raising, victim support services, and supporting institutions focused on this issue
- **Bilateral Agreements**
 - In June 2016, the Panamanian government signed an agreement with the governments of both Guatemala and the Dominican Republic to share information and conduct joint research aimed at preventing and eliminating child labor.
 - A Coordination Agreement on Labor Migration was signed between the Panamanian and the Costa Rican Ministries of Labor. It aims to improve communication about labor migration between the countries, with a particular focus on indigenous Panamanian migrants workers.
 - ILO-IPEC project “Building effective policies against child labour in Ecuador and Panama” (2013-2016): The aim is to strengthen and enforce policies to eradicate child labor, and improve labor inspectors’ response to child labor.⁵⁰

Plan Panama: A Country for All — Zero Poverty⁵¹

This Plan recognizes that poverty has many different causes, and seeks to address the problem through “interconnected, cross-cutting social policies and programs targeting the most disadvantaged, promoting their access to basic services, social welfare and family support, fostering the growth of human capital and the reduction and gradual narrowing of social divisions.” Priority goals include:

- Ensuring healthy lives and promoting well-being for all at all ages (Goal 3);
- Ensuring inclusive and quality education for all and promoting lifelong learning (Goal 4);
- Promoting inclusive and sustainable economic growth, employment and decent work (Goal 8);

⁴⁸ US Department of Labor, Bureau of International Labor Affairs (ILAB). *Findings on the Worst Forms of Child Labor*. 2016. <https://www.dol.gov/sites/default/files/images/ilab/child-labor/Panama2016.pdf>

⁴⁹ <https://www.mitradel.gob.pa/wp-content/uploads/2016/11/Programacion-Operativa-2016-2019.pdf>;

<http://cetippat.gob.pa/wp-content/uploads/2017/01/programaci%C2%A2n-hdr-2016-2019.pdf>

⁵⁰ http://www.ilo.org/ipec/projects/global/WCMS_356148/lang--en/index.htm

⁵¹ UN Department of Economic and Social Affairs, Sustainable Development Goals Knowledge Platform. <https://oceanconference.un.org/index.php?page=view&type=30022&nr=340&menu=3170>

- Promoting just, peaceful and inclusive societies (Goal 16).

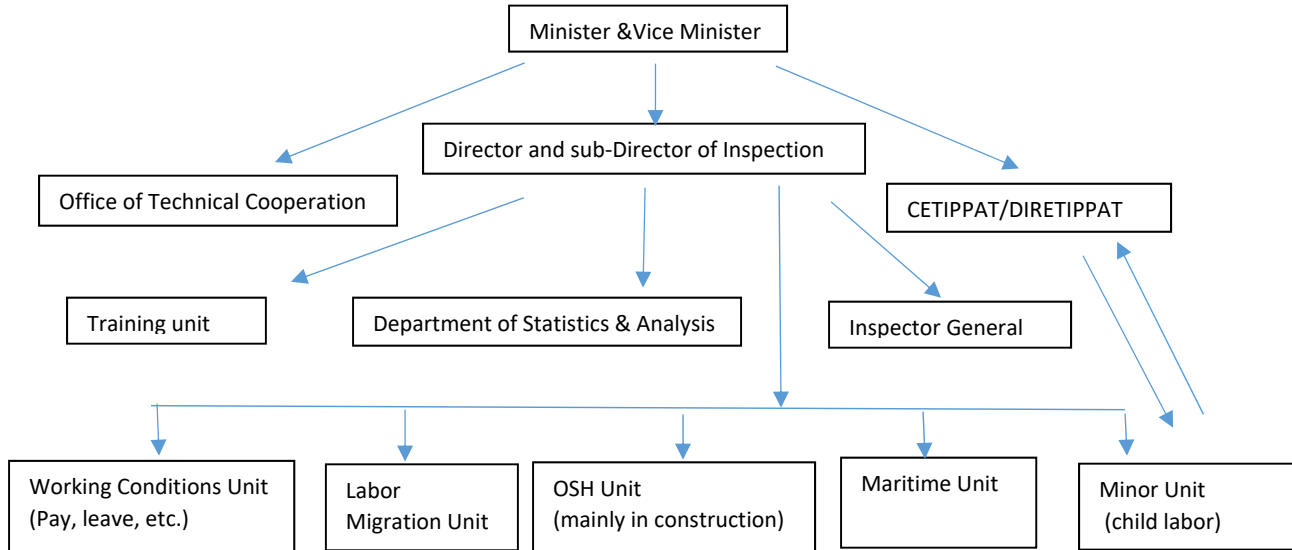
LABOR DEPARTMENT

Mission

The mission of MITRADEL (Ministerio de Trabajo y Desarrollo Laboral), Panama’s Ministry of Labor, is to employ a combination of preventative, advisory, and punitive measures to promote compliance with labor legislation. Approximately 85 Labor Inspectors are responsible for inspecting businesses outside the construction industry,⁵² and another 300 Inspectors who focus exclusively on construction firms.⁵³ MITRADEL works through DIRETIPPAT – the Directorate to Eliminate Child Labor and Protect Adolescent Workers, and the Labor Inspection Directorate (la Dirección de Inspección de Trabajo) on enforcement of child labor laws. The Labor Inspection Directorate generally enforces the Labor Code in Panama’s formal sector whereas DIRETIPPAT focuses on policy measures, educational programming, addressing child labor in the informal sector and monitoring the progress of Panama’s Roadmap Towards the Elimination of Child Labor.⁵⁴

Organization

MITRADEL’s operations in Panama City are structured around several administrative units including those that specialize in: training, statistics, working conditions, labor migration, occupational safety and health, maritime industries, and child labor. The Minor Unit is charged with investigating complaints of child labor and conducting unannounced visits to check for violations. The Unit coordinates its work with DIRETIPPAT which provides advice on areas and sectors that inspectors should focus on.



⁵² 2016 Findings on the Worst Forms of Child Labor, US Department of Labor, 2016.

<https://www.dol.gov/agencies/ilab/resources/reports/child-labor/panama>

⁵³ Interview with Edgar D’Ángelo, Director of Inspectorate; Rolando Fuentes, Sub-Director; and Magalay Venegas Department of Minors, June 26, 2017.

⁵⁴ <https://www.dol.gov/sites/default/files/images/ilab/child-labor/Panama2016.pdf>

Labor Offices

In addition to operations in Panama City, there are **12 regional labor offices and five sub-directorates**, located in the following provinces/regions:

Bocas Del Toro and Isla Colón (subdirectorato)	Chiriquí and Puerto Armuelles (subdirectorato)	Darién and Guna Yala (subdirectorato)
Panamá Este and Chepo (subdirectorato)	Panamá Oeste and Chame (subdirectorato)	Panamá Norte
Colón	Herrera	Los Santos
Coclé	San Miguelito	Veraguas

On average 15-20 inspectors are assigned to each regional/provincial office. These inspectors are not specialized in certain types of inspections but instead cover all areas including: labor migration, occupational safety and health (OSH), working conditions, and child labor. In each office however, there are DIRETIPPAT point persons who have mapped where child labor is most prevalent and participated in local awareness raising initiatives including radio and TV ads, social media campaigns, work with unions, organized marches and distribution of brochures. Inspectors conduct 2-3 inspections per day, either in response to complaints, or as part of regularly scheduled unannounced inspections. Social workers accompany inspectors when risks of child labor are present, to help conduct interviews to coordinate the care of rescued children. When child labor is identified, all labor offices are required to record the information and send to MITRADEL's statistics department, as well as to DIRETIPPAT who will follow up on the case.⁵⁵

Labor Inspectorate - Minor Unit⁵⁶

In Panama City, child labor inspections are conducted by the "Minor Unit" which currently employs nine Labor Inspectors who are tasked with inspecting commercial, industrial, maritime and other industries to ensure compliance with national and international legal standards related to child labor. Inspectors in this unit conduct regular unannounced visits to businesses to check that they are in compliance with the law, and also respond to complaints about child labor that are made to the 311 Hotline which is run by the Citizens' Service Center, or made directly to the Ministry of Labor. The process for conducting child labor inspections that result from complaints is as follows:⁵⁷

1. Complaints made to Ministry of Labor or to the 311 hotline (Citizens Services Center) regarding allegations of labor abuses are documented and forwarded to the Director of Labor Inspection.
2. The Director of Labor Inspection reviews the complaint and if allegations are related to child labor or unsafe working conditions for adolescent workers, the complaint is forwarded to the head of the Minor Inspection unit.
3. The chief of the Minor Unit assigns an inspector to carry out the inspection. Additionally, sometimes DIRETIPPAT will assign a social worker to accompany the inspector.

⁵⁵ Interview with Edgar D'Ángelo, Director of Inspectorate; Rolando Fuentes, Sub-Director; and Magalay Venegas Department of Minors, June 26, 2017.

⁵⁶ Interview with Rolando Fuentes, Sub-Director of Inspectorate and Magalay Venegas Department of Minors, June 26, 2017.

⁵⁷ Functions and Procedures Manual for the Department of Minors, pp. 5-6, MITRADEL, August 2014.

4. Upon inspection, if the inspector finds any irregularities in the company, a Juvenile Inspection Form is completed [See Annex A] and a notice of fines for labor law violations is provided to the employer. [See Annex B]
5. Also, if the Inspector finds a minor with a valid work permit who is carrying out activities other than those for which he or she is authorized, the Inspector will ask the child to leave the work area immediately.⁵⁸
6. Once inspection visit is completed, the Inspector drafts a report noting violations and any fines assessed and submits it to the Minor Unit Chief. [See Annex C for an example of a final report]
7. If the complaint came through the 311 hotline, the Minor Unit Chief forwards a copy of the report to the Citizen Center. Reports are also logged and filed by the Unit Secretary, and any documentation regarding fines or summons are sent to the Directorate of Labor Inspection.
8. The Director of Labor Inspection drafts a report to the Minister of Labor who in turn coordinates with the Judicial Secretary to carry out the relevant procedures required for issuing fines and sanctions. Fines can range from \$50-\$700 and can double for re-offenders.⁵⁹
9. Inspectors within the Minor Unit also maintain a log of all inspections related to child labor which is submitted to the Chief of the Unit at the end of each month. [See Annex D]

Because there are not many complaints regarding child labor, the Chief of the Minor Unit also prepares a "Daily Schedule" of inspections to be conducted as part of regular unannounced visits to ensure companies are in compliance with child labor laws. [see Annex E].⁶⁰ In urban areas inspections are largely focused on sectors such as the transportation industry/mechanics, recycling companies and car washes. In rural areas, the focus tends to be on agriculture, including tomato farms and coffee, sugar cane and melon plantations.

Inspectors provide guidance and information to employers and workers on the most effective way to comply with legal provisions.⁶¹ In egregious cases, where children are engaged in the worst forms of child labor, they are rescued and removed. However, when minor violations are found that do not require immediate action, the Head of the Unit is notified and reasonable time is allowed for the company to make the corrections prescribed by the inspector, which is then followed up by re-inspection within 3-6 months.⁶²

These procedures have helped to monitor working conditions and investigate violations of labor laws, as evidenced by the fact that in 2016, Labor Inspectors in regional offices and in the Minor Unit carried out 1,404 child labor inspections and detected 88 child labor violations, 37 of which resulted in penalties and/or fines.⁶³ Most of these inspections took place in the formal sector. However, because child labor tends to be highly concentrated in the informal sector and in remote agricultural areas, inspectors are likely missing a large percentage of vulnerable children.

⁵⁸ Labor Inspection Protocols, p. 24 section VII.2, MITRADEL, July 2014

⁵⁹ Focus group discussion with Labor Inspectors held on July 4, 2017.

⁶⁰ Focus group discussion with Labor Inspectors held on July 4, 2017.

⁶¹ Interview with Edgar D'Ángelo, Director of Inspectorate; Rolando Fuentes, Sub-Director; and Magalay Venegas, Head of Minor Unit, June 26, 2017.

⁶² Labor Inspection Protocols, section III part A(c), MITRADEL, July 2014; Focus group discussion with Labor Inspectors held on July 4, 2017.

⁶³ *2016 Findings on the Worst Forms of Child Labor*, US Department of Labor, 2016.

<https://www.dol.gov/agencies/ilab/resources/reports/child-labor/panama>

Although the informal sector is generally outside the Inspectors' mandate for regular inspections, it is important that they collaborate with others who do cover the informal sector such as SENNIAF (the National Secretariat for Children, Adolescents and Families), the Ministry of Agriculture, SENADAP (National Secretariat for the development of AfroPanamenios), DIRETIPPAT and "inspectors al Caldia" or "Mayors inspectors" who have authority to inspect informal businesses and remove children at risk. To that end, it is critical that Inspectors build the skills necessary to:

- Identify where child labor is occurring – including transient and hidden workplaces in the informal sector;
- Assess the risk of particular work to ensure it is not hazardous;
- Use child friendly approaches when interviewing children;
- Raise awareness among the community about the risks of child labor;
- Create networks with stakeholders such as police, social services and education providers to ensure a comprehensive approach to addressing child labor;
- Set priorities to address those situations where children are most at risk; and
- Collect and analyze data on child labor and use it to inform inspectors' work

Interviews with Inspectors and management indicate that while Inspectors have received some training designed to strengthen these skills, more in-depth and targeted training may be needed. In addition to training other challenges include limited resources like office space, computers, radios, and transportation, which make it very hard to get to remote places like the islands.⁶⁴ For example, although there are 180,000 companies in Panama, to-date only 245 have been covered. One possibility for improving the system is adopting the Polivalencia approach (currently used in regional labor offices) whereby Inspectors cover all types of inspections rather than working in specialist units. This idea was raised last year but the discussions were difficult and no changes were made.

Directorate Against Child Labor and for the Protection of Adolescent Workers (DIRETIPPAT)

DIRETIPPAT was created in 2010 and is responsible for carrying out and monitoring the progress of Panama's Roadmap Towards the Elimination of Child Labor.⁶⁵ Its overall responsibilities include:

- Guiding inspections related to child labor;
- Advising companies on how to hire minors with the correct authorization [see Exhibit F for a list of requirements that must be met in order to hire adolescents; and Exhibit G for a sample contract between DIRETIPPAT and employers working with adolescents];
- Providing minors and adolescents with work permits that comply with the law;
- Developing and implementing educational programming for children, parents and guardians, and potential employers to raise their awareness on how to protect children from child labor;
- Conducting research and monitoring on the incidence of child labor; and

⁶⁴ Interview with Edgar D'Ángelo, Director of Inspectorate; Rolando Fuentes, Sub-Director; and Magalay Venegas, Head of Minor Unit, June 26, 2017.

⁶⁵ <https://www.mitradel.gob.pa/direcciones/direccion-contra-el-trabajo-infantil-y-proteccion-del-adolescente-trabajador-diretipat/>

- Interinstitutional coordination on addressing child labor.

Despite its limited budget, between 2010-2017 DIRETIPPAT carried out a significant number of activities aimed at eliminating child labor, including:⁶⁶

- Involvement in 706 awareness raising activities that reached 19,562 participants. Development of tools for use in awareness raising include informational handouts on how to avoid child labor and ensure safe work for adolescents in specific sectors, including: loading and unloading of cargo; banana farming; fruit picking; coffee planting and harvesting; public transportation and street selling. [see Annex H]
- Support for the removal of 1,280 children from hazardous child labor in 2015.⁶⁷
- Rescue of 720 minors through “operativos de menores” which are conducted by MITRADEL, SENNIAF and DIRETIPPAT working together. Operativos involve multiple inspections in one sector over a specific period of time. For example, a recent focused was on car washes. While inspections are normally conducted between 8 am and 4 pm – the “operativos” are often done outside of normal working hours.⁶⁸ [see Annex I for a sample report on operativos].
- Development and institutionalization of training for child labor inspectors.
- Identification of 11,711 children were found working across all provinces.
- Lobbying for a change in the law to increase the penalties for violating child labor laws and advocating that penalties be assessed “per child” rather than “per infraction.”
- Working with INADEH (National Institute for Professional Training and Human Resource Capacity Building) to develop tech courses for adolescents so that they are prepared for the future.⁶⁹
- Coordinating activities of CETIPPAT – the National Committee for the Eradication of Child Labor and Protection of Adolescent Workers.

According to interviews with DIRETIPPAT staff all Labor Inspectors in Panama City, not just those in the Minor Unit, should be tasked with addressing child labor. They should all receive training on child labor and should develop written protocols for what to do when child labor is detected. Additionally, those working in rural areas should receive training on laws related to migrant and temporary workers, as child labor is often found among that workforce. Rural based Inspectors should also coordinate with the Ministry of Agriculture which is member of CETIPPAT.

Training

Upon hire all Labor Inspectors receive a one-week orientation on inspection basics. After that, Inspectors assigned to the Construction sector receive an additional four weeks of training provided by MITRADEL’s training unit. All other Inspectors receive on the job training by shadowing others. The Training Unit does not include child labor in its sessions, but noted that they would be interested in attending a Training of Trainers on child labor to better equip them to discuss the issue.⁷⁰

⁶⁶ Interview with Nohely Nieto Sarmiento, Director DIRETIPPAT, June 28, 2017.

⁶⁷ <https://www.dol.gov/sites/default/files/images/ilab/child-labor/Panama2016.pdf>

⁶⁸ Interview with Edwin Macias – MITRADEL Analysis and Evaluation, July 3, 2017.

⁶⁹ Comments by Nohely Nieto Sarmiento Director of DIRETIPPAT at event “Los niños y niñas temenos derechos, protégenos del trabajo infantil” held on June 30, 2017.

⁷⁰ Interviews with MITRADEL’s Training Unit, July 4, 2017.

Inspectors in provincial offices and those assigned to the Minor Unit have received periodic training on child labor from others outside of MITRADEL. For example, the ILO and Casa Esperanza recently conducted a series of one-day trainings on child labor for Inspectors in four regions of the country. The training included sector specific protocols on addressing child labor in various industries such as banana and coffee growing and on Labor Law Article 117-125 that deals with child labor. INADEH, the National Institute for Professional Training and Human Resource Capacity Building also recently developed a 40-hour course on child labor [see Annex J] however, it is not clear who within the Inspectorate will attend this course. According to interviews, because of high turnover and the sporadic nature of training many inspectors are still in need of more practical training on how to address child labor. Future trainings however should be institutionalized within the Ministry and a monitoring and evaluation framework should be developed to analyze the results of the trainings.⁷¹

Other divisions within MITRADAL related to Child labor

Employment Division⁷²

The Department of Employment's Division on Youth Employment aims to promote decent work for youth. It works closely with the ILO and DIRETIPAT to ensure youth 15-17 are working under safe conditions and that employers comply with laws related to hazardous work and light work. The Department also tries to raise awareness among employers that youth can work provided they have DIRETIPAT approval, work under the right conditions, and remain in school. The Employment Unit connects youth with potential employers through several programs including:

- POVE/Empleo Adolescente Seguro - a vocational education program to connect youth 15-17 with internships that provide on the job training in different sectors including tourism, agriculture, industrial, logistics, construction and commercial enterprises.
- PRO JOVEN – a program aimed at youth 17-23 years of age who have graduated from school. The program provides three months of intensive training followed by job placement. Thus far 20-25 people have been trained and eight have been hired. There are plans to expand the program beyond Panama City to San Miguelito and Chowera.
- PAIL (job placement support) – which pays a percentage of the salary for youth 18+ who are hired as apprentices.

The Department also collaborates with other Government entities and employer groups. For example, it has worked with: INADEH to provide vocational training programs, and with the private sector to develop pilot projects on hotel and restaurant management. It also collaborates with the Ministry of Social Development (MIDES) and the Ministry of Education (MEDUCA) to conduct outreach and encourage referrals to the Department's programs. The Department also works closely with CONEP to raise awareness among the private sector about its programs and secure companies' commitment to hiring youth.

⁷¹ Interview with Nohely Nieto Sarmiento, Director DIRETIPAT, June 28, 2017. DIRETIPAT,

⁷² Interviews with Andrés Saúl Salazar – Sub-Director of Employment Division, Denis Montenegro, Observatorio del Mercado Laboral; Sully B. Rojas – Programa de Apoyo a la inspección aboral; Dixemia Saaneda – Departamento de Intermediación laboral; Publio Caballero – Programa de Orientación vocacional y Empleo (POVE); and Mercedes de la cruz – Projecta Panama Pro Joven, June 26, 2017.

The Department's main goal is to help students find work while completing their degree and post-graduation and discourages them from leaving their studies. Ultimately it would like to develop a National Plan for Youth Employment, to guide programming on decent work for youth.

Yo Si Cumpló⁷³



“Yo si cumpló” is a strategic alliance of the five business chambers and nine union centers in Panama which evaluates and certifies employers and workers that comply with good labor practices. The certification program started in 2014 and operates with a budget of \$300,000. As part of the initiative inspectors were trained on the requirements for certification.

Since its launch, many companies have requested evaluation by the program, as it is considered to be a mark of good quality and good relations between employers and workers. The steps to certification include:

1. A request for evaluation;
2. Completion of a self-evaluation (not required but recommended) [see Annex K for self-evaluation form].
3. Completion of an external evaluation by inspectors to ensure that the company is in compliance with relevant labor laws including laws on minimum wage, social security, benefits, health and safety, etc. [see Annex L for evaluation criteria related to compliance with laws and regulations]; As part of the external evaluation, the inspectorate division is consulted to see if any workers have filed a complaint against the company, and the union is consulted to see if they have any complaints about the employer [see Annex M for evaluation criteria related to unions]. In order to be certified the company must be unionized;
4. A decision is made whether or not to certify the company. Once certified, companies receive recognition at a public event and are held up as model employers.
5. All certified companies must go through an annual inspection for renewal of the certificate and if problems are detected, a program for improvement is initiated [see Annex N for notification of recommendations for improvement].

As of January 2017, 40 business entities had received Yo Si Cumpló certification. Some of these companies include: Coca Cola, The Soho Mall, Fenosa Natural Gas, Domino's Pizza, Café de Eleta, Romero supermarkets, Nestle Panama, Panama Cable and Wireless, and the Sheraton Hotel. In interviews it was noted that it would be helpful to eventually have a system for monitoring the impact of the Yo Si Cumpló program, however staffing would need to be augmented to support increased data collection and analysis.

Statistics and Analysis Unit⁷⁴

The Statistics and Analysis Unit, part of MITRADEL's Planning Unit, collects data on a monthly basis from each of the 15 regional labor offices, plus the national office. Using a paper-based data collection system, each day Labor Inspectors manually record information on the number and type of inspections they conduct (migration, child labor, OSH, etc.), and note whether the inspection was: initiated by a

⁷³ Interview with Aracelis Guardia, Coordinator of Yo Si Cumpló project, June 26, 2017.

⁷⁴ Interview with Edwin Macias, MITRADEL Analysis and Evaluation unit, July 3, 2017

complaint, part of a regularly scheduled unannounced inspection, or a follow-up visit. In cases where child labor is found, data is collected on the children's sex and the number of hours they work (minors should not work more than six hours per day). Additionally, when Inspectors take part in an "operativo" with MIDES, SENIAF and DIRETIPPAT they submit reports on where it was conducted and the number of children found. This information is provided to the office secretary who enters it into an excel spreadsheet. On the 5th of every month, the coordinators from regional offices and from each inspectorate office in Panama City forward the spreadsheets to the Statistics and Analysis unit, where the information is entered into a database.

The Statistical Unit then forwards the compiled data to the Planning Department - which uses it to create strategic plans for accomplishing annual departmental goals. From these plans, each region and unit creates its own operational work plan based on regional contexts and priorities. The Planning Department also tracks ways in which inspection requests are made to the Department to improve outreach, and has used data in the past to request more child labor inspectors.

A new digital platform has been developed by the ILO for collecting information on child labor, but it is still not clear who within MITRADEL will manage the data. With respect to data collection, it would be useful to collect more disaggregated data on child labor, such as whether the child is in school, receives a scholarship, is disabled, they type of work they are doing and whether it involves sexual exploitation, and how long they have been working.

OTHER AGENCIES/ORGANIZATIONS THAT ENFORCE/IMPLEMENT CHILD LABOR LAWS

In addition to the Ministry of Labor, there are multiple other entities with responsibility for addressing child labor, including:

Government agencies

Instituto Nacional de Estadística y Censo Panama (INEC)⁷⁵

INEC is charged with compiling, analyzing, and disseminating information that contributes to the solution of the different economic, social, demographic and environmental problems. To that end it conducts labor surveys twice a year. INEC's role is generally to assist Ministries with data collection and in conducting their own surveys. INEC then certifies the results after verifying that the surveys were done properly. However, INEC also conducts some of its own surveys. For example, every two years it conducts a child labor survey, targeting children aged 5-17. The child labor surveys do not include direct questions on child sexual exploitation or violence as the survey staff do not have the specialized skills to deal with these sensitive topics. Domestic work is captured in the survey however it is not published. INEC has been working with DIRETIPPAT and the ILO on survey design, and the goal is to eventually have MITRADEL conduct these surveys with INEC's support.

⁷⁵ Interview with David Saied – National Director, July 3, 2017

National Secretariat for Childhood, Adolescence, and Family (SENNIAF)

SENNIAF, established in 2009, is the government entity responsible for monitoring, coordinating, and improving government services around issues of child labor and sexual violence against children. Its staff of social workers, lawyers and psychologists focus on prevention activities, education initiatives to eradicate poverty, efforts to identify and rescue child laborers, and maintaining shelters for victims of trafficking. SENNIAF works in partnership with other governmental agencies, such as MITRADEL and the Police, as well as NGOs, to target child labor in the informal sector, and particularly child street sellers, domestic workers, bus helpers and kids working the trash dumps. Unlike MITRADEL, when SENNIAF identifies child labor it does not apply sanctions, but instead works to provide support to the child and their family, and offers legal representation to children under 18 who do not have a guardian. When children are found working in the formal sector, SENNIAF refers the case to MITRADEL and when cases of commercial sexual exploitation are identified, the police are always notified.

SENNIAF responds to complaints made directly to them or through the general 311 emergency number. It also conducts proactive outreach in health centers, hospitals, and churches; monitors schools and areas with higher reports of child labor; and conducts home visits where children are deemed to be at risk. During the visits SENNIAF staff use a guide recently developed by the ILO and MIDES to help parents understand children's rights and the risks of child labor and neglect. [See Annex O]. SENNIAF also collaborates on joint "giras" (tours) aimed at addressing child labor with police, MIDES, the Ministry of Education (MEDUCA), the Ministry of Health, and IFARU (Instituto para la Formación y Aprovechamiento de Recursos Humanos which offers educational scholarships). SENNIAF's goal is to conduct at least one joint gira per year, per province. MITRADEL has requested that Labor Inspectors be included in the giras however they need more training in interviewing children as well as in prevention efforts. One of the biggest challenges with respect to the giras is tracking the children and following up to determine if their situations are improving.

According to interviews, the government can improve its response to child labor through:

- Development of protocols for CETIPPAT members on how to respond to cases of child labor;
- Capacity building for those involved in monitoring child labor including MITRADEL, SENNIAF and the police.
- Increased awareness raising among the general population about the worst forms of child labor.
- Curriculum or guidance on working with indigenous groups who often accept that it is just part of the "culture" to have children working with parents on the farm. Such training or guidance could focus on teaching farm owners and indigenous leaders the type of work that is and is not allowed for children.

The National Police, Department of Children and Adolescents⁷⁶

The Childhood and Adolescence Police supports human development projects nationwide – including cooperative and preventative child labor projects. They work closely with SENNIAF, DIRETIPPAT and CETIPPAT to conduct "operativos" in the formal and informal sectors that are known to have high rates

⁷⁶ Interview with Teniente Stephanie Agnes Anorio, head of human development programs, July 5, 2017.

of child labor such as car washes, recycling centers and mechanic shops. DIRETIPPAT develops a schedule for these joint operations once every two weeks and informs the police where they will take place.

Employers are required to maintain documentation for workers under 18, however approximately 95 percent of working children do not have proper documentation. While children are allowed to do some work, such as packing groceries, unless employers can show the proper paperwork for hiring someone under 18, the children are removed and taken to juvenile court for judicial assessment on what actions need to be taken. There is a need for training enforcement personnel on what child workers are and are not allowed to do, as there seems to be a lot of confusion on that issue. The police have also suggested that DIRETIPPAT address the problem of child domestic workers. These girls are often found working for rich families who convince them to move from their rural community to live and work in their house in exchange for being sent to school. However, many of these girls are exploited and denied access to education. It was noted that the Police and other CETIPPAT members, including DIRETIPPAT could use a protocol on how to respond to this issue.

Committee for the Eradication of Child Labor and the Protection of Adolescent Workers (CETIPPAT):

CETIPPAT, led by First Lady Lorena Castillo de Varela, is a permanent body whose purpose is to promote policies for the prevention, care and social protection of children and adolescents, and support monitoring of working conditions of youth who are of minimum working age. Executive Decree No. 107 of June 11, 2013 established the CETIPPAT membership with a total of 23 institutions including public institutions including ministries of Labor, Education, Health, and Agriculture; employer groups; members of civil society and workers' rights organizations. [see Annex P] CETIPPAT's activities have included: spearheading surveys on child labor; maintaining an inventory of all the country's resources to combat child labor; and supporting subcommittees' work on Combatting Child Labor.⁷⁷

CETIPPAT members include the following organizations:

⁷⁷ <https://www.dol.gov/sites/default/files/images/ilab/child-labor/Panama2016.pdf>
<http://white.lim.ilo.org/ipecc/alcencuentros/interior.php?notCodigo=1156>



National Commission for the Prevention of Crimes of Sexual Exploitation (CONAPREDES):

CONAPREDES is responsible for coordinating and implementing policies to prevent the commercial sexual exploitation of children and adolescents. Specifically, it is charged with leading the design of the National Plan for the Prevention and Elimination of CSEC. It also collaborates with institutions such as the University of Panama to conduct studies on the prevalence of the sexual exploitation of youth in

Panama and related issues.⁷⁸ Members of CONAPREDES include: 1) the Nation’s Public Prosecutor, acting as chair; 2) the Minister of Social Development; 3) a representative of the People’s Ombudsman’s Office; 4) the Minister of Health; 5) the Minister of Education; 6) the Minister of Public Safety; 7) the Minister of Government; 8) the Director of Judicial Investigation; 9) the President of the Superior Children’s Court of the Judicial Branch; 10) the Legislative Assembly; 11) a Coordinator representing the Executive Branch; 12) the National Secretariat for Childhood and Families (SENNIAF); 13) the National Network in Support of Childhood; 14) a representative of the country’s Lawyers’ Associations.⁷⁹

Local NGOs

Casa Esperanza⁸⁰

Casa Esperanza is a Panamanian non-profit organization dedicated to combating child labor by providing educational and vocational activities for children and their families as well as health and other services. The organization is made up of a small staff and hundreds of tutors and volunteers. In addition to providing educational programming for youth in situations of child labor, Casa Esperanza conducts field assessments of child labor across various industries, including in the informal, agricultural, and fishing sectors. After identifying children at work, the organization recommends to the child’s parents or employer a “direct care” program to place the child in workshops focused on education, life skills, health, and personal and social development. The NGO also aims to strengthen “protection networks,” which include family and community members. Activities for protection networks include awareness-raising on the dangers of child labor, pedagogical training for teachers, and skill-building for families looking to start small businesses. Much of Casa’s work takes place in coffee growing areas with large indigenous populations including Chiriqui Province (David city), Boquete and Renacimiento. Since its founding in 1992, 12,000 mothers and fathers have benefitted from Casa Esperanza’s programming. During that time Casa has overseen the removal of 17,000 children and adolescents from situations of child labor, and ensured that 100% of its targeted populations have joined the formal education system.⁸¹

Casa Esperanza has partnered with a variety of actors in Panama, including the private sector and government agencies to more effectively work toward ending child labor. Some of these partnerships include work with:

- ILO - to develop a child labor monitoring system (CLMS) called SURTIS which will be launched by MITRADEL. Until recently there was no processes for monitoring, however MITRADEL purchased a server to manage the CLMS and track children once they are in the system.

⁷⁸ <https://www.dol.gov/sites/default/files/images/ilab/child-labor/Panama2016.pdf>
<http://ministeriopublico.gob.pa/conapredes/>; http://www.telemetro.com/nacionales/Panama-registra-explotacion-sexual-infantil_0_1064294145.html

⁷⁹ *XIV Report to the Secretary General of the OAS on measures undertaken by member states to prevent and eradicate the commercial sexual exploitation of children in the Americas*, Inter American Children’s Institute, p.30, OAS, 2014.
http://www.annaobserva.org/wp-content/uploads/2016/10/XIV_Report_Secretary-General-OAS_2014.pdf

⁸⁰ Information gathered through Casa Esperanza’s website www.casaesperanza.org.pa/redes; and interviews of Angelica La Vitola, Directora Ejecutiva Nacional; and Maritza de Artan, Subdirectora Nacional, June 28, 2017.

⁸¹ <http://www.casaesperanza.org.pa/llegado>

- MITRADEL- to develop tools for sensitization campaigns, training, and analysis of priority sectors, including coffee, domestic work, street vendors, sexual exploitation. Casa has led the formation of networks in six provinces to carry out joint inspections.
- MITRADEL's Employment Unit to develop an "Adolescent Decent Work Plan" and vocational training programs for youth ages 15-17.
- DIRETIPPAT and CETIPPAT - to provide input on the development of the "Hoja de Ruta" or national plan of action on eliminating child labor 2015-2019. Casa is currently working with Governors and town Mayors to organize local CETIPPAT chapters and is developing "Rutas de Atencion Local" (RATI) – local plans that promote intersectoral coordination on implementation of the Hoja de Ruta. Casa developed guidelines for steps to be taken to implement RATIs, and is now focusing on securing local government buy-in.
- INADEH, the state training institution for both the public and private sector – to develop a curriculum and training programs on decent work and child labor. Unfortunately, however, very few Labor Inspectors have received this training.
- FAO - to develop a strategy for child labor eradication in coffee, and a manual for decent work for adolescents (14-15) working in the coffee sector.
- Café de Eleta – to support direct service programs in various coffee growing areas including: schools and other education programs for kids; a "know your rights" campaign; and sensitization on nutrition and health. Casa has also developed a strategy and plan for what the private sector and public sector need to do to address child labor in the coffee sector.

Casa's recommendations for how to improve the government's response to child labor include:

- Helping CETIPPAT/ DIRETIPPAT evaluate progress in implementing Panama's Hoja de Ruta (National Plan of Action) by developing self-assessment tools for members. Ensure each CETIPPAT member has a plan of action in place specifying who is responsible for what activities in terms of implementing the roadmap.
- Developing a training inventory mapping tool to help MITRADEL better understand what training has been provided, to whom, by whom, and when – in order to identify gaps and reduce duplication.
- Supporting training for Labor Inspectors on how to identify child labor and find where it exists.
- Supporting MITRADEL in bring together other government agencies and the private sector to present the strategic plan developed for the coffee sector and get "buy-in."
- Working with relevant stakeholders to develop a protocol for monitoring the progress of child laborers post-rescue.
- Ensuring domestic workers, street vendors, and victims of sexual exploitation are included in child labor elimination efforts.

International agencies and NGOs

ILO⁸²

Since 2013, the ILO has been implementing the US DOL funded project "Building Effective Policies Against Child Labor in Ecuador and Panama" aimed at strengthening policy and enforcement of child

⁸² Interviews with José Roberto Morales Salazar, Asesor Técnico Principal; Aychelle Elias, ILO, June 30, 2017.

labor laws and occupational safety. The project's three-stage plan to eliminate child labor in Panama, includes:

1. Support for the government's Strategic Plan 2010-2020 - including a roadmap focused on health, education, legal frameworks, services and monitoring, and piloting of a Mayor's toolkit for implementing the strategies and roadmap;
2. Development of an interinstitutional protocol to identify sectors with the highest risk of child labor; and
3. Direct Government Action Programming – encouraging cooperation among relevant institutions to provide services to children post-rescue work to reintegrate them back into their families and school. This work also included training in March 2017 for 89 labor inspectors working throughout the country including Panama City, Chiriquí and Veraguas. [See Annex Q for Training Module].

In interviews, the ILO noted that while progress had been made in improving the response to child labor, more work remains to be done in the following areas:

- CETIPPAT and DIRETIPPAT need support in promoting the Hoja de Ruta (National Plan of Action), particularly at the provincial level where there are no institutional frameworks for implementation, or monitoring. Additionally, more dialogue is needed between Panama City and Provinces so that actions such as child labor monitoring, prevention and other enforcement efforts aimed at eliminating child labor are aligned.
- In addition to responding to complaints, Labor Inspectors should develop a strategy for conducting proactive inspections and targeting specific sectors, geography and vulnerable groups.
- Currently the provincial labor offices operate semi-autonomously and actions are not well coordinated with MITRADEL headquarters. Regional labor inspectors should be more aligned with the Inspectors in Panama City so that work on child labor is standardized across all offices and all Inspectors have the same understanding of what constitutes child labor. National and provincial offices should work together on strategic planning and establishing priorities – while still allowing room for regional offices to adjust the strategy to local conditions.
- All Panama City Labor Inspectors should conduct child labor inspection, not just the Minor Unit. The Minor Unit should act as an advisor and training resource for Labor Inspectors in other units and regional offices.
- More efforts should be made at analyzing the data MITRADEL collects and using it for planning and targeting inspection and outreach activities.
- The Government should enact a policy on decent work for adolescents ages 16-17 and conduct awareness raising on the type of work they are allowed to do. Many in the Government and business community are not aware that it is legal for youth in this age group to work.
- Efforts should be made to work with the Indigenous Congress and migrant communities to raise awareness about the risks of child labor, as these populations have some of the highest risks of child labor.
- A strategy is needed for follow up after Giras (child labor tours) conducted by MITRADEL, MEDUCA, SENNIAP and IFARU (which provides scholarships). Efforts should be made to better understand the impact of these multi-stakeholder initiatives aimed at identifying child labor and what happens to the children post rescue.

- Although some training for inspectors was done in early 2017, more in-depth training is still needed including training of trainers within the inspectorate.

International Organization for Migration (IOM)⁸³

The IOM in Panama works with the Government and civil society to implement policies that protect and assist vulnerable migrants. It promotes dialogue and cooperation among stakeholders to address human trafficking and assist migrants with immediate needs, voluntary return, and reintegration. As part of this work, it has provided technical assistance to SENNIAF to improve their protection and care for immigrant kids, and better identify cases of human trafficking. It also had a program to teach the Ngöbe people about workers' rights and safe migration, and in 2014 it delivered training to 180 Labor Inspectors on migrants' rights.

The IOM believes that MITRADEL should train all Inspectors to identify child labor and then specialist Inspectors in the Minor Unit can be charged with following up on the cases. Inspectors should focus their efforts on the provinces and sectors where there is more child labor such as border areas near Costa Rica and agricultural sectors where risks of child labor are high such as on coffee and banana plantations. Many in the indigenous communities who live along the border and work in agriculture believe that it is natural to bring one's child to work, thus it's key to work through the Indigenous Congress to train leaders in the community and raise awareness about the problem.

Partners of the Americas – Educafuturo⁸⁴

EducaFuturo is a program funded by the US Department of Labor and run by Partners of the Americas. Since 2013, the program has focused on improving educational opportunities for children in situations of child labor and providing income-generating opportunities for them and their families. The program has reached 5,230 children and youth and 1,600 households in five Panamanian provinces targeting Afro-Panamanian, indigenous, and migrant populations. Educafuturo also collaborated with the ILO at the national level on promoting public policy related to eliminating child labor.

From 2014-2016 Educafuturo and its partners, the International Initiative to End Child Labor (IIECL) and Ressources Humaine Sans Frontieres (RSHF), conducted a comprehensive social review of the coffee, banana and plantain sectors and identified contributing factors that increased the risk for child labor. Working with over 30 companies in those sectors, a model code of conduct was developed drawing from producers from the Chiriquí, Vulcan and Changuinola regions. Educafuturo and its partners are promoting implementation of the Code by providing training and technical assistance on developing plans of actions to reduce the companies' internal risks of child labor and to address external factors influencing child labor within these sectors.

As part of this work, Partners provides education services for children ages 5-17 in which they reinforce the importance of keeping children in school, personal growth and values. Through its EPC "Spaces to Grow" program it targets afro descendants, migrant workers and indigenous populations in Darien,

⁸³ Interview with Gonzalo Medina, Program Coordinator, June 30, 2017.

⁸⁴ Interviews with Carmen Pena, Director Program Development and Martha Villada, Program Manager Partners of the America - EducaFuturo, June 1, 2017.

Comarca, Boca de Toro and Colon. Partners has also worked on livelihoods issues – supporting income generating activities by providing seed capital for entrepreneurs; training on animal husbandry; training on tomato and cacao processing; and working to increase market access for diverse products.

According to stakeholders interviewed, future efforts to address child labor should include:

- Ensuring that a “light work” list for youth is approved and promoted.
- Development of tools to help MITRADEL better track and monitor working children.
- Support for CETIPPAT in promoting better inter-agency coordination on child labor issues. Many agencies and organizations are working on child labor in Panama but could benefit from better collaboration.
- Consultations with SENADAP – Secretaria Nacional de AfroPanamenios, on how best to address child labor in the Afro-Panamanian population.

Trade unions

CONATO (National Workers Union)⁸⁵

CONATO represents nine labor organizations including two Federations and several “centrals” (groups of unions), who work together in support of common social, political and economic goals. All decisions made in CONATO are done by consensus. CONATO’s work on child labor focuses on sensibilization, awareness raising campaigns and supporting programs for street kids. For example,

- In Bocas del Toro CONATO has worked with DIRETIPPAT and the Ministry of Education (MEDUCA) to interview kids at risk in indigenous areas, and talk with their parents about school, health, scholarships, etc.
- It has conducted training for trade union members and encouraged them to include child labor and references to ILO Conventions 138 and 182 in their awareness raising campaigns.
- Throughout the country it has collaborated with the ILO to deliver seminars and workshops on child labor with workers, families, unions, teachers and communities.
- It has encouraged CONEP (an employer organization) to work with its members on addressing child labor in supply chains.
- It works with CETIPPAT, DIRETIPPAT and CONEP to implement a roadmap for eradication of child labor by 2025.
- It has collaborated with CONAPREDES on issues related to commercial sexual exploitation of children and trafficking.

PRIVATE SECTOR INITIATIVES

Café de Eleta⁸⁶

Café de Eleta is an agricultural company and the largest coffee exporter in Panama. It owns and operates a 400 acre plantation (of which 150 are planted with coffee), and buys coffee from other growers. To ensure quality it provides technical assistance to its suppliers, including training on

⁸⁵ Interview with Carmen Taitt, CONATO’s representative to CETIPPAT, June 28, 2017

⁸⁶ Interview with Mercedes Morris, VP Sustainability and Public Affairs, June 27, 2017.

improved planting techniques and help with seeds and fertilizers. The company grows both commercial coffee as well as specialty coffee and is considering growing both organic and fair-trade coffee in the future.

Café de Eleta understands that child labor is a challenge in the industry and is the only Panamanian coffee company to have signed onto the UN Global Compact (UNGC). It aims to be the leader in promoting more sustainable coffee growing that complies with international standards on the environment and decent work. To that end, it has collaborated with the UNGC, UNICEF, and the ILO, to support the Casa Esperanza School, which promotes education as a solution to both poverty alleviation and child labor. The program guarantees that children who accompany their parents to coffee plantations do not end up working alongside them, but instead participate in classes and skills training. From 2004 – 2009, the program benefited 419 children.⁸⁷ The company has also been funded by COSPAE, the Private Sector Council for Educational Assistance, to support 20 students in completing their primary and middle school educations.⁸⁸ Much of this work has focused on the Ngöbe Buglé community which is responsible for picking much of the Panamanian coffee harvest.⁸⁹

Café de Eleta has also worked with Partners of the Americas, the International Initiative to End Child Labor (IIECL), Resources Humaine Sans Frontieres (RSHF), and coffee growers, to develop a model code of conduct on child labor for the coffee industry in Panama. The code is currently under review by growers and other stakeholders and several workshops are being planned to solicit their feedback. The next step will be considering how to monitor and report on implementation. One possibility is to develop a “Council for Responsible Coffee Growers” to take on monitoring. The Government should also become familiar with the code and encourage companies to adopt and implement it.

According to Café de Eleta, more efforts should be made to support decent work for adolescents in the coffee industry. The company would like to support a vocational training program at the farm level for youth who want to build their skills, while at the same time ensuring their health and safety. The programs would be educational in nature and create paths for youth to stay in the coffee industry and create upward mobility within the industry. Café de Eleta is interested in working with the Ministry of Agriculture and MITRADEL to inventory the list of activities that are ok for kids to do on the coffee farms and highlight the risk involved in hazardous activities. Eleta would also support the development of blocks of content for a curriculum and dedicate space and resources for supporting such a program.

SumaRSE⁹⁰

SumaRSE is an association that aims to incorporate social responsibility into the strategies of Panamanian companies across various sectors and industries. It promotes the objectives of the Global Compact in Panama by facilitating workshops, roundtables and advisory services for the internalization of the 10 principles in the Global Compact strategy. It conducts its work via a network of over 200 members that share best practices and connect with the public sector. SumaRSE is party to the UN

⁸⁷ *Un Tesoro de las Tierras Altas de Panamá: Caso de Éxito: Contribuyendo a la Erradicación del Trabajo Infantil en una Finca Cafetalera.*

https://www.unglobalcompact.org/system/attachments/967/original/Caso_de_Exito_Cafe_de_Eleta_Erradicaci_n_del_Trabajo_Infantil.pdf?1282767920

⁸⁸ <http://www.cospae.org/articulos/ver/55b6900b-2fb0-4a51-abfa-4a59c0a8c805>

⁸⁹ <http://www.cafedeeleta.com/index.php/responsabilidad-social/nuestra-responsabilidad>

⁹⁰ <http://www.sumarse.org.pa>

Global Compact, the World Business Council for Sustainable Development, UNICEF, and collaborates with a number of other actors in the realm of corporate social responsibility.⁹¹ Its four major areas of work are corporate development, social development, environmental development, and communication. Trainings are held for member companies under each area of work; topics include youth development and the ISO 26000 principles.

SumaRSE held trainings over a six-month period in 2014 around child labor with the aim of helping companies establish plans to mitigate child labor risks in their supply chains. The project included building a self-assessment tool that would allow companies to identify child labor risk and devise a targeted plan to address that risk.⁹²

CoNEP (Consejo Nacional de la Empresa Privada)⁹³

CoNEP, or the National Council of Private Enterprises, is an association of business leaders and entrepreneurs that aims to strengthen Panama economically, socially, and politically.⁹⁴ In 2015, CoNEP initiated a program called “Huellas Sociale” (Social footprint) to assist businesses in evaluating their social impact, including the presence of child labor in their supply chains, and helping align their business practices with ethical principles.⁹⁵ Some of the companies who participated included:

- CALSA
- CEGIGSA
- Pineapple fruit exports
- Excavations del Istmo
- Don Joaquin milk products
- Café Don Tino
- Casa de batteries
- ODEBRECHT

In April 2016, CONEP and MITRADEL signed an agreement of cooperation wherein they formed an alliance to eradicate child labor by 2020. As part of the agreement they will establish a series of joint programs to prevent and eradicate child labor in Panama through actions and activities within public policies, awareness raising, and job training for adolescents.

According to CONEP, MITRADEL is in charge of leading efforts to meet SDG 8.7’s goal of ending child labor by 2025 and in order to meet this goal it will need to target rural areas, where child labor remains a problem. Every month CONEP participates in meetings with MITRADEL and others to discuss strategic plans for meeting the goal, however there needs to be better coordination within CETIPPAT and capacity building of Agency representatives to promote CETIPPAT’s ideas and get support and dedicated resources from their respective agencies. CONEP recommends that each CETIPPAT member be evaluated to determine how much progress has been made in meeting their commitments under the

⁹¹ <http://www.sumarse.org.pa/sumarse/>

⁹² <http://www.sumarse.org.pa>

⁹³ Interview with Marisol Linero Blanco, Regional Focal Point of the Employer Sector in the Regional Initiative Latin America and the Caribbean Free of Child Labor, July 5, 2017.

⁹⁴ <http://www.conep.org.pa/mision/>

⁹⁵ https://www.unicef.org/about/annualreport/files/Panama_2015_COAR.pdf

Hoja de Ruta. According to CONEP, some agencies may need help in clarifying what their roles and responsibilities are, and could benefit from tools to help with implementing the plan and in connecting with each other and collaborating.

KEY FINDINGS AND RECOMMENDATIONS

The following are key findings that emerged from desk research and field investigations on the capacity of Panama's government to adequately address child labor. Each finding is followed by a recommendation on steps that should be taken to improve their response.

TRAINING

- 1. Finding: *While inspectors have received training on child labor, more in-depth and targeted training is needed to strengthen their capacity to address the issue.***

Recommendations:

- There is need for a “training inventory tool” in order to track: Who has attended trainings? What was taught and by whom? When it was conducted and what materials were used?
- A “training needs survey” should be conducted among inspectors to identify training gaps related to child labor.
- A “monitoring and evaluation framework” should be developed in order to analyze the results of trainings.
- All inspectors should receive training on child labor, not only inspectors assigned as point persons or those working in the “minor unit.”
- Training of trainers is needed to ensure point persons (at least one in each province) are equipped to train newly hired inspectors and provide refresher courses on child labor to veteran inspectors. Although MITRADEL's Training Unit mainly focuses on specialized construction inspectors, trainers in that unit should be involved in the ToT and be able to talk about child labor during their trainings.
- A training plan should be developed to ensure training on child labor is institutionalized within MITRADEL.
- Trainings for inspectors should include other stakeholders involved in enforcing child labor laws such as SENNIAF and the Police, as well as those involved in monitoring and providing services to children post-rescue.
- Specific topics identified that may require training include:
 - Review of the recently modified Executive Decree on hazardous labor, and understanding how to assess the risks and hazards of particular types of work;
 - Using child friendly approaches when interviewing children;
 - Identifying where child labor is occurring – including transient and hidden workplaces in the informal sector;
 - Raising awareness among the community about the risks of child labor;
 - Creating networks with stakeholders such as police, social services and education providers to ensure a comprehensive approach to addressing child labor;
 - Setting priorities to address situations where children are most at risk;
 - Improving data collection and using data on child labor to inform inspectors' work;

- Strategic planning for conducting proactive inspections and targeting specific economic sectors, geographic areas and vulnerable groups;
- Utilizing the new child labor case tracking system once it is up and running.
- Development and use of a specific child labor checklist.

ENFORCEMENT

- 2. Finding: *The system whereby inspectors in Panama City are assigned to specialized units, including the Minor Unit (to handle child labor cases) leads to inefficiencies and a feeling among other inspectors that they do not need to deal with child labor issues.***

Recommendations:

- All inspectors should be responsible for conducting inspections on child labor. They should all receive training on child labor and should understand protocols for what to do when child labor is detected. Inspectors in the Minor Unit should act as an advisors and training resource for Labor Inspectors in other units and regional offices, and should work with DIRETIPPAT to follow up on child labor cases.
- Inspectors in Panama City and those working in regional labor offices should be aligned and their work on child labor should be standardized across all offices. National and provincial offices should work together on establishing priorities and strategic planning while still allowing room for regional offices to adjust the strategy to local conditions.

- 3. Finding: *There is little tracking of child laborers post-rescue and little is known about the impact of “giras.”***

Recommendations:

- DIRETIPPAT should develop tools to help MITRADEL follow up after “Giras” where child labor has been identified, in order to track children post-rescue and monitor their progress. Also, efforts should be made to better understand the impact of these multi-stakeholder initiatives in improving outcomes for rescued children.
- DIRETIPPAT should work with the Inspectorate to develop protocols for inspecting informal workplaces with high risk of child labor, and develop clear guidelines for what should be done when a child is found working.
- Develop tools to help MITRADEL better track and monitor children who are working legally to ensure they are not being exploited.

- 4. Finding: *Most child labor in Panama takes place in rural areas among indigenous populations and migrants working in the agricultural sector.***

Recommendations:

- MITRADEL should develop a strategic plan for addressing child labor in rural areas.
- Labor Inspectors should collaborate with SENIAF, the Ministry of Agriculture and “inspectors al Caldia” or “Mayors inspectors” to increase child labor inspections in the agricultural

sectors most at risk, such as coffee, banana and plantain plantations, and remove children at risk.

- Inspectors should receive training on laws related to migrants and temporary workers.
- MITRADEL should collaborate with SENADAP (Secretaria Nacional de AfroPanamenios) and the Indigenous Congress to develop guidance and train leaders in the communities about the risks of using child labor.
- Inspectors should encourage the private sector working in agriculture to develop codes of conduct that reduce risks of child labor in supply chains.

5. Finding: *Inspectors limited resources impedes their ability to reach the most vulnerable child laborers.*

Recommendations:

- Inspectors need more transportation options that will allow them to reach remote places such as islands and rural areas where there is a high risk of child labor.
- Better tools are needed such as tablets and radios to improve efficiency of data collection and coordination with others.

6. Finding: *Inspectors do not focus on sectors with the highest risk of child labor such as domestic workers, street vendors, and sexual exploitation.*

Recommendations:

- MITRADEL should develop a protocol for working with the Police, CONAPREDES and other CETIPPAT members on how to respond to these issues.
- MITRADEL may need to consider reorganizing shifts for some inspectors so that they can work at night or on weekends to identify and assist children working in these hard to reach sectors.

7. Finding: *The Inspectorate does not receive many complaints of child labor*

Recommendation:

- MITRADEL should engage in more awareness raising efforts, targeted at high risk populations, to educate the public about the risks of child labor and who to contact if child labor is suspected. Awareness raising efforts focused on migrant communities and indigenous groups should consider what methods of communication will be most effective in rural and remote locations.

INSTITUTIONAL STRENGTHENING

8. Finding: *CETIPPAT members made significant efforts to help develop the Hoja de Ruta on eliminating child labor, however many are not actively participating in its implementation. Additionally, there are no institutional frameworks for implementing the Hoja de Ruta at the local level.*

Recommendations:

- CETIPPAT should promote better inter-agency coordination to ensure that agencies and organizations are connecting and collaborating to address child labor.
- A self-evaluation tool should be developed to assist each CETIPPAT members' progress in meeting their commitments under the Hoja de Ruta.
- Tools and training should be developed to help CETIPPAT members clarify their roles and responsibilities with respect to the Hoja de Ruta, and draft plans of action for its implementation. Plans of action should specify who is responsible for what activities, the budget allocated for each activity, and targets and outcomes that are time bound and measurable.
- Support should be provided to build the capacity of CETIPPAT representatives to promote CETIPPAT's ideas and get support and dedicated resources from their respective agencies. These representatives should also receive training on proposal writing and project management.
- CETIPPAT should encourage standardized protocols among its members on addressing child labor.
- CETIPPAT should work with local chapters to promote implementation of the Hoja de Ruta at the provincial level and ensure that actions are aligned with national priorities.
- Any tools that are developed should be institutionalized within CETIPPAT and its member organizations to ensure sustainability.

YOUTH EMPLOYMENT

- 9. Finding: *There are insufficient opportunities for decent work for youth and many in the government and private sector are not aware that it is legal for youth ages 16-17 to work under the right conditions.***

Recommendations:


- The Government should enact a policy on decent work for adolescents ages 16-17 and a National Plan of Action to promote Youth Employment.
- MITRADEL should develop a light work list that specifies the type of work that is allowed for youth. The development of light work lists should consider not only the tasks but also the conditions in which the task is performed, environmental implications, work hours, use of equipment/protective gear, supervision, etc.
- There should be efforts to raise awareness and educate the public about the importance of decent work for youth.
- Sector specific programs to promote decent work for youth should be supported such vocational training program at the farm level for youth who want to study while at the same time build their skills in a safe work environment. The programs should be educational in nature and create paths for youth to stay in the agricultural sector and create upward mobility within the industry.
- Labor Inspectors should coordinate more with MITRADEL's adolescent work program and collaborate on initiatives to promote decent work for youth.

DATA

10. Finding: *While data is regularly collected on the number of child labor inspections conducted, there is little disaggregation of the data, and little analysis of the data for planning purposes.*

Recommendations:

- MITRADEL should disaggregate data collected on child labor and include information related to:
 - The type of work the child is doing and whether it involves a worst form of child labor like sexual exploitation;
 - Any disabilities the child may have;
 - The family situation;
 - School attendance and scholarships;
 - How long the child has been working;
- MITRADEL should ensure sufficient resources are available to manage data collected by the ILO's new digital platform for on child labor
- Efforts should be made to move beyond data collection and use the information for planning and targeting interventions.



**MINISTRY OF LABOR LABOR MANAGEMENT AND
DEVELOPMENT WORK INSPECTION**
EDISON PLAZA BUILDING, FLOORS, TEL.:560-1146
INSPECTION OFICIO

Form N °: _____ Fill please print
 Start time: _____ Zone No.: _____ Date: _____

A. Data of the company

- Business name and Trade Name (a) Employer (a): _____
- Economic activity or main products or sells or distributes goods and / or services provided: _____
- Address Company: District _____
 corregimiento _____ slum _____
 Street or Avenida: _____
- License Kind _____ No. _____ Folio _____ I take _____
- Number employees in the Insurance: _____
- First name and Title Informant: _____
- Legal representative Company: _____
- First name the Union Representative: _____

B. Minors Workers

Name of Less	Age	Kind of working	Permission	
			Yes	Do not

C. Work relationships

- Rules: Yes _____ Do not _____ No. Resolution _____ Date _____

To have the Rules of Procedure, It is visible and accessible to workers:
 Yes _____ Do not _____

- The entrance and output registers work: Yes _____ Do not _____ By (clock, magnetic card, notebook, reading iris, etc.) _____
- how many turns Work is working: One _____ Two _____ Three _____
- weekly day work (in hours): Administrative _____ workers plant _____
- Other days (specify) _____
- Day furlough: _____
- acquired rights such as properly computed:
 - If Overtime _____ Do not _____
 - Holidays days Yes _____ Do not _____
 - thirteenth month Yes _____ Do not _____
 - Sunday Yes _____ Do not _____
 - Vacaciones Yes _____ Do not _____

Office of Institutional development
23

16. The minimum wage prevailing in the company is B / _____ (hours,
 17. Vouchers are used If payment _____ Do not _____, checks _____;
 18. These vouchers duly reflect the discounts: If _____ Do not _____
 19. Totalworkers _____ H _____ M _____; under contract: definite time _____ undefined time given work _____, others _____ Records the company contracts Job: Yes _____ Do not _____
- tw
ent
- Labor migration**


First name	nationality	Permission	Resolution	Validity	Prorogto	First time

Observations: _____

_____ Name Inspector Certificate Firm

Ending time _____

Provide copies of documents (payroll, insurance form, proof of payment, contracts, business license or provisional license, etc.) attesting to what is stated in points (15 to 20)


Republica de Panamá
Ministerio de Trabajo y Desarrollo Laboral
Dirección de Trabajo

Panamá, _____

Secretaría Judicial

PROVIDENCIA

Admítase la solicitud de multa por violación a las normas laborales, en contra de la sociedad denominada _____.

En consecuencia, se pone en conocimiento del informe de inspección al interesado, y además se le concede el término de tres (3) días, contados a partir de su notificación, para que aporte las pruebas, descargos y alegaciones que estimen conveniente.

Se le advierte al interesado que la falta de contestación es un grave indicio en su contra.

FUNDAMENTO DE DERECHO: Ley 53 de 28 de agosto de 1975.
NOTIFIQUESE Y CUMPLASE,

Director de Trabajo

Secretaría Judicial

Exp. _____

“MITRADEL, UN MINISTERIO EN MARCHA”

Annex C: Example of a final report of child labor investigation



República de Panamá
Ministerio de Trabajo y Desarrollo Laboral
Dirección de Inspección del Trabajo
Departamento de Protección al Menor Trabajador.

Panamá, 22 de Junio de 2017.

INFORME DE INSPECCION

Solicitada por: MITRADEL OFICIO.

DATOS DE LA EMPRESA:

Nombre Comercial:	Shoes Plus.
Razón Social:	Ecoline Panama S.A
Tipo de Licencia:	Aviso de Operación.
Representante Legal:	Jorge NG Chung.
Actividad Económica:	Compra y Venta de celulares, sus accesorios, equipos de audio, video joyería etc.
Numero Patronal:	87-610-12982
RUC. No.:	1655146-1-6764 DV 35
Dirección de la Empresa:	Panamá, Distrito de Panamá, Corregimiento de 24 DE Diciembre nuevo Tocumen, calle panamericana. Edificio Centro comercial Mega Mall, Apto./Local J-10.
Total de trabajadores:	H-1 M-1 T=2
Teléfono de la Empresa:	398-1801
Persona que suministro la información, cargo.	Halyson Barría Encargada.
Fecha de Inspección:	22/06/2017.
Hora de inicio de la inspección:	12:50 p.m.
Hora de terminación de inspección:	1:20 p.m.

OBJETIVO: Verificar si laboran menores de edad en la Empresa.

RESULTADOS:

La Dirección de Inspección de Trabajo por medio de su inspector Eliseo Córdoba, realice la misión encomendada en la empresa Taller de Muebles de León, donde fui atendido por Pascual Vázquez, quien ocupa el cargo de Encargada, se le explico' el motivo de la visita Inspección de Oficio, al realizar el recorrido inspectivo por la empresa no se encontró menores de edad laborando en el negocio se le pide la documentación de la empresa el cual me pudo facilitar copia del aviso de operación y comprobante de pago de la caja del seguro social.

ADJUNTO: Aviso de Operación.

Eliseo Córdoba
Inspector del Depto. de Menor.

Revisado por Magaly Venegas.
Jefe Del Depto. de Menor.

MINISTERIO DE TRABAJO Y DESARROLLO LABORAL
 DIRECCIÓN DE INSPECCIÓN LABORAL
INFORME DE LA LABOR MENSUAL DEL DEPARTAMENTO DE PERSONAS MENORES DE EDAD TRABAJADORAS

Nombre del inspector: _____
 Informe del mes de: _____

CATEGORÍA DE ACTIVIDAD	DÍAS DEL MES												TOTAL																		
	1	2	3	4	5	6	7	8	9	10	11	12		13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30
1. VENTAS A ESTABLECIMIENTOS POR RAMA DE ACTIVIDAD																															
A. Agricultura, ganadería, caza, acuicultura, pesca y explotación de servicios agrícolas.																															
B. Explotación de minas y canchales																															
C. Industria Manufacturera																															
D. Suministro de electricidad, gas, vapor y alta transformación																															
E. Servicios de agua, abastecimiento, gestión de desechos y así de saneamiento																															
F. Construcción																															
G. Comercio al por menor y mayor (incluye zonas francas) exp. vehículos de motor y motocicletas																															
H. Transportes, almacenamiento y correo																															
I. Hoteles y restaurantes																															
J. Información y comunicación																															
K. Actividades financieras y de seguros																															
L. Actividades inmobiliarias																															
M. Actividades profesionales, científicas y técnicas																															
N. Actividades administrativas y servicios de apoyo																															
O. Administración pública y defensa; planes de seguridad social de afiliación obligatoria																															
P. Enseñanza																															
Q. Servicios sociales y relacionados con la salud humana																															
R. Artes, entretenimiento y recreación																															
S. Otros subsectores de servicios																															
T. Actividad de los hogares en relación de empleadores, así inclusive actividades de producción de bienes y servicios para los hogares de los países																															
U. Act. de organizaciones y órganos no gubernamentales y actividades no clasificadas																															
2. TIPO DE INSPECCIÓN																															
Oficina																															
Residencia																															
Establecimiento																															
Operación																															
Vista Documental																															
Oportunisto																															

LEWNE CORRECTAMENTE LOS CAMPOS. NO SE ACEPTAN CAMBIOS AL INFORME. EN OTRA NOTIFICACIÓN QUE NO SE ACEPTAN LOS REYES, SI EXISTEN NO SE TOMARÁ EN CUENTA Y SE ODEJARÁ VALER COMO ES DEBER DEL INSPECTOR (QUEMAY SU HOJA Y ENTREGARLA A TIEMPO Y ACTUALIZARLA AL MES DEL DEPARTAMENTO TODOS LOS DÍAS EN LA MISMA LA CUAL ENTREGARÁ AL DEPARTAMENTO DE ANÁLISIS Y EVALUACIÓN TÉCNICA DE PERSONAS MENORES DE EDAD TRABAJADORAS POSTERIORES AL MOMENTO.

**Ministerio de Trabajo y Desarrollo Laboral
Dirección de Inspección
Departamento de Inspección de Menores**

Programación de Inspecciones Diarias				
Fecha:				
Inspector	Area	Tipo de Inspección		N° de Vehículo
		Oficio	Solicitada	

Menores encontrados:
Inspección de Oficio:
Inspección Solicitada:
Total de Inspecciones:



**MINISTERIO DE TRABAJO Y DESARROLLO LABORAL
DIRECCION CONTRA EL TRABAJO INFANTIL Y
PROTECCION DE LA PERSONA ADOLESCENTE TRABAJADORA
(DIRETIPPAT)**

Ave. Ricardo J. Alfaro-PLAZA EDISON, TELÉFONO: 504-4591/1723

REQUISITOS PARA LA INSERCIÓN DE JÓVENES AL MERCADO

EL ADOLESCENTE SOLICITANTE DEL PERMISO DE TRABAJO DEBERA:

- Tener entre catorce (14) a diecisiete (17) años de edad.
- Estar estudiando o haberse graduado.
- Asistir en compañía de su padre, madre o persona responsable para ser evaluado por el Trabajador Social en la Oficinas Centrales de DIRETIPPAT.

DOCUMENTOS QUE DEBERÁ APORTAR

1. CONTRATO DE TRABAJO EMITIDO POR LA EMPRESA DONDE VA A LABORAR.
2. UNA FOTO TAMAÑO CARNET.
3. CERTIFICADO DE BUENA SALUD
4. COPIA DEL CERTIFICADO DE NACIMIENTO DEL ADOLESCENTE.
5. CERTIFICACIÓN O RECIBO DE MATRÍCULA DE LA ESCUELA DONDE ESTUDIA O DIPLOMA SI SE HA GRADUADO.
6. COPIA DE LA CÉDULA DE PADRE, MADRE O PERSONA RESPONSABLE DEL ADOLESCENTE.


NOTA: SI EL MENOR ESTA LEGALMENTE UNIDO EN MATRIMONIO, SÓLO DEBERA APORTAR EL CERTIFICADO QUE LO ACREDITA.

OBSERVACIÓN

No podrán iniciarse en el ámbito laboral, las personas menores de edad que estén por debajo de los 14 años, los que no estén estudiando y los que no hayan terminado la escuela primaria.

La Jornada máxima de trabajo será de seis (6) horas diurna, no podrán trabajar horas extras, ni días feriados, ni realizar actividades prohibidas contempladas en el Decreto ejecutivo N° 19 de 12 de Junio de 2006, que aprueba la lista de Trabajo Infantil Peligroso.

Annex G: Contract between DIRETIPPAT and employer



MINISTERIO DE TRABAJO Y DESARROLLO LABORAL
DIRECCIÓN NACIONAL CONTRA EL TRABAJO INFANTIL Y PROTECCIÓN
DE LA PERSONA ADOLESCENTE TRABAJADORA

Contract w/
DIRETIPPAT
Employer

AUTORIZACIÓN PARA LA INSERCIÓN DE JÓVENES AL MERCADO LABORAL

PERMISO N° _____

FECHA DE _____ DE _____ DE 2,0 _____

Trabajador/a Social Evaluador/a
IDONEIDAD N° _____

DIRETIPPAT - Edison Plaza, Ave. Ricardo J. Alfaro Tel. 560 - 1100 Ext. 2021 ó 2016

EN ATENCIÓN A LAS DISPOSICIONES LEGALES ESTABLECIDAS EN MATERIA DE TRABAJO INFANTIL Y EN VIGILANCIA DE SUS PEORES FORMAS

CONSIDERANDO

Que la Dirección Nacional contra el Trabajo Infantil y Protección de la Persona Adolescente Trabajadora, en uso de sus facultades legales, administrativas y previa evaluación socio económica y laboral

del / la adolescente _____,

panameño / a, con cédula de identidad personal N° _____, con _____ años de edad, con fecha de nacimiento: _____ de _____ del año _____, estudiante del _____ grado en la escuela _____ y con intervención directa de su representante legal Señor /a _____, con cédula de identidad personal N° _____ en calidad de _____ al igual que la intervención del Sr/a _____, con cédula de identidad personal N° _____ en calidad de representante legal del establecimiento comercial denominado _____, Datos de Inscripción del Registro Público: N° de Ficha _____, Fecha de Inscripción _____, Aviso de Operación N° _____, N°. de RUC _____

CONCEDE

Autorización de permiso de trabajo a _____, en calidad de menor trabajador en virtud de que reúne los requisitos mínimos establecidos en la Ley para iniciarse en el ámbito laboral como _____ en el Establecimiento Comercial _____, dedicado a la actividad de _____, ubicada en la provincia de _____, Distrito _____, Sector _____ con teléfono N° _____ en donde devengará un salario por hora de B/ _____ a razón de _____ (B/ _____) por _____ a partir de _____ por un término de _____

ACUERDAN CONFORME

REPRESENTANTE LEGAL DEL / LA ADOLESCENTE

REPRESENTANTE LEGAL ESTABLECIMIENTO COMERCIAL

DIRECCIÓN NACIONAL CONTRA EL TRABAJO INFANTIL Y PROTECCIÓN DE LA PERSONA ADOLESCENTE TRABAJADORA

Todo Adolescente Trabajador solo laborará en horario diurno, por un espacio de seis horas al día, de lunes a sábado (exceptuando los días domingo, duelo nacional, fiesta nacional) y deberá continuar con su progreso académico

CÓDIGO DE TRABAJO, Artículos 117 al 125
Decreto Ejecutivo N°. 19 de 12 de junio de 2006 - Que aprueba la lista del trabajo infantil peligroso, en el marco de las peores formas del trabajo infantil

"Mitradel, un ministerio en marcha"

Annex H: informational handouts on how to avoid child labor and ensure safe work for adolescents in specific sectors



HOJA DE SEGURIDAD Y SALUD SOBRE CARGA Y DESCARGA DE MERCANCÍAS

PROPOSITO:

Esta ficha técnica presenta la información mínima necesaria para identificar los peligros, los riesgos en la seguridad laboral, en la salud y en los factores psicosociales con un enfoque especial en los niños, niñas y adolescentes (NNA) que realizan trabajos en la actividad de la carga y descarga de mercancía y otros. El formato esta basado en las regulaciones y normas nacionales relativas a la seguridad y salud en el trabajo. De igual manera permite orientar a las familias, empleadores, trabajadores y actores sociales e institucionales para establecer medidas preventivas de mediano y largo plazo, que promuevan el empleo adolescente en condiciones seguras.



La ficha está conformada por los siguientes puntos:

- Breve explicación de las etapas del proceso de trabajo, proporcionando una visión de lo que involucra el trabajo en lo que se refiere a las tareas.
- Se resalta el trabajo peligroso para los niños, niñas y adolescentes (NNA) de ambos sexos.
- Se hace mención de algunos riesgos y/o peligros asociados a la actividad referida y las medidas preventiva que pueden considerarse para mejorar las condiciones de trabajo y el control de las mismas en una tabla resumen. Considera la importancia del trabajo decente para los adolescentes de ambos sexos y con ello contribuir a la eliminación del trabajo infantil peligroso.

ETAPAS DEL PROCESO PRODUCTIVO:

- 01 Llegada del Transporte:** Los medio de transporte de la mercancía puede ser terrestre o marítimo; dentro de los terrestres podemos enunciar camiones, pickups, furgonetas, autobuses de menos de 16 pasajeros y autobuses de más de 16 pasajeros; estos llegan hasta los lugares de estacionamiento por lo cual se debe tener especial cuidado por atropellos; en los medios marítimos consideramos embarcaciones livianas, piraguas, pangas, lanchas, yates; y embarcaciones medianas de 20 a 40 pies.
- 02 Liberación de la Carga:** Para evitar que la carga se pierda, deteriore, moje o caiga en el camino esta es asegurada en el medio de transporte, protegida y amarrada con cuerdas, mallas o cabos.
- 03 Manejo de la Carga:** Como norma general, es preferible manipular las cargas cerca del cuerpo, a una altura comprendida entre la altura de los codos y los nudillos, ya que de esta forma disminuye la tensión en la zona lumbar. Si las cargas que se van a manipular se encuentran en el suelo o cerca del mismo, se utilizarán las técnicas de manejo de cargas que permitan utilizar los músculos de las piernas más que los de la espalda. Es conveniente que realices pausas adecuadas, preferiblemente flexibles, ya que las fijas y obligatorias suelen ser menos efectivas para aliviar la fatiga. Otra posibilidad es la rotación de tareas, con cambios a actividades que no conlleven gran esfuerzo físico y que no impliquen la utilización de los mismos grupos musculares.
- 04 Entrega y/o Almacenaje:** Sería conveniente organizar las operaciones de almacenamiento de forma que los objetos más ligeros se coloquen en los estantes más altos o más bajos, dejando los centrales para los objetos más pesados. También podrá, por ejemplo, diseñar periodos de descanso apropiados, de forma que la exposición al riesgo por parte de los trabajadores se reduzca. La rotación de tareas es también muy interesante, ya que reduce la exposición del trabajador (siempre que las restantes tareas no impliquen gran actividad física o los mismos grupos musculares y articulaciones). En cualquier caso, estas soluciones no deben sustituir un buen diseño del puesto de trabajo.
- 05 Peso máximo recomendado:** 25kg hombres y 23 kg mujeres.

"El financiamiento para la producción de este documento fue proporcionado por el Departamento de Trabajo de los Estados Unidos. Este documento no refleja necesariamente los puntos de vista o las políticas del Departamento de Trabajo de los Estados Unidos, ni la mención de marcas registradas, productos comerciales u organizaciones, implica un respaldo por parte del Gobierno de los Estados Unidos."

HOJAS INFORMATIVAS SOBRE RIESGOS Y MEDIDAS PREVENTIVAS DEL TRABAJO INAPROPIADO

Actividad económica	COMERCIO		Detalle de Riesgos					¿Prohibida/Permitida?	Inmediatas	Medida preventiva
	Carga / Descarga de mercancías		Ergonómicos	Físicos/Mecánicos	Biológicos	Químicos	Psicosociales			
	Presencia de Riesgo	No								
Tareas	SI	No								
1. LLEGADA DE TRANSPORTE										
Llegada al medio de transporte al estacionamiento/ puerto/etc.	SI			Atropello, aprisionamiento, cortes, golpes				Violencia, fatiga	Tarea Prohibida	No hay
2. MANIPULAR LA CARGA										
Traslados de productos	SI			Cortes, Golpes, Caída de Alturas, Graves lesiones por precipitación a tierra y/o muerte				Fatiga, Irritabilidad	Puede realizarse bajo supervisión	No levantar cargas pesadas mayores a 25kg.
Descarte de productos que no cumplen con la calidad de los mismos		No								
				Dolor en la espalda y posturas forzadas, inclinación de dorso, fuerza con manos y brazos						No permitir hacer esta función si hay riesgo de caída
3. MOVER LA CARGA										
Levantar, mover, bajar, empujar la carga	SI			Dolor en la espalda y posturas forzadas, inclinación de dorso, fuerza con manos y brazos				Fatiga, Irritabilidad	Puede realizarse bajo supervisión	No permitir hacer esta función si hay riesgo de caída
Estibado fuera del medio de transporte	SI			Carga de bultos pesados, Torsión de tronco.						No levantar cargas pesadas mayores a 25kg.
Clasificación de carga: Equipaje, Carga comercial, animales vivos, otros.	SI			Dolor en la espalda y posturas forzadas, inclinación de dorso, fuerza con manos y brazos						
4. EMBALE DE BULTOS										
Empaquetado de productos, cajas, bolsas etc.		No								
				Dolor en la espalda y posturas forzadas, inclinación de dorso, fuerza con manos y brazos						No levantar cargas pesadas mayores a 25kg.
4. ENTREGA Y/O ALMACENAR										
Entregar directamente al pasajero su equipaje si está presente	SI			Carga de bultos pesados, Torsión de tronco.				Fatiga, Irritabilidad	Puede realizarse bajo supervisión	
Almacenar la carga comercial para su posterior entrega	SI			Dolor en la espalda y posturas forzadas, inclinación de dorso, fuerza con manos y brazos					Tarea Prohibida	No hay



FICHA DE SEGURIDAD Y SALUD SOBRE LA PRODUCCIÓN DEL PLÁTANO

PROPOSITO:

Esta ficha técnica presenta la información mínima necesaria para identificar los peligros, los riesgos en la seguridad laboral, en la salud y en los factores psicosociales con un enfoque especial en los niños, niñas y adolescentes (NNA) que realizan trabajos en la producción del plátano. El formato esta basado en las regulaciones y normas nacionales relativas a la seguridad y salud en el trabajo. De igual manera permite orientar a las familias, empleadores, trabajadores y actores sociales e institucionales para establecer medidas preventivas de mediano y largo plazo, que promuevan el empleo adolescente en condiciones seguras.



La ficha está conformada por los siguientes puntos:

- Breve explicación de las etapas del proceso de trabajo, proporcionando una visión de lo que involucra el trabajo en lo que se refiere a las tareas.
- Se resalta el trabajo peligroso para los niños, niñas y adolescentes (NNA) de ambos sexos.
- Se hace mención de algunos riesgos y/o peligros asociados a la actividad referida y las medidas preventivas que pueden considerarse para mejorar las condiciones de trabajo y el control de las mismas en una tabla resumen. Considera la importancia del trabajo decente para los adolescentes de ambos sexos y con ello contribuir a la eliminación del trabajo infantil peligroso.

ETAPAS DEL PROCESO PRODUCTIVO:

01

Preparación del Terreno:

La preparación del terreno para la siembra de plátano depende de factores como la procedencia del lote a sembrar; sólo en el caso de potreros se justifica el empleo de maquinaria agrícola. Propiedades físicas del suelo como textura, estructura y la topografía del terreno. La preparación del terreno debe involucrar el mínimo de labores para evitar disturbar el suelo y no predisponer las plantas al volcamiento se debe realizar controlando mecánica y/o químicamente las malezas dependiendo del estado de éstas. Los drenajes se deben realizar en regiones húmedas, donde la precipitación anual es alta y los suelos son planos o ligeramente ondulados. Su objetivo es la evacuación del exceso de agua que se encuentre bien sea en la superficie del suelo o a mayor profundidad, propiciando así buenas condiciones de aireación en la zona radicular.

02

Siembra:

Una vez preparado el terreno y establecidos los drenajes, se procede a realizar la siembra, la cual está condicionada por factores climáticos, principalmente la precipitación. Para su realización se deben seguir los siguientes pasos: "Trazado, ahoyada y siembra": El trazado consiste en marcar con estacas, los sitios donde quedarán las semillas. Los sistemas más utilizados son triángulo y cuadro. Después de marcados los sitios, se procede a la apertura y preparación de los huecos, cuyo tamaño dependerá del tamaño de la semilla. Se recomiendan huecos de 30x30x30 a 40x40x40 cm. Es conveniente agregar 2 -3 kg. de abono orgánico al fondo del hoyo junto con el suelo correspondiente a la capa más superficial, para propiciar un mejor desarrollo de las raíces; luego se procede a la colocación del corno o flame en el hueco, para luego tapanlo con el resto de suelo que se sacó de allí. El suelo de relleno se debe apisonar para evitar que queden cámaras de aire que faciliten pudriciones de las raíces por encharcamiento.

03

Mantenimiento y Limpieza:

Las malezas compiten con el cultivo por agua, luz y nutrientes, además muchas son hospederas de enfermedades e insectos plagas. El manejo de las malezas se debe realizar mediante la integración de métodos culturales, mecánicos y químicos. Su efectividad dependerá de la oportunidad y eficiencia con que se realicen; este control puede ser por método manual, cultural o químico según las condiciones del área.

04

Encartuchado:

El embolsado de los racimos en el cultivo de la platanera tiene como objetivo aumentar el peso del racimo y diámetro de los dedos. Asimismo, evita daños por roces, ataques de insectos y mejora la apariencia de los frutos en cuanto a coloración y brillo; La colocación de la bolsa al racimo se realiza aproximadamente a los 2 meses de la parición, distando aún más de 2 meses, desde su colocación hasta que se produce la recolección. En algunos casos, la bolsa colocada no se cierra por la parte inferior del racimo y es habitual realizar un tratamiento insecticida dirigido a la piña antes de su colocación.

05

Control de Plagas:

El control de plagas y enfermedades del Plátano se realiza mediante la aplicación de agroquímicos y medidas de control físicas dependiendo del agente causal (insecto, animal, bacteria o virus.)

06

Cortes de Fruta:

El corte de la fruta se realiza como periodo de cosecha final y esta depende del estado de madurez de la fruta, hay variables de peso, dimensión y altura que condicionan este proceso.

07

Transporte:

Una vez cosecha la fruta esta debe ser transportada desde la plantación hacia el sitio de lavado, empaque y/o comercialización.

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HOJAS INFORMATIVAS SOBRE RIESGOS Y MEDIDAS PREVENTIVAS DEL TRABAJO INFANTIL PELIGROSO

Actividad económica:	Agricultura Familiar		Detalle de Riesgos							¿Prohibida/Permitida?	Inmediatas	Medida preventiva	Preventivas				
	Proceso:	Producción de Plátano	Ergonómicos	Físicos/Mecánicos	Químicos	Psicosociales	Biológicos	Químicos	Psicosociales								
1. PREPARACIÓN DEL TERRENO	Tareas	Presencia de riesgos	SI	NO													
	Control de Maliza		SI														
	Abrida y volteo		SI														
	Drenajes		SI														
2. SIEMBRA	Tresado		NO														
	Abrayada		SI														
3. SIEMBRA	Siembra		NO														
	Mantenimiento y limpieza		NO														
3. MANTENIMIENTO Y LIMPIEZA	Manejo de Malizas		NO														
	Deshojes		SI														
3. MANTENIMIENTO Y LIMPIEZA	Desbijes		NO														
	Fertilización		SI														
4. ENCAMBIO	Cubrir la fruta con bolsa plástica tratada con agroquímico		SI														
	Control de plagas y enfermedades con productos agroquímicos		SI														
4. ENCAMBIO	Cortar la fruta		SI														
	Transporte por nel (empresa)		SI														
4. TRANSPORTE	Transporte a cuestas (sobre la espalda)		SI														



FICHA DE SEGURIDAD Y SALUD SOBRE LA COSECHA DE FRUTAS VARIAS

PROPOSITO:

Esta ficha técnica presenta la información mínima necesaria para identificar los peligros, los riesgos en la seguridad laboral, en la salud y en los factores psicosociales con un enfoque especial en los niños, niñas y adolescentes (NNA) que realizan trabajos en la cosecha de distintas frutas de acuerdo a las temporadas que se dan en el año. El formato está basado en las regulaciones y normas nacionales relativas a la seguridad y salud en el trabajo. De igual manera permite orientar a las familias, empleadores, trabajadores y actores sociales e institucionales para establecer medidas preventivas de mediano y largo plazo, que promuevan el empleo adolescente en condiciones seguras.



La ficha está conformada por los siguientes puntos:

- Breve explicación de las etapas del proceso de trabajo, proporcionando una visión de lo que involucra el trabajo en lo que se refiere a las tareas.
- Se resalta el trabajo peligroso para los niños, niñas y adolescentes (NNA) de ambos sexos.
- Se hace mención de algunos riesgos y/o peligros asociados a la actividad referida y las medidas preventivas que pueden considerarse para mejorar las condiciones de trabajo y el control de las mismas en una tabla resumen. Considera la importancia del trabajo decente para los adolescentes de ambos sexos y con ello contribuir a la eliminación del trabajo infantil peligroso.

ETAPAS DEL PROCESO PRODUCTIVO:

Cosecha: En la cosecha se emplea una amplia variedad de herramientas manuales, las cuales están diseñadas para satisfacer las necesidades locales. Muchos tipos de productos tales como tomates, pepinos para consumo en verde, manzanas y frutas cítricas pueden ser retorcidos o arrancados de la planta sin daño. Otros pueden ser cortados con cuchillo o con tijeras para evitar daño a la planta y al producto. Estos incluyen: lechugas, repollo, pimiento dulce, berenjenas, melón tuna y plátanos.

Las ventajas del procedimiento de arrancar o retorcer son: - es rápido y barato; - el fruto usualmente se corta en un punto de absorción natural y por consiguiente la entrada de patógenos es minimizada. Las desventajas son que la planta puede ser dañada, y que la remoción forzada, en un lugar de ruptura que no es natural, va a dejar un corte abierto a las infecciones (esto es más importante en las frutas que en la mayoría de las hortalizas).

Las ventajas de usar herramienta cortante son:

- los tejidos firmes pueden ser cortados sin esfuerzo;
- el recorte de tallos y hojas puede hacerse en el terreno lo que reduce de los costos en la bodega de empaque;
- los cortes limpios de cuchillos con filo y limpios son mucho menos susceptibles a infección de poscosecha que los puntos de desprendimiento toscamente desgarrados.

La principal desventaja de las herramientas cortantes es que los virus y las infecciones pueden diseminarse en todo el campo a través de sus partes cortantes. Por lo tanto es importante que las herramientas se mantengan limpias y afiladas. Se puede usar cualquier tipo de desinfectante fuerte, siempre que se tomen precauciones razonables y las herramientas se laven con agua limpia antes de usarlas.

Post Cosecha: A menos que los lotes de tierra sean muy pequeños, la cosecha se debe copiar y preparar tomando en consideración su transporte al mercado, bodega de empaque, procesamiento o centro de almacenamiento. Las interrupciones en la operación de cosecha por causa de la lluvia, fallas en la maquinaria y otras razones, pueden y volverán a ocurrir. Por lo tanto el acoplo en terreno debe planificarse teniendo en cuenta la mejor ubicación y la provisión de instalaciones básicas: 1. Sombra y protección. El producto cosechado debe mantenerse protegido del sol, ya que la temperatura de las plantas sube rápidamente después de la cosecha. El calor radiante del sol puede causar daño irreversible al producto. Los cobertizos son también necesarios para proteger al producto de la lluvia, que puede propiciar el daño posterior. Podría considerarse un sistema de techo simple enfriado por evaporación. 2. Almacenamiento. El producto no debe mantenerse directamente sobre el piso con el fin de evitar la contaminación del suelo. Debe disponerse de suficientes recipientes para eliminar el amontonamiento y el consiguiente calentamiento, y para evitar etapas adicionales de manipulación innecesarias.

Empaque: Es el recipiente que permite manejar la fruta eficientemente. El empaque debe ser: Fácil de armar, Fácil de inspeccionar, Fácil de llenar, Que sirva de exhibición. Que proteja los frutos y distribuyan cómodamente; eviten daños físicos durante la manipulación y el transporte. Resistente: Que no se deforme por el peso. Impermeable: Los empaques deben ser impermeabilizados de tal forma que no absorban humedad y evitar así que pierda su resistencia. Ventilada: Que permita fácilmente intercambiar la temperatura de la fruta. Ventajas del Empaque Las ventajas del proceso del empaque son numerosas y cobijan al producto, desde su cosecha hasta al consumidor. En forma general, se pueden anotar las siguientes: Protegen la fruta de daños físicos: Eliminan la manipulación individual del producto, y de este modo facilita el proceso de mercadeo. Protegen la calidad y reducen las pérdidas así: Protección contra daños mecánicos, Protege contra las pérdidas de humedad, tiene la sanidad de los productos, Facilita la contabilidad de los productos almacenados.

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HOJAS INFORMATIVAS SOBRE RIESGOS Y MEDIDAS PREVENTIVAS DEL TRABAJO INFANTIL PELIGROSO

Actividad económica: **AGRICULTURA FAMILIAR – COSECHA DE FRUTAS**

Proceso:	Carga / Descarga de mercancías		Detalle de Riesgos					¿Prohibida/Permitida?	Medida preventiva	
	Presencia de riesgos		Ergonómicos	Físicos/Mecánicos	Biológicos	Químicos	Psicosociales		Inmediatas	Preventivas
Tareas	SI	No								
1. PREVIO A LA COSECHA										
Identificación de las Frutas a cosechar		No						Puede realizarse bajo supervisión		
Preparación de herramientas de cosecha	SI		Ligera flexión cervical hacia arriba	Corte, punciones y laceraciones				Puede realizarse bajo supervisión	Uso de guantes	Capacitación de seguridad con herramientas manuales
2. COSECHA										
Desprendimiento de la fruta	SI		Distensiones, hiperextensión de brazos y hombros	Cortes, Golpes, Caída de Altura				Tarea Prohibida	No hay	No hay
Recolección	SI		Dolor en la espalda y posturas forzadas, inclinación de dorso, fuerza con manos y brazos					Puede realizarse bajo supervisión		
Transporte		No	Carga de bultos pesados					Descansos regulares, regular peso a menos de 25kg.	Supervisión adultos, mejorar caminos. No involucrar adolescentes si hay que cruzar ríos o esteros	
3. POST COSECHA										
Sombra y Protección			Exposición al sol					Puede realizarse bajo supervisión	Uso de sombrero y Manga larga, hidratación constante	
Almacenamiento	SI		Carga de bultos pesados		Contacto con mohos			Tarea Prohibida	No hay	No hay
4. EMPAQUE										
Clasificación		No	Limitar la carga de frutas					Puede realizarse bajo supervisión	Uso de guantes	
Empaque		No	Evitar cargar sacos o bolsas pesadas, solicitar ayuda					Puede realizarse bajo supervisión		



FICHA DE SEGURIDAD Y SALUD SOBRE LA PRODUCCIÓN DEL CAFÉ

PROPOSITO:

Esta ficha técnica presenta la información mínima necesaria para identificar los peligros, los riesgos en la seguridad laboral, en la salud y en los factores psicosociales con un enfoque especial en los niños, niñas y adolescentes (NNA) que realizan trabajos en la producción del café. El formato está basado en las regulaciones y normas nacionales relativas a la seguridad y salud en el trabajo. De igual manera permite orientar a las familias, empleadores, trabajadores y actores sociales e institucionales para establecer medidas preventivas de mediano y largo plazo, que promuevan el empleo adolescente en condiciones seguras.



La ficha está conformada por los siguientes puntos:

- Breve explicación de las etapas del proceso de trabajo, proporcionando una visión de lo que involucra el trabajo en lo que se refiere a las tareas.
- Se resalta el trabajo peligroso para los niños, niñas y adolescentes (NNA) de ambos sexos.
- Se hace mención de algunos riesgos y/o peligros asociados a la actividad referida y las medidas preventivas que pueden considerarse para mejorar las condiciones de trabajo y el control de las mismas en una tabla resumen. Considera la importancia del trabajo decente para los adolescentes de ambos sexos y con ello contribuir a la eliminación del trabajo infantil peligroso.

ETAPAS DEL PROCESO PRODUCTIVO:

- 01 Semilleros:** La semilla debe estar disponible 8 meses antes del trasplante definitivo en campo, de este período, dos meses corresponden a la etapa de germinador y seis meses al almácigo. En las etapas del proceso productivo de germinador y almácigo se necesitan insumos que se pueden adquirir en la zona, como guaduas o estacas de madera redonda, arena lavada de río, tierra, pulpa descompuesta o materia orgánica, bolsos plásticos, materiales para disponer sombra en viveros, plaguicidas de baja toxicidad, solo si se requieren.
- 02 Preparación del terreno, trazado ahoyado y siembra:** En la adecuación del terreno se determina un sistema de siembra y un trazo para lo cual se utilizan herramientas y materiales sencillos como estacas de madera. Cuando el sistema de producción es bajo sombra, se necesitan semilla y colinos de guano y plátano, principalmente. En las etapas de establecimiento, crecimiento y producción son necesarios insumos como: herramientas (pala, machetes), plaguicidas de baja toxicidad, sólo si son necesarios, selector de arvenses para su manejo, fertilizantes químicos y abonos orgánicos. El suelo constituye un recurso que debe ser aprovechado de la mejor manera posible. Esto se consigue con un adecuado ordenamiento del cultivo, el cual está basado en un buen trazado que permite no desperdiciar espacios y acomodar el mayor número de árboles por unidad de superficie. Para el trazado se usa material de la misma finca (estacas, varas y pilas), y se recomienda en surcos a través de la pendiente.
- 03 Manejo de la Plantación:** Luego de un número de cosechas variable, la planta entra en un agotamiento productivo que requiere del inicio de la poda. La planta de café presenta dos tipos de crecimiento, uno hacia arriba o vertical llamado ortotrópico y otro hacia los lados denominado plagiotrópico, donde se forman las yemas florales. La altura de la poda puede variar dependiendo del estado de agotamiento que presenta la planta. Se deben dejar todas las bandolas con capacidad productiva por debajo del corte. La importancia de esta operación en el manejo de la poda resulta determinante para la eficiencia productiva del sistema, para lo cual se requiere:
 - Realice la primera deshija de a 2 ó 3 meses después de realizada la poda. • Raleo y selección de los brotes para elegir los más vigorosos.
 - Localizados 2-3 cm hacia abajo del corte. • Con la mayor separación posible entre ellos. • Elimine los hijos que brotan juntos o unidos por su base.
- 04 Control de Plagas:** El manejo de las enfermedades en el café tiene su componente ambiental. Para su control, existe la alternativa del control químico mediante la determinación del porcentaje de infección por lote. Esto garantiza controles oportunos con una racionalización en la aplicación de fungicidas de baja categoría toxicológica. Se recomienda una renovación progresiva de las variedades susceptibles a la enfermedad. Los adecuados niveles de nutrición en 79 el almácigo y en el establecimiento del cultivo garantizan una plantación libre de la mancha de hierro, una enfermedad que ataca las hojas y los frutos del cultivo del café. En plantaciones establecidas no se debe demorar la fertilización y el manejo integrado de arvenses.
- 05 Beneficio del Café:** Cosecha: se deben recoger, en su totalidad, sólo los frutos maduros. Esto se traduce en las siguientes ventajas: aumento de ingresos por venta de mayor cantidad de café (mejor conversión de café cereza: café pergamino seco), reducción de reinfestaciones de broca y eliminación de pérdidas hasta por el 30% debidas a frutos no recolectados o que caen al suelo. Clasificación: para ello se deben usar zarandas clasificadoras eficientes que funcionan sin agua.
- 06 Poda:** La poda del café y la sombra se realizan con el objetivo de eliminar aquellas partes de la planta agotadas después de la cosecha. En este sentido se eliminan ramas enfermas, quebradas o muy numerosas mediante el uso de herramientas (serrucho, machete, hacha) y equipos (motosierra). En las grandes plantaciones no hay participación de niños, niñas y adolescentes de ambos sexos sin embargo, se observa participación en las pequeñas plantaciones, ya que éstos acompañan a sus padres y les ayudan a transportar los alimentos y equipos de trabajo y a acomodar en las hileras de café las ramas cortadas.
- 07 Deshija:** Después de la poda se estimulan las yemas que se encuentran en los tallos dando origen a hijos o rebrotes, la deshija consiste en seleccionar los más fuertes y eliminar los restantes. En las pequeñas plantaciones los niños, niñas y adolescentes de ambos sexos acompañan a sus padres y les ayudan a transportar los alimentos y equipos de trabajo y a acomodar en las hileras de café los hijos de café cortados. En las grandes plantaciones no hay participación de niños, niñas y adolescentes de ambos sexos.
- 08 Cosecha:** Consiste en realizar la recolección del grano maduro, mediante el empleo de un canasto. En las grandes y pequeñas plantaciones hay participación de niños, niñas y adolescentes de ambos sexos de todas las edades. Es la etapa en donde hay mayor participación de esta población.
- 09 Transporte:** Una vez cosecha la fruta esta debe ser transportada desde la plantación hacia el sitio de lavado, empaque y/o comercialización.

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HOJAS INFORMATIVAS SOBRE RIESGOS Y MEDIDAS PREVENTIVAS DEL TRABAJO INFANTIL PELIGROSO

Actividad económica:	Agricultura Familiar		Detalle de Riesgos				¿Prohibida/ Permitida?	Inmediatas	Medida preventiva
	Proceso:	Producción de Café	Presencia de Riesgos	Ergonómicos	Físicos/Mecánicos	Químicos			
Tareas			SI	NO					Preventivas
1. INMUEBLES Y TALLERES									
Confección de Semilleros			NO						
Preparación de eras			SI						
Distribución de Plántulas			SI						
Preparación del terreno			SI						
1. SIEMBRA				NO					
Trazado									
Ahorque			SI						
Siembra				NO					
3. MANEJO DE LA PLANTACIÓN									
Manejo de Malezas				NO					
Poda			SI						
Despije				NO					
Fertilización			SI						
4. CORTES DE PLANTAS									
Control de plagas y enfermedades con productos agroquímicos									
5. SIEMBRA DEL CAFÉ									
Cosecha/Recolección de grano			SI						
Clasificación			SI						
6. TOTA									
Eliminan ramas enfermas, quebradas o muy numerosas									
7. DESMIA									
Selección de las más fuertes de tallos			SI						
8. TRANSPORTE									
Transporte a casetas (sobre la espalda)			SI						



FICHA DE SEGURIDAD Y SALUD SOBRE LOS REVISORES Y COBRADORES EN EL TRANSPORTE PÚBLICO

PROPOSITO:

Esta ficha técnica presenta la información mínima necesaria para identificar los peligros, los riesgos en la seguridad laboral, en la salud y en los factores psicosociales con un enfoque especial en los niños, niñas y adolescentes (NNA) que realizan trabajos como revisores y cobradores en el transporte público. El formato está basado en las regulaciones y normas nacionales relativas a la seguridad y salud en el trabajo. De igual manera permite orientar a las familias, empleadores, trabajadores y actores sociales e institucionales para establecer medidas preventivas de mediano y largo plazo, que promuevan el empleo adolescente en condiciones seguras.



La ficha está conformada por los siguientes puntos:

- ⇒ Breve explicación de las etapas del proceso de trabajo, proporcionando una visión de lo que involucra el trabajo en lo que se refiere a las tareas.
- ⇒ Se resalta el trabajo peligroso para los niños, niñas y adolescentes (NNA) de ambos sexos.
- ⇒ Se hace mención de algunos riesgos y/o peligros asociados a la actividad referida y las medidas preventivas que pueden considerarse para mejorar las condiciones de trabajo y el control de las mismas en una tabla resumen. Considera la importancia del trabajo decente para los adolescentes de ambos sexos y con ello contribuir a la eliminación del trabajo infantil peligroso.

ETAPAS DEL PROCESO PRODUCTIVO:

- 01** **Información al Pasajero:** Debe brindar información referente a la ruta, paradas, costo del servicio medidas de seguridad, materiales prohibidos u otros.
- 02** **Manejo de dinero:** En este proceso se encargan de cobrar el costo del servicio de transporte, dar cambio y custodiar el dinero, está expuesto a hurto, robo, agresión física y verbal.
- 03** **Manejo de Cargas:** Estiban la carga y las maletas en las bodegas inferiores o elevan las mismas hasta las canastas en el techo del autobús, posteriormente aseguran con cuerdas e impermeables.
- 04** **Mantenimiento:** Para el buen funcionamiento del autobús debe darse mantenimiento preventivo y correctivo por lo que se realizan trabajos de cambio de aceites, balineras, correas, ajustes en general con el motor encendido en algunas ocasiones; y luego de cada día el autobús debe ser lavado para mantener la estética.

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HOJAS INFORMATIVAS SOBRE RIESGOS Y MEDIDAS PREVENTIVAS DEL TRABAJO INFANTIL PELIGROSO

Actividad económica:	Transporte Público		Detalle de Riesgos										¿Tarea Permitida?		Medida preventiva	
	Proceso:	Revisores y cobradores de los transportes públicos	Presencia de Riesgos		Ergonómicos	Físicos/Mecánicos	Biológicos	Químicos	Psicosociales	Inmediatas		Preventivas				
Tareas	SI	No														
"Secretario de autobús"																
1. INFORMACIÓN AL PASAJERO																
Voceo de paradas y rutas	SI			Lesiones múltiples, fracturas Aplastamiento o muerte por atropello					Gritos, violencia				No hay	Mantenerse dentro del autobús en todo momento		
2. MANEJO DE DINERO																
Cobro por el traslado del pasajero	SI			Lesiones múltiples, fracturas, contusiones o muerte por arma blanca o de fuego.					Estrés, gritos, robos y lenguaje obsceno.				No hay	No hay		
3. MANEJO DE CARGA																
Carga y Descarga de Maletas y Mercancías.	SI		Lesiones cervicales, dorsales y lumbares; hernia o dislocación de discos vertebrales		Lesiones múltiples, muerte Distensión o sobre estramiento de ligamentos.				Violencia, insultos, fatiga				Puede realizarse bajo condiciones específicas	Limitar el peso de carga; solicitar ayuda para cargas pesadas.		
4. MANTENIMIENTO																
Mecánica básica del vehículo	SI			Atrapamiento, aprisionamiento de extremidades o cuerpo entero					Insultos				Tarea Prohibida	No hay		
Cambio de Neumáticos ponchados	SI		Lesiones dorsales o lumbares		Golpes, aplastamiento								Tarea Prohibida	No hay		
Lavado del Autobús	SI			Lesiones múltiples por caída a distinto nivel					Fatiga, trastornos del sueño				Puede realizarse bajo supervisión	Prohibir el lavado sobre el techo. Para el lavado dentro del autobús evitar el contacto con sustancias, residuos u otros.		



FICHA DE SEGURIDAD Y SALUD SOBRE LA VENTA AMBULANTE

PROPOSITO:

Esta ficha técnica presenta la información mínima necesaria para identificar los peligros, los riesgos en la seguridad laboral, en la salud y en los factores psicosociales con un enfoque especial en los niños, niñas y adolescentes (NNA) que realizan trabajos en la venta ambulante de artículos varios. El formato esta basado en las regulaciones y normas nacionales relativas a la seguridad y salud en el trabajo. De igual manera permite orientar a las familias, empleadores, trabajadores y actores sociales e institucionales para establecer medidas preventivas de mediano y largo plazo, que promuevan el empleo adolescente en condiciones seguras.



La ficha está conformada por los siguientes

- Breve explicación de las etapas del proceso de trabajo, proporcionando una visión de lo que involucra el trabajo en lo que se refiere a las tareas.
- Se resalta el trabajo peligroso para los niños, niñas y adolescentes (NNA) de ambos sexos.
- Se hace mención de algunos riesgos y/o peligros asociados a la actividad referida y las medidas preventivas que pueden considerarse para mejorar las condiciones de trabajo y el control de las mismas en una tabla resumen. Considera la importancia del trabajo decente para los adolescentes de ambos sexos y con ello contribuir a la eliminación del trabajo infantil peligroso.

ETAPAS DEL PROCESO PRODUCTIVO:

01

Obtener insumos o Alimentos para la Venta: Estos insumos están compuestos por legumbres, vegetales, granos, tubérculos, raíces y otros disponibles.

02

Preparación para la Venta: La preparación para la venta comprende los procesos de empaque (en bolsas, cajas, papel, otros); De igual manera la preparación mediante el procesamiento de los insumos (torrejas, bollos, etc.)

03

Ubicación: Pueden ser puestos móviles (vendedor ambulante); o puesto fijo (instalación fija) en estos puestos frecuentemente se quedan a pernoctar poniendo en riesgo a los menores.

04

Venta: La venta incluye la atención a los clientes, el manejo de dinero y las largas jornadas; en este sentido el manejo del dinero es peligroso para menores por el alto riesgo de robo y agresión por lo cual es prohibido; por otro lado las largas jornadas interfieren en el proceso de desarrollo y enseñanza-aprendizaje.

"El financiamiento para la producción de este documento fue proporcionado por el Departamento de Trabajo de los Estados Unidos. Este documento no refleja necesariamente los puntos de vista o las políticas del Departamento de Trabajo de los Estados Unidos, ni la mención de marcas registradas, productos comerciales u organizaciones, implica un respaldo por parte del Gobierno de los Estados Unidos."

HOJAS INFORMATIVAS SOBRE RIESGOS Y MEDIDAS PREVENTIVAS DEL TRABAJO INFANTIL PELIGROSO

Actividad económica:	COMERCIO INFORMAL										
	VENTA AMBULANTE										
	Presencia de Riesgos		Detalle de Riesgos					¿Prohibida/Permitida?	Inmediatas	Medida preventiva	Preventivas
SI	No	Ergonómicos	Físicos/Mecánicos	Biológicos	Químicos	Psicosociales					
TAREAS OBTENER INSUMOS O ALIMENTOS PARA LA VENTA Cosechar o comprar los productos para preparar, empaquetar y vender.	SI		Dolores en espalda, hombros y brazos	Golpes leves				Puede realizarse bajo supervisión		Limitar la carga total conforme a la estatura y peso.	
	SI							Tarea Prohibida	No hay		
PREPARACION PARA LA VENTA Empacar en bolsas, cajas y otros; incluye la preparación de alimentos.	SI			Quemaduras, cortes, abrasiones y otros				Tarea Prohibida	No hay	Prohibir realizar tareas que conlleven la preparación de alimentos con calor, aceite, agua o plentichas calientes.	
	SI		Posiciones forzadas, esfuerzo prolongado	Caidas, golpes, atropello				Puede realizarse bajo supervisión		Prohibir realizar estas labores en semáforos o sobre la vía pública.	
VENTA Contacto con los clientes	SI			Golpes				Puede realizarse bajo supervisión		Orientación de servicio al cliente en escuelas	
	SI			Agresión, golpes, heridas varias				Tarea Prohibida	No hay	No hay	No hay
Largas Jornadas	SI							Tarea Prohibida	No hay	No hay	No hay
	SI							Tarea Prohibida	No hay	No hay	No hay

Annex I: Sample report on “operativos”



Panamá, 5 de Junio del 2017

Ministerio de Trabajo y Desarrollo Laboral
Dirección Contra el Trabajo Infantil y Protección
Del Adolescente Trabajador
Nota N°206- DIRETIPAT-2017

Sean mis primeras palabras portadoras de un cordial saludo y éxitos en sus delicadas funciones.

En esta oportunidad la Dirección contra el Trabajo Infantil y Protección del Adolescente Trabajador (DIRETIPAT), solicita apoyo, a fin de que nos proporcione una (1) unidad, de la Policía de Niñez y Adolescencia, con el objetivo que nos acompañen en recorrido, a realizar en Lava Autos, Talleres, Recicladoras y Ferreterías en el corregimiento de Pedregal, Juan Díaz y Concepción Adentro. Tal operativo se efectuara para la verificación de presencia de menores de edad realizando actividades prohibidas tipificadas en el Decreto N°1 de 5 de Enero de 2016.

En espera de contar con su acostumbrado apoyo nos despedimos.


Para cualquier consulta, llamar a los teléfonos 504-4590/ 504-1723 Licda. Itze Salcedo

A Continuación detallamos cuadro para realizar operativos:

FECHA	LUGAR	HORA
Jueves 15 de Junio	Pedregal (Toda la vía principal de Pedregal, hasta llegar al semáforo del parador).	1:00 p.m.
Jueves 22 de Junio	Juan Díaz (Vía principal de Vía Tocumen, mano 99 y mano donde está la estación del metro y agarrar hacia la vía JJ vallarino).	1:00 p.m.
Jueves 29 de Junio	Concepción Adentro (todo concepción adentro, saliendo de concepción, vía principal hacia los pueblos).	1:00 p.m.

Agradecemos de antemano el apoyo que nos brinde, se despide de usted.

Atentamente,


Licda. Nohely Nieto Sarmiento
Directora Contra el Trabajo Infantil y Protección del
Adolescente Trabajador



**Instituto Nacional de Formación Profesional
y Capacitación para el Desarrollo Humano**
Dirección de Formación Profesional y Capacitación

**CURSO
ERRADICACIÓN
DEL TRABAJO
INFANTIL**



Manual del Participante – 2017

Annex K: Yo Si Cumpló Self-evaluation Form

MINISTERIO DE TRABAJO Y DESARROLLO LABORAL
DIRECCION NACIONAL DE INSPECCION
FORMULARIO DE AUTO EVALUACION
YO SI CUMPLO

A. Generales de la Empresa:

1. Razón Social y Nombre Comercial de la empresa:

2. Actividad Económica, Bienes que distribuye o Servicios que brinda.

3. Dirección de la Empresa: Distrito _____

Corregimiento _____, Edificio o Casa _____

_____ Calle Avenida _____

4. Aviso de Operación No. _____

5. Numero Patronal (Caja de Seguro Social). _____

6. Representante Legal de la Empresa. _____

7. Nombre y Cargo de la Persona Responsable de la Auto Evaluación. _____

8. Nombre del Representante Sindical. _____

B. Relaciones de Trabajo

9. Cuenta con Reglamento Interno: Si _____ No _____ # de Resolución _____, Fecha de aprobación, _____, (Art. 191, C.T.)

Si cuenta la empresa con el Reglamento Interno el mismo está colocado en un lugar visible y accesible a los trabajadores: Si _____ No _____ (Art. 183 #5 C.T.)

10. Cuenta la empresa con un control de asistencia: Si _____ No _____, mediante reloj, tarjeta, marcación magnética, cuaderno, lectura de iris, otros. _____ (Art. 128 #11 C.T.)

11. Cuantos turnos de trabajo se laboran: Uno _____ Dos _____ Tres _____ Otros, _____

12. Jornada Semanal de Trabajo: Administrativos _____, horas semanales, Colaboradores de Planta _____, horas semanales. (Art. #31 C.T.)

13. Día de Descanso Obligatorio _____

14. Se aplican debidamente los derechos adquiridos:

	Si	No	
Horas Extraordinarias			Art. 33, 36 #4 C.T.
Días Feriados			Art. 44, 45, 46 C.T.
Décimo Tercer Mes			Decreto de Gabinete #221 de 1971
Días Domingos Laborados			Art. 48 C.T.
Vacaciones			Art. 52, 53, 54 C.T.

15. Salario mínimo que rige en la empresa, en base a la actividad comercial que realiza es de _____ especifique (Por Hora o por Mes). Decreto Ejecutivo #182 de 30 de diciembre de 2013.

16. La empresa utiliza comprobantes de pago Si _____ No _____, especifique el tipo de comprobante _____, (Art. 128 # 21 C.T.)

17. Los comprobantes reflejan correctamente los descuentos legales de cada colaborador Si _____, No _____.

18. Cantidad de colaboradores que prestan servicio en la empresa Total _____

19. La empresa cumple con el registro de los contratos de trabajo en el Ministerio de Trabajo y Desarrollo Laboral. Si _____ No _____. (Art. #67 C.T.)

C. MIGRACION LABORAL

Nombre	Nacionalidad	Calidad del Permiso	Numero de Resolución	Fecha de Expedición	Fecha de Vencimiento

OBSERVACIONES: _____

FIRMA RESPONSABLE DE LA
AUTO EVALUACION



"YO SI CUMPRO"

CRITERIOS DE EVALUACION LABORAL

***SOLICITAR AVISO DE OPERACION**

- **MANEJO DE LA CONVENCION COLECTIVA:** Verificación de las negociaciones que se estén realizando en el tiempo correspondiente. Solicitar la primera y última página de la actual Convención Colectiva.
- **REGLAMENTO INTERNO:** Verificar que esté actualizado. Solicitar la primera y última página.
- **SOLICITAR PLANILLA DEL SEGURO SOCIAL**
VERIFICAR: SE PUEDEN ESCOGER DOS TRABAJADORES AL AZAR DE LA PLANILLA (QUE NO SEAN DIRECTIVOS), Y VERIFICAR
- **ADECUADO PAGO DE HORAS EXTRAS :**
- **PAGO CORRECTO DE SALARIO MINIMO:**
- **SEGURIDAD Y SALUD OCUPACIONAL EN LA EMPRESA**
- **PERSONAL EXTRANJERO / PERMISOS DE TRABAJO VIGENTES; NO ES TAN EXHAUSTIVA ESTA VERIFICACION. SE VERIFICA CON LA PLANILLA DE SEGURO SOCIAL. SI VEMOS MUCHOS EXTRANJEROS ESCOJEMOS DOS AL AZAR PARA COMPROBAR QUE SUS PERMISOS ESTÁN AL DÍA.**
- **OPORTUNIDADES PARA PERSONAL CON DISCAPACIDAD (2% de la planilla si es una empresa hasta 25 trabajadores (1). De 25 trabajadores en adelante, es el 4% por cada 100 trabajadores (2 trab. Por cada 50). Este punto se pregunta. Anotamos cómo lo están manejando. No es tan exhaustivo.**

Cantidad de trabajadores:

Annex M: Yo Si Cumpló evaluation criteria for trade unions

"YO SI CUMPLO"

CONVERSACION CON EL SINDICATO

Empresa:

Sindicato:

Secretario General:

Tel. /cel.

Correo electrónico:

Visita efectuada por:

Fecha y hora:

Criterios a evaluar:

- > MANEJO DE LA CONVENCION COLECTIVA:
- > REGLAMENTO INTERNO:
- > PAGO DE HORAS EXTRAS:
- > ADECUADO MANEJO DE SALARIO MINIMO:
- > SEGURIDAD Y SALUD EN EL TRABAJO:
- > PERSONAL EXTRANJERO / PERMISOS DE TRABAJO VIGENTES:
- > TRABAJO / MENORES:
- > OPORTUNIDADES PARA PERSONAL CON DISCAPACIDAD (4% de la planilla por cada por cada 100 trabajadores):

Conclusión del Dirigente Sindical:

Annex N: Yo Si Cumplo notification of recommendations for improvement

6S- Nº 11315



República de Panamá
Ministerio de Trabajo y Desarrollo Laboral
Dirección de Inspección del Trabajo
Departamento de Seguridad y Salud en el trabajo.
NOTIFICACION DE NORMAS

Mediante Inspección realizada el día ____ del mes de _____ de 2012.

En la Empresa: _____

Cuyo representante legal es: _____

Nos percatamos que es necesario el cumplimiento inmediato de las siguientes normas de seguridad y salud en el trabajo:

> **Departamento o Áreas:**

> **Riesgos o Contaminantes:**

> **Indicaciones a Cumplir:**

> **Fundamento de Derecho:**

Estas Indicaciones deben hacerse efectivas en un plazo no mayor de ____ días a partir de la fecha de recibida esta notificación.

Nota: De no cumplir con las recomendaciones dadas en el precitado plazo, se aplicaran las medidas que al respecto señala el Código de Trabajo.

Recibido por: _____ Fecha: _____

Cargo: _____ Hora: _____

Inspector Encargado: _____

Representante Sindical: _____

Annex O: Guide to help parents understand children’s rights and the risks of child labor and neglect.



Organización
Internacional
del Trabajo



Combatimos el trabajo infantil con Salud y Educación

GUÍA METODOLÓGICA DE ACOMPañAMIENTO FAMILIAR PARA LA ERRADICACIÓN DEL TRABAJO INFANTIL

REPÚBLICA DE PANAMÁ
MINISTERIO DE TRABAJO Y DESARROLLO LABORAL
DECRETO EJECUTIVO No. 108
(De 11 de junio de 2013)



Que modifica algunos artículos del Decreto Ejecutivo No. 25 de 15 de abril de 1997, modificado por el Decreto Ejecutivo No.9 de 21 de abril de 1998, el Decreto Ejecutivo No.18 de 19 de julio de 1999 y el Decreto No.37 de 21 de junio de 2005 en sus artículos 1,2, 3 y 5.

EL PRESIDENTE DE LA REPÚBLICA
En uso de sus facultades constitucionales y legales.

CONSIDERANDO:

Que es responsabilidad del Estado garantizar el establecimiento de las condiciones adecuadas para la atención de los niños, niñas y adolescentes, a fin de que éstos sean protegidos contra toda clase de explotación o violación de sus derechos consagrados tanto por nuestra legislación como por las normas de carácter internacional aceptadas por la República de Panamá;

Que mediante el Artículo Primero del Decreto Ejecutivo No. 25 de 15 de abril de 1997, modificado por el Decreto Ejecutivo No. 9 de 21 de abril de 1998 y el Decreto Ejecutivo No. 18 de 19 de julio de 1999 y el Decreto Ejecutivo No. 37 de 21 de junio de 2005, se creó el Comité para la Erradicación del Trabajo Infantil y Protección del Menor Trabajador.

Que como parte de los compromisos adquiridos por la República de Panamá, en materia de prevención y erradicación del trabajo infantil, y la protección y mejora de la condición socio - laboral de las personas adolescentes trabajadoras, el Órgano Ejecutivo considera indispensable adecuar la integración y funciones que desarrolla el Comité para la Erradicación del Trabajo Infantil y Protección del Menor Trabajador.

DECRETA:

Artículo 1. Modificar el Artículo Primero del Decreto Ejecutivo No. 25 de 15 de abril de 1997 modificado por el artículo Primero del Decreto Ejecutivo No. 9 de 21 de abril de 1998 y el artículo Primero del Decreto Ejecutivo No. 18 de 19 de julio de 1999, y el Decreto No. 37 de 21 de junio de 2005, el cual queda así:

"ARTÍCULO PRIMERO. Créase el Comité para la Erradicación del Trabajo Infantil y Protección de la Persona Adolescente Trabajadora, en lo sucesivo CETIPPAT, como un organismo de carácter permanente, encargado de asesorar, coordinar y concertar políticas de prevención, atención y protección social de la niñez y la juventud, lo mismo que para la prevención, atención, protección y vigilancia de las condiciones de trabajo de las personas que tienen edad mínima para trabajar".

Artículo 2. Modificar el Artículo Segundo del Decreto Ejecutivo No. 25 de 15 de abril de 1997 modificado por el Artículo Segundo del Decreto Ejecutivo No. 9 de 21 de abril de 1998 y el Artículo Segundo del Decreto Ejecutivo No. 18 de 19 de julio de 1999, y el Decreto No. 37 de 21 de junio de 2005, el cual queda así:

8. Promover la investigación, documentación, divulgación, sensibilización, y movilización social para la erradicación del trabajo infantil y protección de la persona adolescente trabajadora.
9. Presentar informes trimestrales a la Secretaría Técnica del CETIPPAT sobre las acciones que se ejecutan para la prevención y la erradicación del trabajo infantil.
10. Brindar información con los indicadores estimados semestralmente a la Secretaría Técnica de CETIPPAT, cuya figura recae en la Dirección contra el Trabajo Infantil y Protección de la Persona Adolescente Trabajadora - DIRETIPPAT -, para la actualización recurrente del Sistema de Información de la Comisión para la Erradicación del Trabajo Infantil - CETHINFO.
11. La Secretaría Técnica de CETIPPAT, tendrá la autoridad para solicitar a todos (as) los (as) representantes del Comité un informe de rendición de cuentas, en función de las acciones que ejecutan.
12. Todas las instancias miembros del Comité CETIPPAT, deben realizar sus funciones fundamentadas en el Protocolo de Coordinación Interinstitucional para la Protección y Atención de las Personas Menores de edad trabajadoras".

Artículo 4. Modificar el Artículo Quinto del Decreto Ejecutivo No. 25 de 15 de abril de 1997, el cual queda así:

"ARTÍCULO QUINTO. La Dirección Contra el Trabajo Infantil y Protección de la Persona Adolescente Trabajadora (DIRETIPPAT), fungirá como Secretaría Técnica del CETIPPAT en representación del Ministerio de Trabajo y Desarrollo Laboral, para lo cual garantizará la conformación de su estructura interna, funcionamiento y la coordinación permanente entre sus miembros.

La Secretaría Técnica tendrá, entre otras, las siguientes funciones:

1. Realizar la convocatoria del CETIPPAT cada tres meses, elaborar la propuesta de agenda, confeccionar las actas de las reuniones y rendir informes.
2. Apoyar la formulación, seguimiento, y monitoreo de la Hoja de Ruta Para hacer de Panamá un País Libre de Trabajo Infantil y Sus Peores Formas.
3. Coordinar la programación de trabajo anual con indicadores para el seguimiento y derivar la Hoja de Ruta Para hacer de Panamá un País Libre de Trabajo Infantil y Sus Peores Formas.
4. Dar seguimiento a los programas de acción en curso o las propuestas para la erradicación del trabajo infantil.
5. Promover la realización de estudios y difusión de información, y llevar la documentación y base de datos requeridas para las labores del CETIPPAT.
6. Desarrollar los documentos técnicos concertados por el Comité y dar seguimiento a los acuerdos y recomendaciones que éste adopte.
7. Garantizará las Capacitaciones y Sensibilizaciones a los actores claves.
8. Dar Seguimiento y monitoreo de los casos como ente coordinador.
9. La Secretaría Técnica debe rendir informes de ejecución cada tres meses, de acuerdo a compendio realizado y, previo envío por todas las partes del Comité, de la ejecución de acciones a la Presidenta (e) del CETIPPAT".

Artículo 5. El presente Decreto modifica los Artículos Primero, Segundo, Tercero y Quinto del Decreto Ejecutivo No. 25 de 15 de abril de 1997, modificado por los Decretos Ejecutivos No. 9 de 21 de abril de 1998 y No. 18 de 19 julio de 1999, y el Decreto Ejecutivo No. 37 de 21 de junio de 2005.



Artículo 6. En el marco de este Decreto, y para garantizar una mejor operacionalización de las acciones, se realizarán convenios con las instituciones tales como PANDEPORTES, Instituto Nacional de Cultura (INAC), Instituto Nacional de Formación Profesional y Capacitación para el Desarrollo Humano (INADEH), Universidades Públicas y Privadas y con actores claves que el CETIPPAT estime conveniente.

Artículo 7. Este Decreto empezará a regir a partir de su promulgación en la Gaceta Oficial.

COMUNÍQUESE Y CÚMPLASE.

Dado en la ciudad de Panamá, a los 11 días del mes de junio de dos mil trece (2013).

RICARDO MARTINELLI BERROCAL
Presidente de la República

ALMA LORENA CORTES A.
Ministra de Trabajo y Desarrollo Laboral





Recycling Sign

MÓDULO CAPACITACIÓN SOBRE TRABAJO INFANTIL PARA LA INSPECCIÓN DEL TRABAJO EN PANAMÁ

**PROYECTO | CONSTRUCCIÓN DE POLÍTICA EFECTIVAS CONTRA EL
TRABAJO INFANTIL EN ECUADOR Y PANAMÁ RLA | 12 | 07 | USA.**

MÓDULO

Capacitación sobre trabajo infantil para la Inspección del Trabajo en Panamá.

PROYECTO | CONSTRUCCIÓN DE POLÍTICA EFECTIVAS CONTRA EL TRABAJO INFANTIL EN ECUADOR Y PANAMÁ RLA|12|07|USA.

Equipo técnico:

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