

In 2014, Jamaica made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government conducted three assessments on child labor and released the Jamaica Multiple Cluster Survey report, which included information about children in the areas of health, education, child protection, and HIV/AIDS. Jamaica also expanded the Program for Advancement through Health and Education, a conditional cash transfer program, to reach more vulnerable families. In addition, the Government updated the curriculum for new police recruits by including an anti-trafficking training module. However, children in Jamaica are engaged in child labor, including in street work and in the worst forms of child labor, including in commercial sexual exploitation. Although the Government has laws prohibiting the use of children in some illicit activities, it does not prohibit the use of children for drug trafficking and production. In addition, programs to combat child labor are insufficient to adequately address the extent of the problem.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Jamaica are engaged in child labor, including in street work. Children are also engaged in the worst forms of child labor, including in commercial sexual exploitation. (1-4) Table 1 provides key indicators on children's work and education in Jamaica.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	5.4 (28,298)
Attending School (%)	5-14 yrs.	99.4
Combining Work and School (%)	7-14 yrs.	6.2
Primary Completion Rate (%)		88.0

Source for primary completion rate: Data from 2004, published by UNESCO Institute for Statistics, 2014.(5)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 4, 2011.(6)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Farming activities,* activities unknown (1, 4, 7)
	Fishing activities,* including diving* and cleaning fish* (8)
Industry	Construction,*† activities unknown (4)
	Garbage scavenging,* items include scrap metal* (4, 9)
Services	Work in shops and markets* (4, 8)
	Domestic work* (1, 4, 10, 11)
	Street work, including as beggars and vendors (1, 2, 4, 12)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation sometimes as a result of human trafficking (1-4, 7, 12, 13)
	Used in the production of pornography* (14, 15)
	Forced labor in domestic work* and street vending (1, 3, 4, 12)
	Used in Illicit activities, including executing financial scams and serving as drug and gun couriers* (16-18)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3 (d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor under Article 3(a) – (c) of ILO C. 182.

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Children are commercially sexually exploited in Jamaica's resort areas. In Jamaica, trafficking victims are often young girls from low-income and single-parent homes.(2, 4, 10, 11) In 2014, the Government conducted three assessments in the township of May Pen and the capital of the Parish of Clarendon, which indicated that children were vulnerable to child labor in street, domestic, and agricultural work. The Government also reported that it conducted assessments in Savanna La Mar, Westmoreland, and Hanover.(19)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Jamaica has ratified all key international conventions concerning child labor, including its worst forms (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 34(1) of the Child Care and Protection Act (20, 21)
Minimum Age for Hazardous Work	Yes	18	Article 34(3) of the Child Care and Protection Act (20, 21)
Prohibitions of Hazardous Occupations or Activities for Children	Yes		Article 34(3)(b) of the Child Care and Protection Act of 2004; Section 55 of the Factories Act: Docks (Safety Health and Welfare) Regulations; Section 18 of the Mining Act; Section 49 of the Factories Act: Building Operations and Works of Engineering Construction Regulations (20-24)
Prohibition of Forced Labor	Yes		Section 4 of the Trafficking in Persons (Prevention, Suppression and Punishment) Act (25)
Prohibition of Child Trafficking	Yes		Section 10 of the Child Care and Protection Act (21)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 4 of the Trafficking in Persons (Prevention, Suppression and Punishment) Act; Section 3 of the Child Pornography (Prevention) Act; Section 40 of the Sexual Offences Act (12, 25-32)
Prohibition of Using Children in Illicit Activities	Yes		Section 40 of the Child Care and Protection Act (21)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Section 18(2) of the Defense Act (33, 34)
Compulsory Education Age	Yes	18	Section 20 of the Education Act (27)
Free Public Education	Yes		Section 13 of the Jamaican Charter of Fundamental Rights and Freedoms (27, 35)

\* No conscription (34)

The Child Care and Protection Act establishes the minimum age for employment at 15, but allows children ages 13 to 14 to engage in light work; however, the list of occupations and hours considered light work has not been finalized by the Government. The draft list includes hair braiding, clerical work, newspaper vending, supermarket

packing, and household chores.(20, 21, 36) Although the Government has some prohibitions on hazardous work for children in specific industries, in 2010 the Government drafted the Occupational Safety and Health (OSH) Act that would introduce a comprehensive list of prohibitions on hazardous work for children but it has yet to be adopted. The list under review by Parliament would specify 45 hazardous occupations prohibited for children under age 18.(1, 30, 31, 36). The draft statute identifies those hazardous occupations to include, among others, fishing at sea, working on construction sites, participating in the production of pornography, and engaging in illicit activities that involve weapons. If adopted, the OSH Act will increase current fines for employers who illegally utilize child labor and will enable labor inspectors to access formerly prohibited workplace environments in the informal economic sector.(1, 2, 36)Although the Child Care and Protection Act prohibits the use of children in selling alcohol and tobacco, it does not prohibit the use of children in other illicit activities, including the production and trafficking of drugs.(37)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor and Social Security (MLSS) –Child Labor Unit and the Occupation Safety Health Department	Enforce and administer child labor laws, including monitoring of violations under related laws, in the formal economy.(1, 2, 38) Develop flow charts to facilitate multiple-agency responses. Share information with all other agencies involved in child labor issues.(38)
Child Development Agency (CDA)	Enforce child labor laws, monitor related violations, and oversee efforts to address the problem.(1, 2)
Office of the Children’s Advocate (OCA)	Enforce and protect children’s rights, including maintaining records of complaints, conducting investigations, providing legal services for children, and educating the public on the office’s services.(3, 39)
Jamaica Constabulary Force (JCF)	Enforce criminal laws, including those related to the worst forms of child labor. Includes a Trafficking in Persons Unit that investigates and prosecutes cases of child trafficking and commercial sexual exploitation.(2, 14, 40)
Centre for the Investigation of Sexual Offences and Child Abuse	Investigate and prosecute sexual offenses and child abuse. Work in victim rehabilitation and conduct public education programs. Branch of the JCF.(41)
Office of the Children’s Registry (OCR)	Receive complaints about child abuse, including criminal violations of child labor laws.(3, 39)

Law enforcement agencies in Jamaica took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

In 2014, the Ministry of Labor and Social Security’s (MLSS) Child Labor Unit (CLU) is responsible for child labor enforcement monitoring and inspection efforts. The Office of the Children’s Advocate (OCA) serves as a monitoring and public awareness–raising agency, while the Office of the Children’s Registry (OCR) is the repository for mandatory reports of child abuse.(8) The MLSS’s Occupation Safety and Health Department (OSHD) employed 16 inspectors assigned to investigate labor issues, including child labor.(8) Evidence indicates that the number of inspectors is inadequate. Additionally, the OSHD is charged with referring child labor issues to the relevant child advocacy agencies, such as the CLU and the Child Development Agency (CDA). The OSHD reported that it conducted child labor training for labor inspectors and police officers throughout the year.(8) For fiscal year 2013 – 2014, the Government allocated approximately \$41,619,000 to the OSHD, and between January and June of 2014, the OSHD carried out 464 inspections.(19) No cases of child labor were found and, as a result, no penalties or fines were issued. Inspections are performed in the formal sector, in factories, building sites, docks, and ships and not in the informal sector in urban and rural communities .(19) In addition, the labor inspectorate does not grant authority to labor inspectors to issue fines.(8)

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The Government has established a system to file and respond to complaints about child labor. The OCR maintains a 24-hour hotline to report offenses against children, including child labor, child abuse, and human trafficking.(8) During the year, the OCR published the Child Abuse Report Statistical Bulletin, which included data on the percentage of children who were reported as victims of physical and sexual abuse, trafficking, and child labor.(42, 43) Advertisements for the hotline and public service announcements were broadcasted across country in high trafficked areas and occasionally on television and radio. Reports received by the hotline are relayed to the Jamaica Constabulary Force (JCF) and the CDA.(8) The high visibility of this hotline has increased awareness of labor exploitation issues and services available to victims.(8)

### *Criminal Law Enforcement*

In 2014, research found no information on the number of criminal investigators responsible for addressing the worst forms of child labor. The JCF has the independent authority to enforce laws related to the worst forms of child labor. Both the MLSS and the JCF collaborate with the CDA, the OCA, and the OCR to carry out investigations and report violations.(8) During the reporting period, the JCF developed an anti-trafficking module for the curriculum used to train new police recruits; the module was designed by the lead human trafficking investigator.(8) In 2014, the Ministry of Foreign Affairs reported that there were two child labor prosecutions, but both cases are still pending. As a result, there were no convictions during the year.(8)

## IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
MLSS's Program for the Elimination of Child Labor	Coordinate the Government's child labor policies and programs and identify gaps in legislation across ministries. The MLSS collaborates with the other ministries such as the Ministry of Youth and Culture (OCA, OCR, CDA), the Ministry of Justice (National Task Force Against Trafficking in Persons), and the Ministry of National Security to address the legislative gaps.(3, 19, 42)
National Task Force Against Trafficking in Persons	Facilitate information exchanges between government agencies and external stakeholders, and create momentum for counter-trafficking efforts. Oversee the implementation of the country's National Action Plan to Combat Human Trafficking.(31, 40) Led by the Ministry of Justice and includes representatives from the Ministries of National Security and Foreign Affairs, the JCF, and the Department of the Public Prosecutor, as well as representatives from the Ministries of Health, Education, Labor, and Youth and Culture.(2, 3) Meets regularly with the JCF, Director of Public Prosecutions, and other ministries.(38) Held a 4-day training seminar in January 2014.(44)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Jamaica has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Plan of Action on Child Labor	Aims to strengthen current legislative frameworks to address all forms of child labor, specifically focusing on children engaged in domestic service, prostitution, forced labor, and hazardous work within the agricultural and fishing industries. Identifies four primary objectives: to collect current and reliable data on child labor, to establish public awareness and sensitize the Jamaican people to the problem, to improve the Labor Ministry's personnel capacity to be able to identify child laborers, and to work with trade unions, as well as the Jamaican Employers' Federation, to raise awareness among employees.(2, 18, 45)
National Action Plan to Combat Human Trafficking (2012 – 2015)	Targets law enforcement officials to address the commercial sexual exploitation of children, conducts public awareness campaigns, and implements outreach programs.(46)

**Table 7. Policies Related to Child Labor (cont)**

Policy	Description
Declaration of the Regional Initiative: Latin America and the Caribbean Free of Child Labor†	Aims to increase regional cooperation on eradicating child labor by 2020 through signatories' efforts to strengthen monitoring and coordination mechanisms, government programs, and South-South exchanges. Reaffirms commitments made in the Brasilia Declaration from the Third Global Conference on Child Labor (October 2013) and signed by Jamaica at the ILO's 18th Regional Meeting of the Americas in Lima, Peru (October 2014).(47-49)
Compulsory Education Policy*	Ensures that all children between the ages of 3 and 18 have access to a learning institution or vocational training program. Includes the Career Advancement Program, which provides 16- to 18-year-olds with two additional years of schooling upon completion of the 11th grade.(50)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

The Government has drafted a National Policy on Child Labor in an effort to implement the National Plan of Action on Child Labor and address some of the current challenges, but it continues to be under review.(27, 31, 42) Implementation of the current National Plan of Action of Child Labor has faced difficulties, including the lack of adequate resources and an institutional tracking system.(18, 51) The Government drafted a Plan of Action to Combat Human Trafficking in Persons (2012 – 2015) in an effort to strengthen current priority areas and ensure that shelters are available to victims. The Plan is implemented by the National Task Force Against Trafficking in Persons; the task force meets regularly and implements the Plan through three subcommittees: the Prevention, Protection, and Prosecution subcommittees.(31, 42, 52) In 2014, the Government published a new standard operating procedure (SOP) to guide local law enforcement officers on counter-trafficking initiatives, including child labor trafficking victims. The SOP covers topics including use of special investigating techniques, arrests and presentation of human trafficking cases before the courts, and assessment of local intelligence.(8)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Jamaica funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Tackling Child Labor through Education Project (2008 – 2015)	Jointly launched by the European Commission and the ILO to combat child labor through education in 12 African and Caribbean countries and the Pacific group of states.(53) The Government worked closely with NGOs RISE and Children First to provide direct support to children engaging and at risk of engaging in child labor activities.(54, 55)
Program for Advancement through Health and Education (PATH)‡	Funded by the Government of Jamaica and the World Bank, the conditional cash transfer program helps to reduce child labor by requiring participants to attend school at least 85 percent of the academic days within a month.(56-58) Recent evaluations of the PATH program reveal that children at the primary and secondary levels are not likely to reach that target.(19, 58) In 2014, the Government expanded the program and serviced 330,000 beneficiaries. The education compliance rate was 81 percent boys and 85.5 percent girls at the primary level and 73.5 percent for boys and 80 percent for girls at the secondary level.(8) PATH beneficiaries received a total of \$70 million in payments throughout 2014, an increase of 15 percent over the previous year.(8)
Child Labor Measurement and Policy Development	USDOL-funded research project implemented by the ILO to increase the knowledge base around child labor by collecting new data, analyzing existing data, and building capacity to conduct research in this area.(59)
Shelters‡	Government shelters to aid women and children trafficking victims.(2, 27, 30, 46)

‡ Program is funded by the Government of Jamaica.

Although Jamaica has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem of children working in domestic work and street work, as well as in the worst forms of child labor.

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### VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Jamaica (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Enact the new Occupational Safety and Health Act that would specify prohibitions on hazardous occupations and activities for children under age 18.	2009 – 2014
	Determine the specific light work activities and hours permissible for children between the ages of 13 to 14 to facilitate enforcement.	2014
	Ensure that legislation prohibits the use of children for all illicit activities, including drug trafficking and production.	2009 – 2014
Enforcement	Increase the number of labor inspectors responsible for enforcing laws related to child labor in order to provide coverage of the workforce.	2014
	Ensure that labor inspections are conducted in not just the formal sector (factories, building sites, docks, and ships) but also in the informal sector in urban and rural communities.	2014
	Ensure that labor inspectors have authority to issue fines and determine penalties for child labor law violations to facilitate enforcement of child labor laws.	2014
	Ensure information is made publicly available on the number of criminal investigators employed to address the worst forms of child labor.	2014
Government Policies	Integrate child labor elimination and prevention strategies into the Compulsory Education Policy.	2014
	Ensure that the National Plan of Action of Child Labor is implemented by providing adequate resources and an institutional tracking system.	2010 – 2014
Social Programs	Conduct research to determine the activities carried out by children who are working, especially for children working in agriculture and construction.	2013 – 2014
	Expand programs that assist children in the worst forms of child labor and develop programs to aid children in domestic labor and street work.	2013 – 2014

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