

In 2016, Jamaica made a moderate advancement in efforts to eliminate the worst forms of child labor. During the year, with international donor support, the Government expanded the Program for Advancement through Health and Education (PATH), which provided assistance to nearly 250,000 children. It also introduced a transportation allowance grant to subsidize school transportation costs for children enrolled in PATH and collaborated with the Jamaica Employer's Federation to host a seminar on responsible business practices to end child labor in supply chains. However, children perform dangerous tasks in street work. Children also engage 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 using, procuring, or offering children for drug trafficking and production. In addition, programs to combat child labor are insufficient to adequately address the extent of the child labor problem.



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I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Jamaica perform dangerous tasks in street work.(1, 2) Children in Jamaica also engage in the worst forms of child labor, including in commercial sexual exploitation.(3, 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 to 14	5.4 (28,298)
Attending School (%)	5 to 14	99.4
Combining Work and School (%)	7 to 14	6.2
Primary Completion Rate (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2016.(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 unknown (2, 7)
	Fishing, activities unknown (1, 8)
Industry	Construction,† activities unknown (2)
Services	Garbage scavenging, collecting scrap metal (2, 9, 10)
	Working in gardens, shops, and markets (1, 2, 8)
	Domestic work (2, 4, 10, 11)
	Street work, including peddling goods and services, begging,† and vending (1, 2, 12)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1, 2, 7)
	Forced labor in domestic work (2, 4)
	Use in Illicit activities, including executing financial scams and serving as drug couriers and dealers (10)

† 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 *per se* under Article 3(a)–(c) of ILO C. 182.

Jamaica




MODERATE ADVANCEMENT

Jamaica is a destination and source for commercial sexual exploitation of children. Jamaican children are trafficked for commercial sexual exploitation and forced labor to countries including the United States, United Kingdom, and Canada.(4)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Jamaica has ratified all key international conventions concerning child labor (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). However, gaps exist in Jamaica's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations Related to Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	15	Article 34(1) of the Child Care and Protection Act (13)
Minimum Age for Hazardous Work	Yes	18	Article 34(3) of the Child Care and Protection Act (13)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 34(3)(b) and 41 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 (13-17)
Prohibition of Forced Labor	Yes		Section 4 of the Trafficking in Persons (Prevention, Suppression and Punishment) Act; Section 10 of the Child Care and Protection Act (13, 18)
Prohibition of Child Trafficking	Yes		Section 4 of the Trafficking in Persons (Prevention, Suppression and Punishment) Act; Section 10 of the Child Care and Protection Act (13, 18)
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 (18-20)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Compulsory Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Section 18(2) of the Defense Act (21)
Non-State Compulsory	No		
Compulsory Education Age	Yes	16	Section 28 of the Child Care and Protection Act (13)
Free Public Education	Yes		Section 13(k) of the Jamaican Charter of Fundamental Rights and Freedoms (22)

* No conscription (21)

Jamaican laws prohibit the illegal manufacture and distribution of drugs but do not specifically penalize using, procuring, or offering a child for the production and distribution of drugs.(13, 23) Although children ages 13 and 14 may engage in light work, the Government has yet to finalize and adopt its draft list of light work activities.(13, 17) During the year, the Government revised a draft hazardous work list for children but has not yet adopted it.(10)

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). However, gaps in labor law enforcement remain.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Security (MLSS)	Enforce and administer child labor laws in the formal sectors of the economy. The Child Labor Unit coordinates and shares information with other agencies to address child labor issues.(24)
Child Development Agency (CDA)	Monitor and investigate suspected child labor violations and oversee efforts to address child labor.(24)
Office of the Children's Advocate (OCA)	Partner with other agencies, including the CDA, to promote protection of children, including addressing child labor.(24)
Jamaica Constabulary Force (JCF)	Enforce criminal laws, including those related to the worst forms of child labor. The Trafficking in Persons Unit investigates and prosecutes cases of child trafficking and commercial sexual exploitation.(24) The Center for the Investigation of Sexual Offences and Child Abuse focuses on victim rehabilitation and educates the public about sexual offenses against children. In addition, it investigates and prosecutes sexual offenses and child abuse cases.(25)
Office of the Children's Registry (OCR)	Receive complaints on a hotline for child abuse, including child labor, child trafficking, and commercial sexual exploitation of children. Refer suspected cases of child abuse to law enforcement.(24)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Jamaica took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	\$379,200 (1)	\$373,500 (10)
Number of Labor Inspectors	16 (1)	15 (10)
Inspectorate Authorized to Assess Penalties	No (1)	No (10)
Training for Labor Inspectors		
Initial Training for New Employees	N/A (1)	Yes (10)
Training on New Laws Related to Child Labor	N/A (1)	N/A (10)
Refresher Courses Provided	Yes (1)	Yes (10)
Number of Labor Inspections	1,842 (1)	2,504 (10)
Number Conducted at Worksite	1,842 (1)	2,504 (10)
Number Conducted by Desk Reviews	Unknown (1)	0 (10)
Number of Child Labor Violations Found	0 (1)	0 (10)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (1)	0 (10)
Number of Penalties Imposed that Were Collected	N/A (1)	0 (10)
Routine Inspections Conducted	Yes (1)	Yes (10)
Routine Inspections Targeted	Yes (1)	Unknown (10)
Unannounced Inspections Permitted	Unknown (1)	Yes (10)
Unannounced Inspections Conducted	Unknown (1)	Yes (10)
Complaint Mechanism Exists	Yes (1)	Yes (10)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (1)	Yes (10)

Jamaica

MODERATE ADVANCEMENT

The number of labor inspectors is insufficient for the size of Jamaica’s workforce, which includes over 1.3 million workers. According to ILO’s recommendation of 1 inspector for every 15,000 workers in developing economies, Jamaica should employ about 87 inspectors.(26) Child labor is mostly pervasive in the informal sector, but labor inspectors conduct inspections only in the formal sector, such as factories, building sites, docks, and ships.(1, 10) The Office of Children’s Registry (OCR) receives reports through a toll-free line, 1-888-PROTECT (776-8328), of offenses against children, including child labor, child abuse, and human trafficking. The latest OCR publication on child labor data, from 2014, reported 1,129 suspected cases of child labor.(10, 27)

In June 2016, the Ministry of Labor and Social Security (MLSS) and Jamaica Employer’s Federation, in collaboration with the ILO, held a seminar for businesses about ending child labor in supply chains.(28, 29) In August 2016, the Director of the Child Labor Unit in the MLSS made a public declaration urging citizens not to exploit children for child labor, including street work.(30)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Jamaica took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	N/A (1)	Yes (10)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (1)	N/A (10)
Refresher Courses Provided	Yes (1)	Yes (10)
Number of Investigations	0 (1)	36 (10)
Number of Violations Found	0 (1)	1 (10)
Number of Prosecutions Initiated	0 (1)	0 (10)
Number of Convictions	0 (1)	3 (10)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (1)	Yes (10)

The Government provided training to Jamaica Constabulary Force (JCF) officers on child labor laws, tools to combat child labor, and methods to carry out investigations and prosecutions.(8, 10) In November 2016, the JCF Anti-Trafficking in Persons Unit and other Jamaican officials attended training by an instructor from The Safe Center in Nassau County, New York, on how to engage and interact with trafficking victims. Although the JCF Anti-Trafficking in Persons Unit conducted 36 investigations during the year, the number of cases that involved children is unclear.(10)

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 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
MLSS 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 gaps in legislation.(2, 31)
National Task Force Against Trafficking in Persons (NATFATIP)	Facilitate information exchanges between government agencies and external stakeholders and create momentum for counter-trafficking efforts. Led by the Ministry of Justice, includes six other agencies and oversees the implementation of the country’s National Action Plan to Combat Human Trafficking.(32) Meets regularly with the JCF, Director of Public Prosecutions, and relevant ministries.(10, 24) The NATFATIP met during the year to plan awareness raising initiatives; resulted in an island-wide campaign that reached over 1,200 people. NATFATIP also developed a trafficking in persons (TIP) curriculum for children in grades seven through nine to focus on how to prevent becoming a victim of TIP.(10)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies on child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Combat Human Trafficking (2015–2018)	Targets law enforcement officials to address the commercial sexual exploitation of children, conducts public awareness campaigns, and implements outreach programs.(33) During the year, the NATFATIP sponsored public awareness campaigns on TIP, operated a shelter for TIP victims, and coordinated interagency efforts on TIP.(34)

The Government has not updated the expired 2015 National Plan of Action on Child Labor and has not included child labor prevention and elimination strategies in the Compulsory Education Policy.(10, 35)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[†]

Program	Description
Program for Advancement through Health and Education (PATH) [†]	Funded by the Government of Jamaica and the World Bank, the conditional cash transfer program helps reduce child labor by requiring participants to attend school at least 85 percent of the academic days in a month.(36-38). During the year, PATH's assistance increased from 223,000 to 250,000 project participants with a total expenditure of \$17.6 million. PATH achieved education compliance rates of 80.75 percent for boys and 84.75 percent for girls at the primary level. It also achieved compliance rates of 76.5 percent for boys and 83.25 percent for girls at the secondary level.(10) In addition, the Government introduced a transportation allowance grant to subsidize the cost of transportation for PATH children.(10)
Child Labor Measurement and Policy Development	USDOL-funded research project implemented by the ILO to increase the knowledge base on child labor by collecting new data, analyzing existing data, and building capacity to conduct research in this area. During the year, the project sponsored four trainings conducted by the Statistical Institute of Jamaica on data collection. The project conducted a main survey on child labor in 441 randomly selected enumeration districts across all the parishes in Jamaica.(39) Additional information is available on the USDOL Web site .

[†] Program is funded by the Government of Jamaica.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms. (1, 12, 40, 41)

In 2016, the Government created an Inter-Ministerial Partnership to provide educational technologies for children with disabilities to ensure that children have access to education and are not vulnerable to the worst forms of child labor. The Government also launched the Global Partnership to End Violence Against Children, which addresses the exploitation of children, including child labor.(42) Although social programs exist they do not fully address the extent of the child labor problem.

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 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that legislation prohibits the use of children for all illicit activities, including procuring and offering a child for drug trafficking and production.	2009 – 2016
	Determine the specific light work activities and hours permissible for children ages 13 and 14 to facilitate enforcement.	2014 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Enforcement	Authorize the labor inspectorate to assess penalties.	2014 – 2016
	Employ enough labor inspectors to provide sufficient coverage of the workforce.	2014 – 2016
	Ensure that labor inspections are conducted not only in the formal sector, such as factories, building sites, docks, and ships, but also in the informal sector in urban and rural communities.	2014 – 2016
Government Policies	Reinstate and approve the National Action Plan on Child Labor.	2016
	Integrate child labor elimination and prevention strategies into the Compulsory Education Policy.	2014 – 2016
Social Programs	Conduct research to determine the activities carried out by children who are working, especially for children working in agriculture, fishing, and construction, to inform policies and programs.	2013 – 2016
	Expand programs to assist child laborers in street work, commercial sexual exploitation, and the worst forms of child labor.	2013 – 2016

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