

In 2015, Jamaica made a moderate advancement in efforts to eliminate the worst forms of child labor. During the year, the Government approved the National Action Plan to Combat Human Trafficking, which outlines goals for assisting victims of human trafficking and child labor and increasing awareness of trafficking violations through public education. In addition, the Government's special Multi-Agency Strategic Development Child Protection Program ran a center to assist victims of the worst forms of child labor. 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, sometimes as a result of human trafficking. Although the Government has laws prohibiting the use of children in some illicit activities, it does not prohibit the use, procurement, and offering 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.(1, 2) Children are also engaged in the worst forms of child labor, including in commercial sexual exploitation.(2-4) 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 (%)		96.6

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2015.(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, 3, 7)
	Fishing,* activities unknown (1, 8)
Industry	Construction,*† activities unknown (2)
Services	Garbage scavenging,* items include scrap metal* (2, 9)
	Working in shops and markets (1, 2, 8)
	Street work, including begging† and vending (1, 3, 10)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1, 3, 7, 10, 11)
	Forced labor in domestic work (2)
	Use in Illicit activities, including executing financial scams* and serving as drug couriers and dealers* (12-14)

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




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).

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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 (15, 16)
Minimum Age for Hazardous Work	Yes	18	Article 34(3) of the Child Care and Protection Act (15, 16)
Prohibitions of Hazardous Occupations or Activities for Children	Yes		Article 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 (15-19)
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 (16, 20)
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 (16, 20)
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 (20-27)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Section 18(2) of the Defense Act (28, 29)
Compulsory Education Age	Yes	18	Section 21 of the Education Act (30)
Free Public Education	Yes		Section 13 of the Jamaican Charter of Fundamental Rights and Freedoms (22, 31)

* No conscription.(29)

Although Section 40 of the Child Care and Protection Act prohibits the use of children in selling tobacco and alcohol, it does not address using, procuring, or offering a child for producing and trafficking drugs.(16) Likewise, the Dangerous Drugs Act prohibits the illegal manufacture and distribution of dangerous drugs, such as opium, morphine, and cocaine; however, it does not specifically penalize using, procuring, or offering a child for the production and distribution of these dangerous drugs.(32)

The Child Care and Protection Act establishes the minimum age for employment at age 15, but allows children ages 13 to 14 to engage in light work; however, the Government has not finalized the list of occupations and hours considered as light work. The draft list includes hair braiding, clerical work, newspaper vending, supermarket packing, and household chores.(15, 16, 33) 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 the OSH Act has yet to be adopted. The list under review by Parliament would specify 45 hazardous occupations prohibited for children under age 18.(3, 25, 26, 33) The draft statute identifies those hazardous occupations, which 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 use child labor and enable labor inspectors to access formerly prohibited workplace environments in the informal economic sector.(3, 10, 33)

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 in the formal economy. (3, 10, 34) Developed tracking system through flow charts to aid multiple-agency responses. Share information with all other agencies involved in child labor issues. (34)
Child Development Agency (CDA)	Enforce child labor laws, monitor related violations, and oversee efforts to address the problem. (3, 10)
Office of the Children's Advocate (OCA)	Promote and protect the rights of children by establishing strategic partnerships to serve the best interest of the child.
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. (10, 35, 36)
Center 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. (37)
Office of the Children's Registry (OCR)	Receive complaints and reports of suspected cases about child abuse.

Labor Law Enforcement

In 2015, 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	2014	2015
Labor Inspectorate Funding	\$343,720† (8)	\$379,200‡ (1)
Number of Labor Inspectors	16 (8)	16 (1)
Inspectorate Authorized to Assess Penalties	No (8)	No (1)
Training for Labor Inspectors		
■ Initial Training for New Employees	Yes (8)	N/A (1)
■ Training on New Laws Related to Child Labor	N/A (8)	N/A (1)
■ Refresher Courses Provided	Yes (8)	Yes (1)
Number of Labor Inspections	Unknown (8)	1,842 (1)
■ Number Conducted at Worksite	Unknown (8)	1,842 (1)
■ Number Conducted by Desk Reviews	Unknown (8)	Unknown (1)
Number of Child Labor Violations Found	0 (8)	0 (1)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (8)	N/A (1)
■ Number of Penalties Imposed That Were Collected	N/A (8)	N/A (1)
Routine Inspections Conducted	Yes (1)	Yes (1)
■ Routine Inspections Targeted	Yes (1)	Yes (1)
Unannounced Inspections Permitted	Unknown (8)	Unknown (1)
Unannounced Inspections Conducted	Unknown (8)	Unknown (1)
Complaint Mechanism Exists	Yes (8)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (8)	Yes (1)

† Data are from March 30, 2014, to April 1, 2015.

‡ Data are from April 1, 2015, to March 31, 2016.

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According to the ILO standard of one inspector for every 40,000 workers in less developed economies, Jamaica should employ about 33 inspectors to adequately enforce labor laws throughout the country.(38-40) In addition, labor inspectors conduct inspections only in the formal sector, such as factories, building sites, docks, and ships.(1) 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.(1, 8) The Government has established a system to file and respond to complaints about child labor. During the year, the number of complaints received through the OCR 24-hour hotline has risen. The OCR receives reports of offenses against children, including child labor, child abuse, and human trafficking.(8)

Criminal Law Enforcement

In 2015, 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	2014	2015
Training for Investigators		
■ Initial Training for New Employees	N/A (8)	N/A (1)
■ Training on New Laws Related to the Worst Forms of Child Labor	N/A (8)	N/A (1)
■ Refresher Courses Provided	Yes (8)	Yes (1)
Number of Investigations	Unknown (8)	0 (1)
Number of Violations Found	0 (8)	0 (1)
Number of Prosecutions Initiated	2 (8)	0 (1)
Number of Convictions	0 (8)	0 (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (1)	Yes (1)

The Government provided training to the Jamaica Constabulary Force officers on child labor laws and the tools and training to carry out investigations and prosecutions.(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 8).

Table 8. 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 the legislative gaps.(41)
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.(26, 36) Led by the Ministry of Justice and includes representatives from the Ministries of National Security and Foreign Affairs; the JCF; the Department of the Public Prosecutor; and representatives from the Ministries of Health, Education, Labor, and Youth and Culture.(4, 10) Meets regularly with the JCF, Director of Public Prosecutions, and other ministries.(34)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

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

Table 9. Policies Related to Child Labor

Policy	Description
National Plan of Action on Child Labor (2012–2015)	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 in the agricultural and fishing industries. Identifies four primary objectives: (1) to collect current and reliable data on child labor, (2) to establish public awareness and sensitize the Jamaican people to the problem, (3) to improve the Labor Ministry personnel capacity to identify child laborers, and (4) to work with trade unions and the Jamaican Employers' Federation to raise awareness among employees.(1, 10, 13, 42)
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.(43)
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 efforts by the signatories 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 in October 2013 and signed by Jamaica at the ILO 18th Regional Meeting of the Americas in Lima, Peru, October 2014.(44-46)
Compulsory Education Policy*	Ensures that all children between ages 3 and 18 have access to a learning institution or vocational training program. Includes the Career Advancement Program, which provides children ages 16 to 18 with an additional 2 years of schooling upon completion of the 11th grade.(47)

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

† Policy was approved during the reporting period.

In December 2015, Jamaica participated in the XIX Inter-American Conference of Ministers of Labor to promote decent work with social inclusion throughout the Americas. Held in Cancún, Mexico, participating countries adopted the Declaration of Cancún 2015, which aims, in part, to foster policies to eliminate labor exploitation, including child labor, and promote education and vocational training for youth.(48, 49) Participating countries also adopted a Plan of Action that prioritizes the elimination of child labor, including through data collection, enforcement of labor laws, and the development of social protection policies for children and families.(49, 50)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2015, the Government of Jamaica funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. (Table 10).

Table 10. 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.(51) 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.(52, 53)
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 in a month.(54-56) Recent evaluations of the PATH program reveal that children at the primary and secondary levels are not likely to reach that target.(56, 57). During the year, PATH assisted 223,000 beneficiaries, with 89 percent of boys and 90 percent of girls achieving education compliance at the primary level and 87 percent of boys and 90 percent of girls achieving education compliance at the secondary level. The Government expanded the program to assist parents whose children needed financial assistance to attend school.(1)
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.(58)
Multi-Agency Strategic Development Child Protection Program†	Government program, established a center to assist victims of the worst forms of child labor.(1)
Shelter†	Government shelter to aid women and children trafficking victims.(10, 22)

† 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 in domestic work and street work.

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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 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 – 2015
	Determine the specific light work activities and hours permissible for children between ages 13 and 14 to facilitate enforcement.	2014 – 2015
	Enact the new Occupational Safety and Health Act that would specify prohibitions on hazardous occupations and activities for children under age 18.	2009 – 2015
Enforcement	Ensure that labor inspectors have authority to conduct unannounced inspections, issue fines, and determine penalties for child labor law violations to facilitate enforcement of child labor laws.	2014 – 2015
	Increase the number of labor inspectors responsible for enforcing laws on child labor to provide sufficient coverage of the entire workforce.	2014 – 2015
	Ensure that labor inspections are conducted in not just the formal sector, such as factories, building sites, docks, and ships, but also in the informal sector in urban and rural communities.	2014 – 2015
Government Policies	Integrate child labor elimination and prevention strategies into the Compulsory Education Policy.	2014 – 2015
Social Programs	Conduct research to determine the activities carried out by children who are working, especially for children working in agriculture and construction to inform policies and programs.	2013 – 2015
	Expand programs that assist children in the worst forms of child labor and develop programs to aid children in domestic work and street work.	2013 – 2015

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