

APPENDICES

Appendix I

Written Response by the
Ministry of Employment,
Productivity and Industrial
Relations

MINISTRY OF EMPLOYMENT, PRODUCTIVITY & INDUSTRIAL RELATIONS
PO BOX 2216, GOVERNMENT BUILDINGS, SUVA



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“DECENT WORK & SUSTAINABLE EMPLOYMENT FOR ALL”

RESPONSE TO THE PARLIAMENT STANDING COMMITTEE ON SOCIAL AFFAIRS

Ministry of Employment, Productivity and Industrial Relations Annual Report 2016-2018, 04th October, 2022

Presented herein are the responses from the Ministry of Employment, Productivity and Industrial Relations to the questions posed by the Parliament Standing Committee on Social Affairs in relation to the Ministry's Annual Reports from 2016 to 2018.

Questions

1. Page 9 of Annual Report (Performance Snapshot) – Provide more information on the following:

- ☐ *Standard & Compliance* – Out of all the complaints settled, inform us of the total number of complaints received.

Response:

- *The total number of labour complaints received was 2,014.*

- ☐ *Employment Creation* – We note that out of 4,302 clients who were registered, only 2,377 individuals found jobs. What actions have been taken by the Ministry to assist those unable to find employment?

Response:

- *As part of the NEC process, once clients register, they go through a range of activities as part of the selection process. Professional Counselling is undertaken for 1,478 registered clients followed by Life Skills Training for 1,232 clients. In addition, a total of 1,577 clients were engaged through work attachment for 3 to 6 months.*
- *A total of 301 awareness sessions were conducted around the country and 68 new MOU's were signed during this period.*
- *A key challenge to tracking clients was in regards to regular changing of mobile phone contacts.*

- ☐ *Worker's Compensation* – In relation to the 1,378 backlog cases settled, provide a breakdown of the total number of cases received.

Response:

- *The Workmen's Compensation Act legally requires employers to report workplace injuries and deaths arising out of and in the course of employment till 31 December 2018.*
- *For the period 1 August 2017 to 31 July 2018, a total of 1132 workers compensation cases were reported, this consisted of 1128 workplace injuries and 4 death cases.*
- *Out of the 1128 workplace injuries reported, 1040 was for private sector and 88 cases reported was for the public sector.*
- *Four (4) workplace death cases were reported for the private sectors, one each for fishing industry, construction sector, mining Sector and the Statutory Authority.*

- ☐ *Prosecution* – We note that there were 234 backlog cases filed. Confirm whether these cases have been cleared.

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- *213 cases have been disposed and 21 cases pending in the Employment Relations Tribunal.*

2. Page 14 of Annual Report (*Review of Labour Laws*) – Update us on whether the matters for discussion by the ERAB have been implemented.

Response:

- *Discussions are on going in relation to the implementation of the Employment Relations Labour Law Review.*

3. Page 16 of Annual Report (*Board Papers*) – We note that the Board faced challenges in convening some of the Advisory Committees due to the withdrawal of workers of the Worker's Organization from the Tripartite discussions. Inform us of the causes of withdrawal of workers and the challenges faced. What can be done in future to prevent this from recurring?

Response:

- *The workers representative withdrew from the boards on 5th September 2018 citing reasons on some of the disagreements they had on matters discussed.*
- *Due to the withdrawal, the review of labour laws and regulations were not presented to the Board causing further delays.*
- *To prevent this, the Ministry will continue with the good faith and social dialogue process embedded within the Employment Relations Act 2007 in the spirit of tripartism and in line with ILO convention 144.*

4. Page 23 of Annual Report (*Tripartite Review on the Draft Child Labour Legislation*) – In regards to the draft legislation on Child Labour, inform us on whether this also covers voluntary work undertaken by children.

Response:

- *The draft legislation and policy on Child Labour does not cover voluntary work undertaken by children. According to the ERA 2007, any participation undertaken by a child after school is not child labour. As such children can engage in those voluntary work provided it does not have any impact in their educational participation. Also, the work should be simple and within the capacity of the child and must not include any hazardous work.*

5. Apart from training and celebration of the World Day Against Child Labor, does the Ministry conduct surveys to identify cases of child labour and what is it doing to tackle this issue?

Response:

- *The Ministry conducts general workplace inspection and awareness on labour laws including child labour inspections to ensure employers and workers are aware of the issues related to child labour and assist children in returning to school if found working during school hours in collaboration with inter agency partners. Instead of surveys, the Ministry conducted a total of 3724 workplace inspections for 2017 -2018 period that assisted in identifying cases of child labour.*

General Questions

6. Apart from awareness undertaken by the Ministry, are there follow-ups done to ensure employers comply with the new minimum wage rates? What action is taken by the Ministry for non-compliance to the minimum wage?

Response:

- *The Ministry has conducted a total of 3724 labour inspections from 1st August 2017 to 31st July 2018 on the new minimum wage rate. The non-compliance employers have been investigated and are*

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going through the due process or through the Employment Relations Tribunal (ERT). The total recoveries of non-compliance amounted to \$819,768.36 for the period 2017-2018.

7. We note that the Ministry conducted public consultations in all Tikina/districts around Fiji on the Government's revised seasonal work recruitment and selection criteria, in addressing the issue of absconding of seasonal workers. Enlighten us on the actions taken against seasonal workers found to be in breach of their work contracts. Provide us with the data of all absconding workers recorded by the Ministry and actions taken.

Response:

- As per the revised Policy of 2017, a 4-year ban were imposed on villages of absconded workers. Majority of breaches were related to alcohol, drug use (Marijuana) and poor performance. A list of those banned in the period under review is attached.*

8. Update us on the status of the draft National Employment Policy and the benefits of its implementation.

Response:

- The draft NEP was finalized and launched in August 2018 which was directly linked to Government's 5 year and 20-year National Development Plan (NDP). It consisted of 10 priority areas.*
- The NEP created opportunities and benefits as follows:*
 - clear pathways for young people from education to productive employment through the School Employment Exposure Programme (SEEP);*
 - A Job-Fair that was hosted by the Ministry and the Fiji Higher Education Commission in 2019 bringing employers and job seekers together under one roof;*
 - An Open-Market Day was conducted in 2020 where unemployed Citizens were able to sell their home-made products and handicrafts while promoting SMEs';*
 - The NEP enabled the Ministry to collaborate with stakeholders and international donor agencies that assisted rural communities in adapting to climate change; and*
 - The NEP enabled the Labour Mobility programs to grow by strengthening its bilateral relations with Australia and New Zealand*

9. We note that the Ministry fully engaged with media platforms in terms of dissemination of information on programs and services offered by it. Inform us whether the Ministry also undertakes community visits to create awareness on its services and programs.

Response:

- The Ministry conducted a weeklong roadshow in 2017 led by the Minister for Employment, Productivity and Industrial Relations.*
- The Ministry also participates in the Tikina/Yasana meetings and talanoa sessions in various districts. The National Employment Center conducts awareness sessions on the Pacific Labour Mobility Scheme.*
- The Ministry also participated regularly in live Talk-back shows hosted by the Fiji Broadcasting Commission Radio Stations to promote or clarify policy issues.*

10. Page 41 of Annual Report (*Review and Formulation of OHS Legislations and Policies*) – Update us on the current status of OHS Legislations and Policies highlighted in the Annual Report.

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Response:

- The current update on OHS legislations and Policies highlighted in the report are as follows:

No.	OHS Legislation	Update as at 30/09/22
1.	Review of draft Construction Regulation	The final draft is currently being vetted by SG's Office to be cleared this month October, 2022.
2.	Review of draft Noise Code of Practice	The Draft Noise Code has been cleared by the SGs Office and will be presented to NOHSAB and Cabinet for endorsement.
3.	Review of draft Plant Regulation	The Plant Regulation was last reviewed internally in January 2019. It was then placed on hold due to the COVID-19 pandemic. The latest review was conducted internally on the 1 st of July 2022 to merge the Plant and Plant User Regulations in line with Approved International Standards such as the Australian (AS), British Standard (BS), American (US) and European Standard (EN).
4.	Review of draft Amusement Rides Code of Practice	There was an internal review conducted by the Ministry's technical team in 2019 on the current draft. Due to the COVID-19 pandemic, the review was on hold until to date.
5.	Review of draft Sawmill Code of Practice	The last NOHSAB subcommittee review on the draft COP was held on the 21 st of June 2018. A consultation was conducted with the Ministry of Forestry in January 2020 on the gaps to align the Codes of Practice of the two Ministries.

Audited Financial Statements as at 31st July 2018

- We note that the auditor issued a qualified audit opinion on the 2018 accounts of the Ministry based on the two grounds provided on page 53 of the Annual Report. Inform us on whether these issues have been rectified and the internal controls instituted to prevent their recurrence.

Response:

- The issue has been resolved. The Funds received from Ministry of Civil Service that was in the OHS Consultancy Trust Account has been transferred to the Consolidated Fund Account.
 - The Ministry has restructured the Accounts Section and reviewed all the trust accounts and as a result two trust accounts namely the Child Labour Trust Account and the OHS Consultancy Account has closed off. To prevent recurrence, monthly reconciliations are prepared and the cash book, General Ledger and Bank Statements are checked to balance.
- The audit report stated that internal controls over payroll were generally found to be weak relating to payment reconciliations not prepared or delayed in its preparation, overpayment of salary and lack of due diligence in recruitment. What stringent measures have been put in place by the Ministry to address these serious issues?

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- The payroll reconciliation is done every fortnight now.*
- One of the strategies the ministry has taken to strengthen the internal control is to involve the Human Resources Section in terms of verifying the reconciliations. This is to eliminate the issue of cases where salary being paid to staff who have retired, contract term expired and most importantly to ensure that payroll is in line with the person to post register and approved budget.*
- The Ministry has ensured that the Open Merit Recruitment and Selection (OMRS) process on recruitment is done diligently with effective background checks conducted.*

13. Page 58 of the Financial Statements (*Loss of Money*) – We note that there was loss of OHS trust money recorded with the Ministry not able to ascertain the loss amount. Explain why this was the case and what has been done to rectify this issue? What action has been taken against responsible staff to ensure all necessary records are kept at all times?

Response:

- The case highlighted was on workers compensation where a former staff member received \$20,384.00 from an employer and paid only \$10,000 to the worker. This matter was reported to authorities (FICAC/Police), investigated and the staff later paid the worker the remaining amount. As a result of the investigation, the staff was terminated.*
- Internal Audits and improved reconciliation processes have assisted in ensuring necessary records are kept at all times.*

14. We note that the monetary value of several mobile phones approved to be written off were not included in the Annual Report. Explain why no monetary values were assigned to these phones and provide data on the number of phones approved for write off.

Response:

- The Board of Survey report had the details of the mobile phones which was submitted to the Ministry of Economy for write off. However, the monetary value was not included in the Financial Statements.*
- The details are provided below:*

Brand	Qty	Price (\$)	Total Cost
Samsung J1 Ace	1	280	280.00
Samsung J5	1	400	400.00
Samsung S4	25	999	24,975
Samsung S5	1	1,200	1,200
			\$26,855

1	Waisake		Diva	10/01/1990	Naisausau Village, Namara	Tailevu	Pilot	Jun-18	6 months	SSCO	Drinking at accommodation and driving without a license	4 year ban expires 2022
2	Lagilagi		Serukalou	19/11/1979	Navuca Settlement, Naloto	Tailevu	Pilot	Apr-18	4 months	Hortus	Breach company code of conduct - Drug use (marijuana)	4 year ban expires 2022
3	Viliame	Salabogi	Cikaitoga	30/01/1986	Lodoni, Sawakasa	Tailevu	Pilot	Apr-18	4 months	Hortus	Breach company code of conduct - Drug use (marijuana)	4 year ban expires 2022
4	Pauliasi		Karikaritu	01/06/1987	Nabua	Rewa	Pilot	Mar-18	5 months	Eastpack	Breach of company code of conduct - prepositioning a woman at the	4 year ban expires 2022
5	Filipe		Maivale	26/04/1983	Naqumu, Macuata (stays in Suweni, Caukaudrove)	Macuata	Non-pilot	Mar-18	6 months	Eastpack	Poor behaviour - refused working in the orchards even after being in	4 year ban expires 2022
6	Taniela		Ciriya	24/05/1989	Naweni, Naweni	Cakaudrove	Non-pilot	Mar-18	6 months	Eastpack	DUI	4 year ban expires 2022
7	Cama	Tagilala	Nasoro	26/07/1982	Masi, Nuku	Serua	Non-pilot	Mar-18	6 months	Eastpack	Disagreement with supervisor leading to an altercation	4 year ban expires 2022
8	Kolinio		Ligaikolo	26/07/1988	Ravula, Namuka	Macuata	Non-pilot	Mar-18	3 months	Apata	Accomplice in Wame's DUI	4 year ban expires 2022
9	Wame		Radaudau	21/08/1985	Togo, Laucala	Cakaudrove	Non-pilot	Mar-18	3 months	Apata	DUI	4 year ban expires 2022
10	Savenaca		Vulakouva	16/04/1982	Nabouwalu, Ono	Kadavu	Pilot	Mar-18	6 months	PHB	Breach company code of conduct	4 year ban expires 2022
11	Jone	Nayamu	Nawaqa	22/10/1990	Namara, Vuda	Ba	Non-pilot	Feb-18	7 months	PHB	Breach company code of conduct	4 year ban expires 2022
12	Jese	Bolanavar	Davetawa	31/12/1973	Dravuwalu, Naceva	Kadavu	Non-pilot	Jan-18	6 months	GPL	Poor Performance	4 year ban expires 2022
13	Eta	Naislei	Ramoli	16/05/1961	Nataleira, Sawakasa	Tailevu	Non-pilot	Jan-18	6 months	GPL	Poor Performance	4 year ban expires 2022
14	Ratu Sakiusa		Dreunimo	21/08/1986	Namasimasi,	Nadrogena/Navos	Non-pilot	Mar-17	1 month	RJ Flowers	Poor behaviour - alcohol related	4 year ban completed
15	Ratu Esali	Aisea Nali	Tuimasala	28/09/1988	Narukunibua, Namosi	Namosi	Pilot	Mar-17	6 months	Eastpack	Driving incident - he did not report to employer. The employer only fo	4 year ban completed
16	Ilisoni	Saurara	Kolituiviti	05/08/1982	Namacu, Mudu, Koro (mother place of origin) - (stays in Qauia, Lami)	Lomaiviti	Non-pilot	Apr-17	2 months	Apata	Terminated - Going to work drunk	4 year ban completed
17	Epeli		Toutou	14/06/1989	Wauosi, Namataku	Nadrogena/Navos	Non-pilot	Apr-17	2 months	Apata	Terminated - Going to work drunk	4 year ban completed
18	Elia		Donumain	19/12/1991	Navunikabi, Wainikoroilua	Namosi	Non-pilot	Apr-17	5 months	Heywood		4 year ban completed
19	Paula	Tunaseru	Radawa	26/02/1977	Ovalau, Nasau	Ra	Pilot	Nov-17	4 months	GSL	Disagreement with other employees - was aggressive	4 year ban completed
20	Raogo	Baleinaka	Tunida	31/08/1988	Drekeniwai, Navatu, Cakaudrove (his mother is from Namara, Vuda)	Ba	Non-pilot	Dec-17		PHB	Breach company code of conduct	4 year ban completed
21	Aisea		Rokodau	05/07/1976	Vunikodi, Udu	Macuata	Pilot	2017	6 months	Bostock		4 year ban completed
22	Ami		Chand	22/07/1966	Taganikula settlement, Nadogo	Macuata	Non-pilot	2017	6 months	Bostock		4 year ban completed
23	Apisalomi		Lovo	07/08/1996	Wasavulu, Labasa (Qelewara, Namuka)	Cakaudrove (M)	Non-pilot	2017	6 months	Bostock		4 year ban completed
24	Epeli		Tute	06/03/1985	Savudrodoro village, Savusavu	Cakaudrove	Pilot	2017	6 months	Bostock		4 year ban completed
25	Esira		Bari	14/02/1973	Vuya, Vuya	Bua	Pilot	2017	6 months	Bostock		4 year ban completed
26	Iliesa		Jovili	27/12/1975	Cawaro, Udu	Macuata	Pilot	2017	6 months	Bostock		4 year ban completed
27	Iliesa	Tabuyaqa	Natoni	16/05/1972	Bagata, Wailevu	Cakaudrove	Non-pilot	2017	6 months	Bostock		4 year ban completed
28	Iliesa		Seru	29/05/1971	Sogobiau, Nadogo	Macuata	Non-pilot	2017	6 months	Bostock		4 year ban completed
29	Iliveleti		Waqanisa	22/01/1994	Cawaro, Udu	Macuata	Pilot	2017	6 months	Bostock		4 year ban completed
30	Inosi		Ravisa	03/06/1994	Savudrodoro village, Savusavu	Cakaudrove	Non-pilot	2017	6 months	Bostock		4 year ban completed
31	Isikeli	Rogoivalu	Vafunua	27/05/1975	Nacekoro Subdivision	Bua (Cakaudrove)	Pilot	2017	6 months	Bostock		4 year ban completed
32	Jiaoti	Bativasila	Tamanisa	03/02/1993	Vuya, Vuya	Bua	Non-pilot	2017	6 months	Bostock		4 year ban completed
33	Josua		Wainigasa	21/10/1996	Vatulele, Wailevu	Cakaudrove	Pilot	2017	6 months	Bostock		4 year ban completed
34	Josua		Wainunu	08/03/1985	Nagasauva, Tawake	Macuata	Non-pilot	2017	6 months	Bostock		4 year ban completed
35	Kalivati	Muriatabu	Takala	19/11/1991	Vatulele, Wailevu	Cakaudrove	Pilot	2017	6 months	Bostock		4 year ban completed
36	Kepu	Mairata	Naibuka	13/10/1977	Vunikodi, Udu	Macuata	Pilot	2017	6 months	Bostock		4 year ban completed
37	Keyasi		Rayaqona	19/01/1978	Tawake, Tawake	Cakaudrove	Non-pilot	2017	6 months	Bostock		4 year ban completed
38	Kusitino	Isikeli Tun	Tudrala	13/04/1988	Makolei, Solevu	Bua	Pilot	2017	6 months	Bostock		4 year ban completed
39	Leronio	Sili	Ratutama	26/05/1980	Nawaido, Solevu	Bua	Non-pilot	2017	6 months	Bostock		4 year ban completed
40	Liko	Bativonu	Vulai	01/12/1985	Makolei, Solevu	Bua	Pilot	2017	6 months	Bostock		4 year ban completed

Behaviour issue - damaging property; alcohol involved - Group did not want to give names to the employer on those involved in the incident

41	Maikeli		Naqarase	22/03/1987	Vuya, Vuya	Bua	Pilot	2017	6 months	Bostock
42	Marika		Matani	24/06/1991	Nagadoa, Dama	Bua	Pilot	2017	6 months	Bostock
43	Mosese		Masikula	27/02/1983	Cawaro, Udu	Macuata	Pilot	2017	6 months	Bostock
44	Petero		Vatuni	04/08/1985	Vuya, Vuya	Bua	Pilot	2017	6 months	Bostock
45	Pita	Tunadua	Lino	26/05/1977	Vivili, Savusavu	Cakaudrove	Pilot	2017	6 months	Bostock
46	Rakesh		Chand	24/04/1971	Natabe, Daku, Macuata	Macuata	Non-pilot	2017	6 months	Bostock
47	Ravulo		Waqanisa	15/05/1989	Nagigi, Savusavu	Cakaudrove	Non-pilot	2017	6 months	Bostock
48	Ropate		Loloma	25/06/1979	Nagigi, Savusavu	Cakaudrove	Pilot	2017	6 months	Bostock
49	Rusiate		Vusuwaru	09/06/1996	Nukudamu, Udu	Macuata	Pilot	2017	6 months	Bostock
50	Saimone		Tuibua	10/07/1990	Vuya, Vuya	Bua	Pilot	2017	6 months	Bostock
51	Sairusi		Tuiniweisa	12/02/1983	Natuvu, Wailevu	Cakaudrove	Pilot	2017	6 months	Bostock
52	Sakiusa		Koroilagila	11/01/1972	Suveni, Wairiki	Cakaudrove	Pilot	2017	6 months	Bostock
53	Saliceni		Matamelo	24/02/1991	Satulaki, Wairiki	Cakaudrove	Pilot	2017	6 months	Bostock
54	Samu		Ketedrom	17/08/1996	Naidi, Savusavu	Cakaudrove	Non-pilot	2017	6 months	Bostock
55	Sowani		Nalico	11/02/1979	Yaroi, Savusavu	Cakaudrove	Non-pilot	2017	6 months	Bostock
56	Takayawa	Vakatoto	Burelobau	18/05/1998	Waisali, Wailevu	Cakaudrove	Pilot	2017	6 months	Bostock
57	Taniela		Vudivuaka	16/03/1994	Matalolo, Wairiki	Cakaudrove	Pilot	2017	6 months	Bostock
58	Tevita		Malai	22/08/1985	Sawani, Nadi	Bua	Pilot	2017	6 months	Bostock
59	Timilai	Tuinuku	Rogocake	10/07/1985	Vatulele, Wailevu	Cakaudrove	Pilot	2017	6 months	Bostock
60	Tumeli		Vataili	23/10/1978	Lakeba, Namuka	Macuata	Pilot	2017	6 months	Bostock
61	Vitorina		Ratumaiva	13/02/1981	Vuya, Vuya	Bua	Pilot	2017	6 months	Bostock
62	Waisake	Ikanikoda	Vunisa	29/09/1981	Vunidamoli, Savusavu	Cakaudrove	Pilot	2017	6 months	Bostock

[illegible]

No.	First Name	Surname	Date of Birth	Village/Town/City	Settlement	Tikina	Province	Pilot/ Non Pilot	Duration of Employment	Date of Departure	Employer	Issue	Comments
1	Ratu	Vakadrigi	26/01/1990	Vunivutu, Nadogo			Macuata	Non Pilot	6 Months	Jan-19	Riverland Labour Hire Renmark	Abscond	4 year ban
2	Apimeleki	Ravula	03/04/1979	Vatukacevaceva			Ra	Pilot	6 Months	Jan-19	Riverland Labour Hire Renmark	Abscond	4 year ban
3	Iowane	Tamanisaga	18/07/1989	Nadogoloa			Ra	Pilot	6 Months	Jan-19	Riverland Labour Hire Renmark	Abscond	4 year ban
4	Nemia	Wainiqolo	20/11/1989	Nayavuira			Ba	Pilot	6 Months	Jan-19	Riverland Labour Hire Renmark	Abscond	4 year ban
5	Isaia	Saukova	06/07/1983	Nagado			Ra	Pilot	6 Months	Jan-19	Riverland Labour Hire Renmark	Abscond	4 year ban
6	Suliasi	Waqalala	15/10/1976	Naiserelagi			Ra	Pilot	6 Months	Jan-19	Riverland Labour Hire Renmark	Abscond	4 year ban
7	Simione	Nalovo	09/05/1989	Narara			Rewa	Non Pilot	6 Months	Mar-19	Cable Beach Resort	Assault	4 year ban
8	Nailatia	Tamani		Suva			Serua	Pilot	5 Months	Nov-19	MADEC	Abscond	4 year ban
9	Donovan	Isireli	24/06/1997	Navua			Ra	Pilot	5 Months	Nov-19	MADEC	Abscond	4 year ban
10	Eparama	Mawi	06/09/1991	Lautoka			Ra	Pilot	6 Months	Nov-19	MADEC	Breach work Safety - driving quad bike without permission	4 year ban
11	Josefa	Naqaya	22/05/1982	Nausori			Ra	Pilot	6 Months	May-19	MADEC	Breach work Safety - driving quad bike without permission	4 year ban
12	Varayame	Naua		Nayaulevu village	Tokaimalo		Ra	Pilot	6 Months	Oct-19	Speedie Staff	Driving without permission	4 year ban
13	Alefeo	Kalokalodromu		Labasa		Wailevu	Macuata	Non-Pilot	6 Months	Oct-19	Akers Family Farm	Abscond	4 year ban
14	Maciu	Saureqereqe		Burelevu		Nalaba	Ra	Pilot	6 Months	Feb-20	AgriFresh Ltd	Abscond	4 year ban
15	Emori	Diqoniqere	03/06/1995	Lot 13 Rev. Mustapha, Namadi Heights		Suva	Rewa	Non Pilot	6 Months	Feb-20	AgriFresh Ltd	Abscond	4 year ban
16	Sunia	Vakarorogo	24/02/1994	Lot 67 Waila Housing			Tailevu	Non Pilot	6 Months	Feb-20	AgriFresh Ltd	Abscond	4 year ban
17	Atunaisa	Biu	08/10/1981	Naiseuseu		Serua	Serua	Non Pilot	6 Months	Feb-20	AgriFresh Ltd	Abscond	4 year ban
18	Eroni	Vunisa	12/09/1978	Naitata		Serua	Serua	Non Pilot	6 Months	Feb-20	AgriFresh Ltd	Abscond	4 year ban
19	Malakai	Ganikeli	05/04/1995	Nawaka village		Nadi	Ba	Non Pilot	6 Months	Apr-18	PGP Ltd	Drinking issues - sent back home to Fiji	4 year ban expires in 2022
20	Gordon	James	09/07/1992	Vunibau, Deuba			Nadroga/Navu	Non Pilot	6 Months	Feb-17	Cable Beach Resort	Larceny	4 year ban completed
21	Mosese	Sokorarawa		Nakorovou			Naitasiri	Non Pilot	6 Months	Apr-17	Childers Backpackers	Abscond	4 year ban completed
22	Kiniviliame	Radaveta		Rewasau, Nabobuco			Rewa	Non Pilot	6 Months	Apr-17	Childers Backpackers	Abscond	4 year ban completed
23	Ratu Filimoni	Naborisi		11 Mingting Lane, Raiwaqa			Rewa	Non Pilot	6 Months	Apr-17	Childers Backpackers	Abscond	4 year ban completed
24	Apenisa	Waqawai		48 Viria St, Vatuwaqa			Nadroga/Navu	Non Pilot	6 Months	Nov-17	MADEC	Abscond	4 year ban completed
25	Alivereti	Cagimailau		Laselase village			Cakaudrove	Non Pilot	6 Months	Nov-17	MADEC	Abscond	4 year ban completed
26	Rusiate	Tale		Natewa	Natewa		Cakaudrove	Non Pilot	6 Months	Aug-17	MADEC	DUI - Crashed car police involved	4 year ban completed
27	Taniela	Taukei		Natewa	Natewa		Macuata	Non Pilot	6 Months	Nov-17	NQ Powertrain	Bad attitude	4 year ban completed
28	Kitione	Arakai		Natewa	Natewa		Macuata	Non Pilot	6 Months	Nov-17	NQ Powertrain	Abscond	4 year ban completed
29	Pio	Jale		Dogotuki	Naduru		Macuata	Non Pilot	6 Months	Nov-17	NQ Powertrain	Bahaviuor/ attitude issues	4 year ban completed
30	Kavaia	Rakaboa		Wailevu	Nakama		Macuata	Non Pilot	6 Months	Nov-17	NQ Powertrain	DUI - crashed company car	4 year ban completed
31	Salesim	Ravana		Dgotuki	Dogotuki, Saroni		Macuata	Non Pilot	6 Months	Nov-17	NQ Powertrain	Abscond	4 year ban completed
32	Pauliasi	Tukoro		Nadogo	Vunivutu		Macuata	Non Pilot	6 Months	Nov-17	NQ Powertrain	Abscond	4 year ban completed
33	Jone	Vakarewa		Sasa	Sasa		Macuata	Non Pilot	6 Months	Feb-17	MADEC	Abscond	4 year ban
34	Benedito	Bera		Navunikabi		Wainikoroiluva	Namosi	Pilot	6 Months	Feb-17	MADEC	Abscond	4 year ban
35	Josaia	Bulavakarua		Matawailevu		Nalawa	Ra	Pilot	6 Months	Feb-17	MADEC	Abscond	4 year ban
36	Sanaila	Cavalevu		Naiserelagi		Saivou	Ra	Pilot	6 Months	Feb-17	MADEC	Abscond	4 year ban
37	Keni	Kurukosavou		Burenitu		Nalawa	Ra	Pilot	6 Months	Feb-17	MADEC	Abscond	4 year ban
38	Samu	Ladonia		Naocobau		Nakorotubu	Ra	Pilot	6 Months	Feb-17	MADEC	Abscond	4 year ban
39	Joseva	Nateru		Nailawa		Tokaimalo	Ra	Pilot	6 Months	Feb-17	MADEC	Abscond	4 year ban

40	Laisiasa	Nayavu		Burelevu		Nalawa	Ra	Pilot	6 Months	Feb-17	MADEC	Abscond	4 year ban
41	Labereto	Raidole		Wainiyavu		Namosi	Namosi	Pilot	6 Months	Feb-17	MADEC	Abscond	4 year ban
42	Mateo	Saunibua		Nabukavesi		Namosi	Namosi	Pilot	6 Months	Feb-17	MADEC	Abscond	4 year ban
43	Apakuki	Tabuniu		Naraiyawa		Namosi	Namosi	Pilot	6 Months	Feb-17	MADEC	Abscond	4 year ban
44	Apolosi	Tikomaisomosomo		Matacaucau			Tailevu	Pilot	6 Months	Feb-17	MADEC	Abscond	4 year ban
45	Manoa	Tuinuku		Burelevu		Nalawa	Ra	Pilot	6 Months	Feb-17	MADEC	Abscond	4 year ban
46	Lorima	Tuni		Matawailevu		Nalawa	Ra	Pilot	6 Months	Feb-17	MADEC	Abscond	4 year ban
47	Tevita	Tuvanawai		Dawasamu			Tailevu	Pilot	6 Months	Feb-17	MADEC	Abscond	4 year ban
48	Pio	Uluikadavu		Naqali		Naitasiri	Naitasiri	Pilot	6 Months	Feb-17	MADEC	Abscond	4 year ban

Appendix II

Verbatim Report on the
Ministry of Employment,
Productivity and Industrial
Relations Public Submission

[VERBATIM REPORT]

STANDING COMMITTEE ON **SOCIAL AFFAIRS**

ANNUAL REPORTS

- 1. Ministry of Employment, Productivity and Industrial Relations 2016-2017 & 2017-2018 Annual Reports**

SUBMISSION: (1) Ministry of Employment, Productivity and
and Industrial Relations

VENUE: Small Committee Room (West Wing)

DATE: Tuesday, 4th October, 2022

VERBATIM REPORT OF THE MEETING OF THE STANDING COMMITTEE ON SOCIAL AFFAIRS HELD IN THE SMALL COMMITTEE ROOM (WEST WING), PARLIAMENT PRECINCTS, GOVERNMENT BUILDINGS, ON TUESDAY, 4TH OCTOBER, 2022 AT 12.36 P.M.

Interviewee/Submittee: Ministry of Employment, Productivity and Industrial Relations

In Attendance:

1. Mr. Osea Cawaru - Permanent Secretary
 2. Mr. Shane Pickering - Chief Mediator
 3. Mr. Atish Kumar - Director, Labour Standards
 4. Mr. Tomasi Kama - Director Occupational Health and Safety and Workmen's Compensation
 5. Mr. Lui Mario - Director, National Employment Centre
 6. Mr. Pramendra Nair - Manager Finance
 7. Mr. Samuela Moce - Director Corporate
-

MR. CHAIRMAN.- Honourable Members, I declare this meeting of the Standing Committee on Social Affairs, open. Today's hearing is open to the public and I welcome the members of the public and media who may be viewing this broadcast on the Parliament television and *Facebook* page.

We will be hearing evidence from the Ministry of Employment, Productivity and Industrial Relations in relation to its operational and financial performance for the 2016-2017 and 2017-2018 financial years. This is the first of the three submissions to be received today, the other two being the Ministry of Women, Children and Poverty Alleviation and Ministry of Youth and Sports.

Before we continue, may I remind everyone that mobile phones are to be switched off. Witnesses are reminded that evidence given to the Committee is protected by Parliamentary privilege, so it is important for witnesses to be aware that giving false or misleading evidence to the Committee might constitute a contempt of Parliament. If, at any stage, a witness wishes to give part of their evidence in camera, they should make that request to me as Chairman, and the Committee will consider their request.

Today, we have with us the Permanent Secretary for the Ministry of Employment, Productivity and Industrial Relations, Mr. Osea Cawaru. Welcome, Sir, and we would like to welcome the team. We have an hour with you, I believe. Before we proceed any further, I will let honourable Members of the Committee to introduce themselves beginning with myself.

(Introduction of Committee Members)

MR. CHAIRMAN.- Thank you, honourable Members. We also have our Secretariat team here.

Mr. Cawaru, the normal procedure is that we invite witnesses to make an opening statement and introduce themselves. After that, we will hear your response to the Committee's queries which were sent earlier, and then we you can make yourself available for questions from our Committee Members.

Sir, for the benefit of the viewers, please, read the questions which were sent to you, followed by the Ministry's response. So, welcome and the floor is yours. Thank you.

MR. O. CAWARU.- Thank you, Mr. Chairman and honourable Members. On behalf of the Senior Executives who are here with me and all the staff of the Ministry of Employment, Productivity and Industrial Relations (MEPIR), we sincerely thank your good self and the Committee for this opportunity. Maybe we will introduce the team and I will ask the members of my team to introduce themselves.

(Introduction of MEPIR Team)

Thank you, honourable Members. They are the responsible Managers for each of the core services that we deliver at the MEPIR. When we look at the Annual Report, you can see that we have some snapshots of each of these services.

Mr. Chairman, very briefly, that is in terms of introduction from the team. I have been instructed that I go through the question and the response at the same time. So, what I will do, I will go through the response and if there are specific questions that need to be answered or there are supplementary questions, we have the responsible Managers here who can provide those details.

Question No. 1

On Page 9 of the Annual Report (Performance Snapshot) - provide more information on the following:

- (a) Standards and Compliance - out of all the complaints settled, inform us on the total number of complaints received.**
- (b) Employment Creation - we note out of the 4,302 clients who were registered, only 2,377 individuals found jobs. What actions have been taken by the Ministry to assist those unable to find employment?**
- (c) Worker's Compensation – in relation to the 1,378 backlog cases settled, provide a breakdown of the total number of cases received.**
- (d) Prosecution – we note that there were 234 backlog cases filed. Confirm whether these cases have been cleared.**

Responses are as follows:

- (a) The total number of complaints received was 2,014.**
- (b) (i) As part of the National Employment Centre (NEC) process, once clients do register with us, they go through a range of activities as part of the selection process. Professional counselling is undertaken for 1,478 registered clients, followed by Life Skills Training for 1,232 clients. In addition, a total of 1,577 clients were engaged through work attachments for three to six months.**
- (ii) A total of 301 awareness sessions were conducted around the country and 68 new MOU's were signed during this period.**

- (iii) A key challenge to tracking clients was in regards to regular changing of mobile phone contacts by clients.
- (c)
 - (i) The Workmen's Compensation Act legally requires employers to report workplace injuries and deaths arising out of and in the course of employment till 31st December, 2018.
 - (i) The Worker's Compensation Act legally requires employers to report workplace injuries and deaths arising out of and in the course of employment up until the period 31st December, 2018.
 - (ii) For the period 1st August, 2017 to 31st July, 2018, a total of 1,132 workers compensation cases were reported, and this consisted of 1,128 workplace injuries and four death cases.
 - (iii) Out of the 1,128 workplace injuries reported, 1,040 was for private sector and 88 cases reported was for the public sector.
 - (iv) Four workplace death cases were reported for the private sector, and these comprises of a case each from the fishing industry, construction, the mining sector and statutory authority.
- (d) 213 cases have been disposed and 21 cases pending in the Employment Relations Tribunal.

Question No. 2

Page 14 of the Annual Report (Review of Labour Laws), update us on whether the matters for discussion by the Employment Relations Advisory Board (ERAB) have been implemented?

Discussions are ongoing in relation to the implementation of the Employment Relations Labour Law Review.

Question No. 3

Page 16 of the Annual Report (Board Papers), we note that the Board faced challenges in convening some of the Advisory Committees due to the withdrawal of worker's organisation from the Tripartite discussions. Inform us of the causes of the withdrawal of workers and the challenges faced. What can be done in future to prevent this from recurring?

Responses are as follows:

- The workers' representatives withdrew from the Boards on 5th September, 2018, citing reasons on some of the disagreements they had on matters discussed.
- Due to the withdrawal of the workers representatives, the review of the labour laws and regulations were not presented to the Board, causing further delays. This is all part of the due process in terms of facilitating legislations and policies. It is mandated that all our policies are taken to the Boards and these are the Boards. It is a Tripartite Board that consists of employers, employees, representatives and Government. Under our services we have the Employment Relations Advisory Board, the National Occupational Health and Safety Advisory Board and the National Employment Centre Board. I think the National Employment Centre Board is the only Board that includes NGOs. Otherwise, the other two

Boards are tripartite in nature. Due to the withdrawal as I have mentioned, you can see that it causes further delay in us tabling the legislations because it has to be discussed in the Tripartite Board before it goes to the Minister, then to Cabinet and then the due process continues.

- To prevent this, we think that the Ministry should continue and we will continue with good faith and social dialogue process is embedded within the Employment Relations Act 2007 in the spirit of tripartism and that is also in line with ILO Convention 144. The ILO Convention 144 talks about social dialogue for tripartite.

Question No. 4

On page 23 of the Annual Report, the tripartite review is on the draft Child Labour Legislation. In regards to the draft legislation on child labour, inform us on whether this also covers voluntary work undertaken by children?

Mr. Chairman, our response is that the draft legislation and policy on child labour does not cover voluntary work undertaken by children. According to the Employment Relations Act 2007, any participation undertaken by a child after school is not child labour. As such, children can engage in those voluntary work, provided it does not have any impact in their educational participation.

Also, the work should be simple and within the capacity of the child, and must not include any hazardous work. For that, it would mean even when they do heavy lifting, nothing heavy, it should be a simple work that is suitable to children and it should not be hazardous in nature that that activity could harm the child.

Question No. 5

Apart from training and celebration of the Word Day Against Child Labour, does the Ministry conduct surveys to identify cases of child labour and what is it doing to tackle this issue?

The Ministry conducts general workplace inspection and awareness on labour laws, including child labour inspections, to ensure employers and workers are aware of the issues related to child labour and assist children in returning to school if found working during school hours in collaboration with interagency partners. Instead of surveys, the Ministry conducted a total of 3,724 workplace inspections from 2017 to 2018 period and that assisted in identifying the cases of child labour.

What we are trying to explain here, Mr. Chairman, is that we have included the child labour inspection as part of our normal daily inspection. Once they go out to the workplaces to do their normal labour standard inspections, child labour inspection is inbuilt in that as well, so it is like a one trip does all.

Question No. 6

Apart from awareness undertaken by the Ministry, are there follow ups done to ensure employers comply with the new minimum wage rates? What action is taken by the Ministry for non-compliance to the minimum wage?

The Ministry has conducted a total of 3,724 labour inspections from 1st August, 2017 to 31st July, 2018 on the new minimum wage rate. Non-compliance employers have been investigated and

are going through the due process or through the Employment Relations Tribunal. The total recoveries of non-compliance amounted to \$819,768.36 for the period 2017-2018.

Question No. 7

We note that the Ministry conducted public consultations in all *Tikina*/Districts around Fiji on the Government's revised seasonal work recruitment and selection criteria, in addressing the issue of absconding of seasonal workers. Enlighten us on the actions taken against seasonal workers found to be in breach of their work contracts. Provide us with the data of all absconding workers recorded by the Ministry and the actions taken.

Mr. Chairman, as per the revised policy of 2017, a four-year ban was imposed on villages of absconded workers. Majority of breaches were related to alcohol, drug abuse mostly marijuana, and poor performance by the workers. The list will be submitted to your good selves, Sir.

Question No. 8

Update us on the status of the draft National Employment Policy (NEP) and the benefits of its implementation.

The draft National Employment Policy was finalised and launched in August 2018, which was directly linked to Government's five-year and 20-year National Development Plan (NDP) and it consisted 10 priority areas.

The NEP created opportunities and benefits as follows:

- Clear pathways for young people from education to productive employment through the School Employment Exposure Programme (SEEP).
- A Job Fair that was hosted by the Ministry and the Fiji Higher Education Commission in 2019, bringing employers and job seekers together under one roof.
- An open day was conducted in 2020 where unemployed citizens were able to sell their home-made products and handicrafts, while promoting SMEs.
- The NEP enabled the Ministry to collaborate with stakeholders and international donor agencies that assisted rural communities in adapting to climate change.
- The NEP enabled the labour mobility programmes to grow by strengthening its bilateral relations with Australia and New Zealand.

Question No. 9

We note that the Ministry fully engaged with media platforms in terms of disseminating information on programmes and services offered by it. Inform us whether the Ministry also undertakes community visits to create awareness on its services and programmes.

The Ministry conducted a week-long roadshow in 2017 led by the honourable Minister. The Ministry also participates in *tikina* and *yasana* meetings and *talanoa* sessions in various districts. The National Employment Centre conducts awareness sessions on the Pacific Labour Mobility Scheme.

The Ministry also participated regularly in live talkback shows hosted by the Fiji Broadcasting Commission, TV One and other radio stations to promote or clarify policy issues.

Question 10

Page 41 of Annual Report (Review and Formulation of OHS Legislations and Policies) – update us on the current status of OHS Legislations and Policies highlighted in the Annual Report.

The current update on OHS legislations and Policies highlighted in the report are as follows:

1. Review of draft Construction Regulation: This is an update as at 30th September, 2022. The final draft is currently being vetted by SG's Office to be cleared by end of this month, October 2022.
2. Review of draft Noise Code of Practice: The draft has been cleared by SG's Office and will be presented to the National OHS Advisory Board (NOHSAB) and Cabinet for endorsement. So, hopefully, we should not have any boycott by then.
3. Review of draft Plant Regulation: The Plant Regulation was last reviewed internally in January 2019. It was then placed on hold due to the pandemic. The latest review was conducted internally again on 1st July, 2022. This is merely to merge the Plant and Plant User Regulations in line with approved international standards, such as the Australian Standard (AS), British Standard (BS), American Standard (US) and European Standard (EN). So, those are the two draft regulations that were running parallel so what the team did was to merge the two. So, that is the process that they are currently working on in terms of the plant regulations.
4. Review of draft Amusement Rides Code of Practice: There was an internal review conducted by the Ministry's technical team in 2019 on the current draft. Due to the pandemic, the review was on hold until to date.
5. Review of draft Sawmill Code of Practice: The last NOHSAB subcommittee review on the draft Code of Practice (COP) was held on 21st June, 2018. A consultation was conducted with the Ministry of Forestry in January 2020 on the gaps to align the COP of the two Ministries. So, you see that there was a similar code as well from the Ministry of Forestry in terms of the code but with the health and safety. Ours is mostly on the code relative to the safety of machines. So, the two Ministries have to work together to harmonize and avoid repetition in terms of the implementation of the COP.

Question No. 11

On the Audited Financial Statements as at 31st July, 2018, we note that the auditor issued a qualified audit opinion on the 2018 accounts of the Ministry based on the two grounds provided on page 53 of the Annual Report. Inform us on whether these issues have been rectified and the internal controls instituted to prevent their recurrence.

The issue has been resolved. The Funds received from the Ministry of Civil Service that was in the OHS Consultancy Trust Account has been transferred to the Consolidated Fund Account.

The Ministry has restructured the Accounts Section and reviewed all the trust accounts and as a result, two trust accounts, namely, the Child Labour Trust Account and the OHS Consultancy Account, have been closed. To prevent recurrence, monthly reconciliations are prepared and the Cash Book, General Ledger and Bank Statements are checked so that they are all in balance.

Question No. 12

The audit report stated that internal controls over payroll were generally found to be weak relating to payment reconciliations not prepared or delayed in its preparation, overpayment of salary and lack of due diligence in recruitment. What stringent measures have been put in place by the Ministry to address these serious issues?

Our response:

- The payroll reconciliation is done every fortnight now.
- One of the strategies the Ministry has taken to strengthen internal control is to involve the Human Resources Section in terms of verifying reconciliations. This is to eliminate the issue of cases where salary are being paid to staff who have retired, contract term expired and most importantly, to ensure that payroll is in line with the Person to Post register and approved budget.
- The Ministry has ensured that the Open Merit Recruitment and Selection (OMRS) process on recruitment is done diligently with effective background checks conducted.

Question No. 13

Page 58 of the Financial Statements (Loss of Money) - we note that there was loss of OHS trust money recorded, with the Ministry not able to ascertain the loss amount. Explain why this was the case and what has been done to rectify this issue? What action has been taken against responsible staff to ensure all necessary records are kept at all times?

Our response:

- The case highlighted was on workers compensation where a former staff member received \$20,384 from an employer and paid only \$10,000 to the worker. This matter was reported to authorities, both the FICAC and the Police, it was investigated and the staff later paid the worker the remaining amount. As a result of the investigation, the staff was terminated.
- Internal Audits and improved reconciliation processes have assisted in ensuring necessary records are kept at all times.

Question No. 14

We note that the monetary value of several mobile phones approved to be written off were not included in the Annual Report. Explain why no monetary values were assigned to these phones and provide data on the number of phones approved for write off.

Our response:

- The Board of Survey Report had the details of the mobile phones which were submitted to the Ministry of Economy for write-off. However, the monetary value was not included in the Financial Statements.

- The table below provides the details of the particular brand, quantity, price and the total cost.

Brand	Quantity	Price (\$)	Total Cost (\$)
Samsung J1 Ace	1	280	280
Samsung J5	1	400	400
Samsung S4	25	999	24,975
Samsung S5	1	1,200	1,200
Total			26,855

There ends, Mr. Chairman and honourable Members, the response from the Team in relation to the questions that were being posed to the Ministry. The Team is at your disposal to receive any supplementary question.

MR. CHAIRMAN.- Thank you, PS, for the presentation and also for the responses to the questions that were sent by the Committee. I will now give opportunity to our honourable Members for some supplementary questions.

HON. G. VEGNATHAN.- Thank you, Mr. Chairman, for allowing me to ask a supplementary question. I will go back to General Questions, Question 6. During the 24th March, 2022 Mini Budget, Government announced it would incrementally raise the national minimum wage from the existing \$2.68 to \$4 an hour by 1st January, 2023. The total minimum wage increased from April 2022 to January 2023 will be about 50 percent increase. Now, I think the third tranche increase has started from 1st October with minimum wage of \$3.67. My question is, what step is the Ministry taking to ensure the compliance of new minimum wage of \$3.67?

MR. O. CAWARU.- Thank you, honourable Member, for the question. Maybe, I will ask the Director responsible to go over the answers.

MR. P. NAIR.- Thank you, Mr. Chairman, and thank you, honourable Member, for the question. The Ministry is in the process of implementing the four tranches of the national minimum wage. The first was on 1st April of \$3.01 and the second was on 1st July of \$3.34 and currently, from 1st October is \$3.67.

The Ministry is actually conducting labour inspections and we are also thankful to Government for providing us with additional resources, especially the additional 10 Assistant Labour Officers in the current Budget, to ensure that we provide enforcement and compliance to those industries and employers who fail to comply with this minimum wage implementation.

We are also conducting labour inspections and awareness to employers and workers on the minimum rates of pay. We are also going in terms of ensuring that employers do pay these workers, so we also check the employers' wages and time records. Workers are also lodging complaints with the Ministry, so we are also investigating those complaints.

HON. DR. RATU A.R. LALABALAVU.- Thank you, Mr. Chairman, thank you PS for your presentation. I have questions on Question No. 7 with regards to the response from the questions sent on the imposed ban on villages of absconded workers. How did the Ministry come up with the penalty of a four-year ban? Did the Ministry consider other modes of penalties other than the four-year ban on the entire village? I note from the list that you gave of the individuals and penalties, plus

what they did. Some reside in the Suva area. How are you going to ban those people who live in Suva, as compared to the village setting?

MR. O. CAWARU.- Thank you, Mr. Chairman. The Director responsible for NEC can respond to that question.

MR. L. MARIO.- Mr. Chairman, in relation to the four-year ban, that was a policy decision from the Minister at that time. It was through a Cabinet submission that was made to ban villages. For those listed as staying in Suva, the team has got the records of all the workers who were involved and once their names come up, if they are reapplying to go under the Scheme, this is where the team works very closely with the PS's Office to advise him that those workers are still on the four-year ban. But for the list that was submitted, majority of them have served their four-year ban. That was mainly at the beginning of the Scheme where there were quite a lot of issues related mostly to their pay. But as the Scheme goes along, there has been very close consultation between the Ministry and the employers to ensure that issues that initially arose were resolved.

HON. DR. RATU A.R. LALABALAVU.- Mr. Chairman, just a clarification, so the ban is only for those who committed the offence. If I am reading it correctly, on the villages of the offender? If it is in the city?

MR. O. CAWARU.- As was explained, when the Scheme started off, the demand was high and like it is a new scheme altogether so we just have to produce the demand. At the early stage, we picked mostly from settlements around here in Suva. They are the ones who actually spoiled the Scheme right from the initial phase, and some are from the villages as well.

As the process and as years went by, while we worked on the processes, we tried to continue to improve those processes. While doing our awareness programmes, we have had submissions from villages if that could be revised - the revision of the ban, so that is something we are considering now.

Their point is somewhat valid as well, meaning, as has been raised by honourable Dr. Lalabalavu, some are from Suva, but the ban is now imposed in their village. The question they are asking is, this particular person does not do village work and never turn up to the village, is it fair for you to slap that ban on the village? So we are currently reviewing that policy.

HON. RATU T. NAVURELEVU.- Mr. Chairman, I wish to raise a question to the Ministry in regards to the Occupational Health and Safety, the compliance of those people using building apparatus. Can you inform us on the status and the laws behind that?

MR. O. CAWARU.- If the honourable Member can just clarify the building apparatus, please?

HON. RATU T. NAVURELEVU.- In regards to the breathing apparatus.

MR. O. CAWARU.- Breathing apparatus is for diving, is it?

HON. RATU T. NAVURELEVU.- Yes.

MR. O. CAWARU.- Maybe, I will ask the Director responsible.

MR. T. KAMA.- Mr. Chairman, in regards to the breathing apparatus used for diving, either

for commercial or for recreational or for scientific purpose, they must be inspected by the Ministry and they must be registered, certified and we also ensure that the divers are trained for the purpose that they are using the diving gear for. Thank you, honourable Member, for the question.

HON. RATU T. NAVURELEVU.- I have another question with regards to employment. We appreciated the policy of workers going overseas. I believe this policy targets those who are unemployed. How does the Ministry treat those youth in villages who go to work overseas under the Scheme? I thought it was supposed to be those unemployed who are living in urban areas. I suggest, through you, Mr. Chairman, if the Ministry can have consultations with other Ministries and see that those in the villages who have land should also be finding employment. That is the question, Sir.

MR. CHAIRMAN.- Thank you. Would you like to respond to that PS?

MR. L. MARIO.- Thank you, Mr. Chairman and honourable Member for the question. In relation to who the Ministry is targeting for the labour mobility programmes, we are all aware that the Scheme is open to all Fijian citizens. The Ministry has also been receiving a lot of requests, even coming from villages, especially those within those category to participate under the programme to improve the livelihood of families and also villagers. We have seen quite a high number of success in those that have gone under the programme in improving their livelihood.

The question on why it is not targeting urban areas is simply because it is everyone's choice. If they want to participate, then the Ministry will not be able to stop people that want to participate under the programme. But at the end of the day, it is the employers that make the final decision on who goes. The Ministry only facilitates the process, but the final choice is the employers. *Vinaka*.

HON. DR. RATU A.R. LALABALAVU.- I have a question on worker's compensation. In one of the Parliament sessions, it was told by the honourable Minister that before there was a backlog of cases with regards to worker's compensation. From then up until now, what is the status of the worker's compensation cases and what are some of the challenges that contribute to the delay in payment?

MR. T. KAMA.- Thank you, Mr. Chairman, and thank you, honourable Member, for the question. Initially, there were 3,276 cases that were pending. Up until now, we have a total of 554 cases pending that the Ministry is currently processing. One of the challenges is getting medical reports from medical practitioners that have undergone the impairment assessment training. I think that is one of the major challenges that the team is currently facing. *Vinaka*.

MR. CHAIRMAN.- Thank you. But you are still working on those cases to clear?

MR. T. KAMA.- Yes, Mr. Chairman. It is work in progress to ensure that the 554

MR. CHAIRMAN.- ... Just trying to get the requirements that is needed?

MR. T. KAMA.- Yes, Sir.

MR. CHAIRMAN.- Thank you.

Since there are no other questions or queries from honourable Members, that concludes our meeting with the PS and his Team.

On behalf of the Committee I thank the team from the Ministry of Employment, Productivity and Industrial Relations for their appearance here and appreciate your support to the Committee in its scrutiny process. Should we have any further queries, Sir, the Secretariat will get in touch with you. PS, do you have any final comments to make?

MR. O. CAWARU.- Just to thank your good self and the honourable Members again, Mr. Chairman. On behalf of the Team and all the staff listening from the Office and honourable Minister responsible and both the Assistant Ministers. Thank you so much for the opportunity and we are looking forward to working closely with the Committee again. *Vinaka va'levu.*

MR. CHAIRMAN.- Thank you, once again, PS and honourable Members. We will now suspend our meeting for 10 minutes and we will resume ready to meet with the Ministry of Women, Children and Poverty Alleviation. Thank you.

The Committee adjourned at 1.26 p.m.