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வருடாந்த ஂயலாற்றுகை அறிக்கை
Annual Performance Report

2021



கமீகரூ ஁பார்டமீனீரூல
தொழில் திணைக்களம்
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Chapter One

Corporate profile / implementation overview

Corporate profile / implementation overview of the Department of Labour

1.1 Introduction

The Indian Immigrant Labour Ordinance No. 01 of 1923 was enacted with the objective of providing welfare for Indian immigrant labourers brought to the country by the British colonial rulers to work in tea and coffee plantations under the commercial cultivation of plantations when Sri Lanka remained a crown colony of British Empire. The Department of Indian Immigrant Labour Controller established under the said Ordinance was the genesis of the present Department of Labour. Presently, the Department of Labour discharges the function of strengthening the national economy through the reinforcement of tripartite relations amongst employers, employees and the government.

Accordingly, the Department of Labour is the public institution responsible for upholding the statutory rights and establishing social protection of workers in the private and semi government sectors. Accordingly, the Department discharges its responsibilities by maintaining an island-wide network of labour offices for the enforcement and promotion of legislations relating to the subject of labour.

1.2 Vision. Mission and Objectives

1.2.1 Vision

“A country with an everlasting industrial peace for an internationally competitive economy”

1.2.2 Mission

“Contribute to the economic development process of Sri Lanka by establishing decent work environment with secured industrial peace”.

1.2.3 Objectives

- Consolidating everlasting industrial peace in private and semi government sector workplaces.
- Improving conditions of work of the worker by establishing a decent work environment and formulating labour standards.
- Securing social protection of the worker
- Guaranteeing employment security of women and young persons and eliminating child labour.
- Creating a work environment conducive for health of workers and free of accidents.

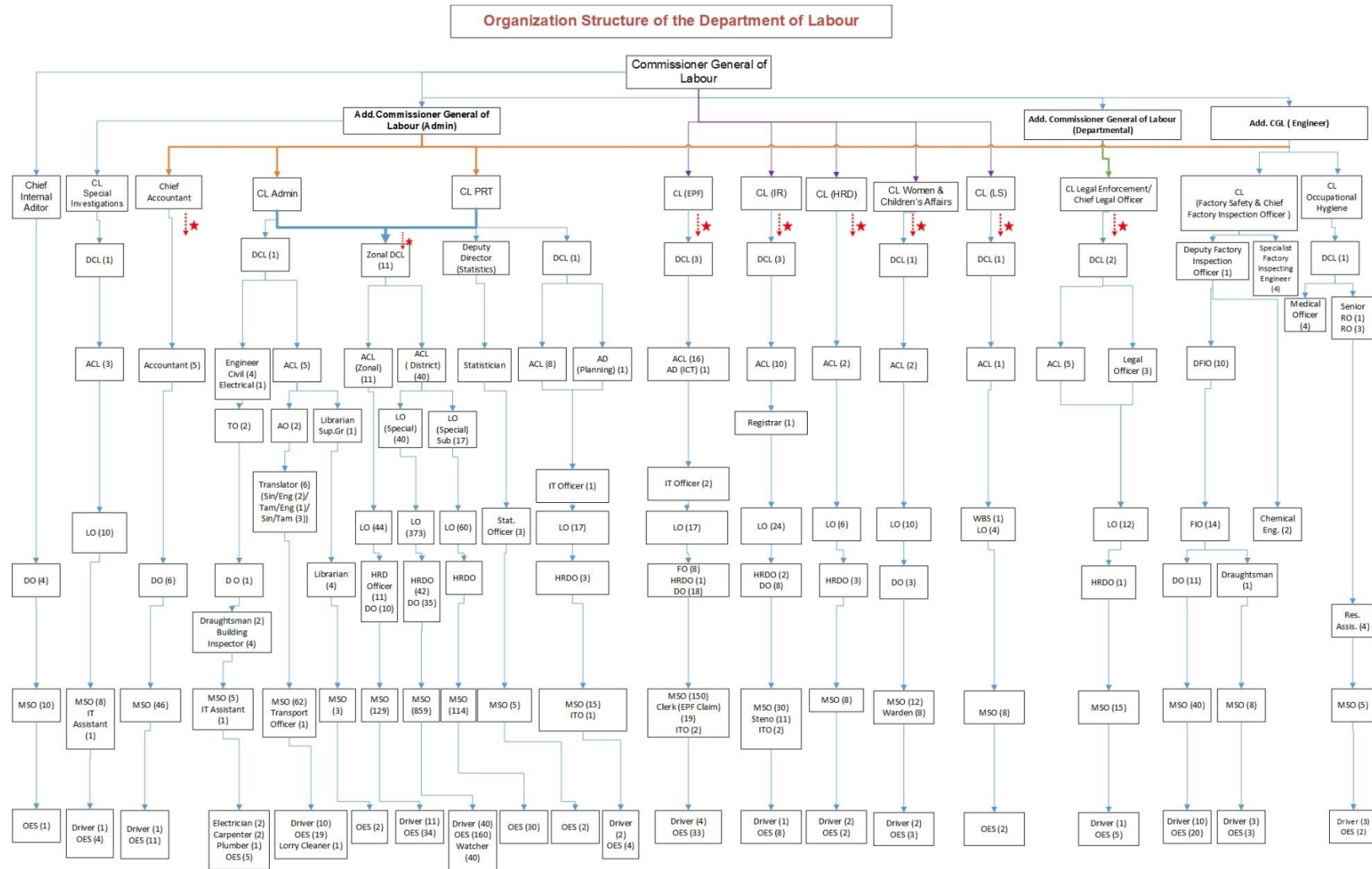
1.3 Key Functions

- Promotion of dialogue amongst employers and employees.
- Enforcement of labour legislation and prevention of industrial disputes and resolving disputes that have arisen through the promotion of social dialogue.
- Conducting institutional inspections effectively and upholding the statutory rights of workers by regularly updating the

knowledge required by officers of the Department.

- Establishing industrial peace by expanding the knowledge and understanding of labour laws of both the employers and employees.
- Formulation and implementation of labour standards compatible with changes in the national economic structure in line with international labour standards.
- Ensuring that benefits are duly granted to workers through the sound administration of the EPF and the administration of the approved private provident funds and pension schemes with similar efficiency.
- Constructive enforcement of all labour laws including those applicable to women, young persons and children.
- Increasing awareness amongst workers on maintaining healthy and accident-free work environment and ensuring that workplaces are accident free.
- Collection and analysis of statistics required for making decisions in regard to above functions.
- Taking actions to give legal effect in law and in practice to ILO conventions ratified by Sri Lanka.
- Initiating actions to eliminate child labour and hazardous forms of child labour.

1.4. Organizational Structure of the Department of Labour



1.5 Divisions of the Department

Since the vision of the Department is to contribute towards the creation of a country with an everlasting industrial peace for an internationally competitive economy, maintaining industrial peace is the fundamental and all-important functions of the Department. For this purpose, the Department discharges several key functions, namely the maintaining of a dialogue between employers and employees, inspection of workplaces, settling issues regarding the denial of statutory rights, resolving industrial disputes, ensuring workplaces are free of accidents and constituting legal actions for the protection of statutory rights of workers.

Accordingly, the following divisions have been established under the Department are in operation in order to operationalize the specified subject areas.

- 1.5.1 Industrial Relations Division
- 1.5.2 Human Resources Development Division
- 1.5.3 Special Investigations Division
- 1.5.4 Labour Standards Division
- 1.5.5 Industrial Safety Division
- 1.5.6 Occupational Hygiene Division
- 1.5.7 Women and Children's Affairs Division
- 1.5.8 Employees' Provident Fund Division
- 1.5.9 Enforcement Division
- 1.5.10 Administration Division
- 1.5.11 Finance Division

1.5.12 Planning, Research, Training & Publications Division

1.5.13 Statistics Division

1.5.14 Internal Audit Division

Further, 11 offices of zonal deputy commissioner of labour, 40 district labour offices, 17 sub labour offices and 10 district factory inspecting engineer's offices have been established throughout the country under the decentralization of functions of the Department of Labour for the provision of services expected by the working community scattered throughout the country.

The role of each of the above divisions is outlined below.

1.5.1 Industrial Relations Division

The Industrial Relations Division is responsible for maintaining industrial peace in the country while safeguarding the rights of employees and also establishment of a decent work environment for boosting the economic growth and development of the country. Industrial Relations Division consists the Termination of Employment Branch and the Trade Union Branch and is also responsible for coordinating the function of arbitration and industrial court.

Accordingly, establishing industrial peace required for uplifting economic productivity, safeguarding terms and conditions stipulated by labour legislations, registration of collective agreements and promotion of such

registration, minimizing strikes and industrial disputes and establishing a legal personality by the registration of trade unions are the main objectives of this division seeks to achieve.

The following legislations are enforced by this division.

- Industrial Disputes Act No. 43 of 1950
- Gratuity Act No. 12 of 1983
- Termination of Employment of Workers' (Special Provisions) Act No. 45 of 1971
- Trade Unions Ordinance No. 14 of 1935
- Minimum Retirement Age of Workers' Act No. 28 of 2021

1.5.2 Human Resources Development Division

For enhanced productivity and efficiency of private and semi government sector institutions established throughout the country, the Human Resources Development Division guides the process of establishing conducive work environment that would strengthen industrial peace between the two parties. Accordingly, the division executes the following functions.

1.5.2.1 Establishment of workplace cooperation at the institutional level by introducing and implementing policies and strategies for the promotion of social dialogue.

1.5.2.2 Building industrial peace whilst functioning as a facilitator for

establishing collective agreements.

1.5.2.3 Educating both employers and employees on labour laws through awareness programmes for private and semi government sector institutions aimed at creating favourable working environment. (For this purpose, institutional level programmes are organized and conducted for managers and employers)

1.5.2.4 Conducting Zonal Advisory Councils with the participation of employers, employees and Deputy/Assistant Commissioners of Labour to gather information required for building tripartite relationships and formulating policies.

1.5.2.5 Conducting regional dialogues for knowledge sharing and resolving problematic issues pertaining to labour laws amongst employers and employees.

1.5.2.6 Publishing the journals of "Kathikawa" and "Prime Work" to broaden knowledge for preventing the occurrence of industrial disputes.

1.5.2.7 A competition "Social Dialogue Excellence Awards" on social dialogue and workplace cooperation is conducted island-wide annually at small, medium and large scales with representations from the manufacturing, service, apparel

and plantation sectors to ascertain the extent to which social dialogue has been established within institutions. An essay (Sinhala / Tamil), arts, poster and short video clip competition too is conducted concurrently.

1.5.3 Special Investigations Division

In addition to the routine labour inspections and investigations into complaints, requests made from the Commissioner General of Labour for an independent inspection by persons who feel aggrieved by the way an inquiry into a complaint or an institutional (labour) inspection was conducted are referred as required to the Special Investigations Division. This division is vested with powers to conduct an inspection anywhere in Sri Lanka on the order of the Commissioner General of Labour. Urgent and immediate inspections and special inquiries are undertaken by this division.

1.5.4 Labour Standards Division

Formulating policies, standards terms and conditions of work, giving legal effect thereto and monitoring their implementation in order to ensure the welfare and job security of the workers employed by the private sector is an ongoing process of the Department. Providing relevant interpretations for the settlement of problematic issues that

arise in respect of terms and conditions of service and securing the rights of workers by monitoring the progress of the implementation of labour standards are an integral part of this process and discharging this overall responsibility is carried out by the Labour Standards Division of the Department.

The following acts and ordinances are enforced by this Division.

- Wages Boards Ordinance No. 27 1941
- Shop and Office Employees Act No. 19 of 1954
- Budgetary Relief Allowance of Workers Act No. 36 of 2005
- National Minimum Wages of Workers Act No. 03 of 2016
- Budgetary Relief Allowance of Workers Act No. 04 of 2016

1.5.5 Industrial Safety Division

The danger of physical injuries and even death exists for workers in factories due to electricity, heat, air pressure, excessive light or sound and minimizing such accidents is one of the primary responsibilities of the Industrial Safety Division. The legislation relevant to the occupational safety, health and welfare of workers working in factories of Sri Lanka is the Factories Ordinance No. 45 of 1942 and regulations made thereunder. It is expected to improve the efficiency of workplaces by creating a safe workforce with no fears of accidents through the

establishment of a hazard-free working environment and thereby increasing the domestic production and enhancing the contribution made to the national economy.

Engineers attached to 10 District Factory Inspecting Engineer's Offices established covering the entire island inspect factories to discharge this function and since risky situations identified during labour inspections conducted by Labour Officers are reported to the District Factory Inspecting Engineer's Offices, such information too are used to provide a safe environment for workers.

Basically, the following activities are carried out to ensure industrial safety.

1.5.5.1 Registration of new factories

1.5.5.2 Inspection and approval of building plans

1.5.5.3 Inspection of factories

1.5.5.4 Inquiries into accidents and dangerous situations

1.5.5.5 Constituting legal action

1.5.5.6 Regulating the inspection of high-risk machinery

1.5.5.7 Investigating into complaints

1.5.5.8 Conducting awareness workshops

1.5.5.9 Referring the victims of occupational accidents and diseases to the Commissioner of Workmen's Compensation and the Shrama Vasana Fund

1.5.5.10 Other programmes

1.5.5.11 Carrying out engineering works of the Department of Labour and the Ministry

1.5.6 Occupational Hygiene Division

According to the provisions of the Factories Ordinance in force, health and occupational safety of employees is a legal obligation of the employer and the right to work in a safe environment is a fundamental right of the worker.

The operational process of the Occupational Hygiene Division is to impart the knowledge required for the creation of an environment with the highest degree of physical, mental, social and spiritual wellbeing for the professionals thereby minimizing the risk of workers becoming victims of diseases while engaged in their work due to unhealthy work environment and inspect the service conditions available in workplaces.

Inspecting using scientific methods whether there are conditions in the work environment that could cause health problems to workers immediately or in the long run and quantifying such probable health issues qualitatively and quantitatively under an accepted scientific method and creating awareness on measures to be adopted for the prevention of such accidents are primary responsibilities of this division.

Primarily, the following functions are discharged by this division.

1.5.6.1 Inspecting healthcare status of workplaces

1.5.6.2 Providing education required for promoting health in workplaces

1.5.6.3 Providing decisions of medical boards

1.5.6.4 Giving evidence in courts regarding working conditions and the occurrence of diseases on behalf of persons claiming compensation as a result of being exposed to poor occupational hygiene

1.5.6.5 Assessing the status of diseases of workers who apply for funds from the Employees' Provident Fund and the Employees' Trust Fund as a result of being unable to continue employment due to poor health

1.5.7 Women and Children's Affairs Division

Increasing women's contribution within the Sri Lankan labour force and eliminating child labour is a statutory responsibility of the government of Sri Lanka and these are the two-fold functional responsibilities of the Women and Children's Affairs Division

One of the prime responsibilities of this Division is to offer a productive women labour contribution to the country by enforcing labour legislation applicable to working women, and reviewing such legislation in a timely manner and recommending necessary amendments

Similarly, eliminating child labour with the contribution of all stakeholders, enforcing labour legislation applicable to children under 18 years of age and recommending amendments to existing laws to be compatible with prevailing social issues too are key responsibilities of this Division.

Accordingly, the following tasks are carried out by this Division.

1.5.7.1 Enforcing the provisions of existing laws applicable to employed women and children and guiding the zonal, district and sub labour offices towards this end.

1.5.7.2 Conducting awareness programmes island-wide for women and children.

1.5.7.3 Submitting recommendations for the strengthening of existing laws having studied and identified weaknesses and deficiencies of laws applicable to employed women and children.

1.5.7.4 Making an effectual contribution to child development committees held at the national, provincial, district and divisional levels.

1.5.7.5 Maintenance of women's hostels of the Department of Labour established at Free Trade Zones for women employees.

The following acts are enforced by this Division.

- Employment of Women, Young Persons and Children Act No. 47 of 1956
- Maternity Benefits Ordinance No.32 of 1939

1.5.8 Employees' Provident Fund Division

The Employees' Provident Fund has been established under the Employees' Provident Fund Act No. 15 of 1958 with

the principle objective of ensuring a secured retired life free of economic burdens for the country's workforce in the private and semi government sectors. The fund is administered by the Department of Labour and the Monetary Board of the Central Bank is in custodian of the management of its funds. The role expected to be performed under this Act, which was subject to amendments from time to time is as follows.

1.5.8.1 Registration of institutions for the Employees' Provident Fund

1.5.8.2 Registration of members for the Employees' Provident Fund

1.5.8.3 Recovering contributions from employers who default the contributions

1.5.8.4 Issuing payment orders for the payment of benefits to employees

1.5.8.5 Monitoring the approved provident funds.

1.5.9 Enforcement Division

The Enforcement Division of the Department of Labour pursues action with the objective of establishing industrial peace by more efficient enforcement of labour laws across the island. In order to ensure the compliance with the provisions of labour legislation required to be enforced by the Department of Labour throughout the island. The Enforcement Division constitutes legal action against violators of such laws thereby safeguarding the rights of workers while fostering employer-employee cooperation.

Accordingly, the main functions of the Enforcement Division are outlined below.

1.5.9.1 Initiating action for the prosecution in magistrate courts in instance where statutory labour laws are violated and leading such cases.

1.5.9.2 Maintaining necessary coordination with the Attorney General's Department in lawsuits filed against or by the Department of Labour in the Commercial High Court, Provincial High Court, Court of Appeal or Supreme Court.

1.5.9.3 Supervision of court proceedings initiated by the district and sub-labour offices under the supervision of zonal offices, offering necessary instructions and reviewing the progress of such court proceedings.

1.5.9.4 Legal officers attached to the zonal offices offer necessary instructions in cases where judicial proceedings have to be initiated by the district/sub labour offices located in the zone and in the process of reactivating dormant cases and appear for the Department whenever necessary.

1.5.10 Administration Division

The Administrative Division consists of 04 branches, i.e. the administrative branch, establishment branch, building maintenance unit and the library.

Of them, the Administration Branch deals with all the services and supplies of the Department. Identifying land requirements for the construction of buildings of the Department, guiding the building construction activities, handling activities relating to rehabilitation and upgrading of buildings, procuring buildings on rent as per requirements, administering vehicles of the Department, providing infrastructure facilities required

for the divisions and regional offices of the Department, managing capital goods and equipment, approving overtime, holiday payments, Agrahara insurance and distress loans are carried out by this branch.

The Establishments Branch is responsible for identifying staff requirements of the Department, handling all activities relating to recruitments, promotion of officers, conducting efficiency bar examinations, appraisal of performance, granting salary increments, implementing transfer procedure, handling retirement of officers, leave of officers and disciplinary matters.

The Building Maintenance Unit assists in the preparation of annual budgetary estimates and procurement plans for the construction of building and rehabilitating and upgrading existing buildings of the Department, coordinates with the Department of Buildings and other institutions, supervises activities pertaining to the rehabilitation and upgrading of buildings and deals with all maintenance activities of the head office and regional offices.

The library of the Department of Labour is the foremost library in Sri Lanka with a large collection on legislation, books, publications and journals on the field of labour. The library offers facilities for the staffs of the Department of Labour and other institutions affiliated to the Ministry of Labour as well as for external readers for the perusal of all legislation, books and publications for study and reference purposes. The library provides services such as lending books, reference service,

photocopy service, collection of newspaper articles, pagination service and inter-library loans service.

The collection in the library of the Department of Labour comprises more than 200,000 books, journals and other publications. Amongst this collection are labour legislation, publications of International Labour Organization, publications of the United Nations and various other books covering all aspects of the field of labour including child labour.

The Department of Labour also maintains a museum for the conservation of old acts and ordinances and documents relating to the subject of labour. The museum depicts the evolution of the labour sector of Sri Lanka from its inception to date.

1.5.11 Finance Division

Physical resources as well as financial resources are vital for the successful implementation of annual activities and attainment of expected outcomes of the Department of Labour. Accordingly, the Division adopts measures for the efficient, effective and economical administration of financial resources allocated to the department from the budget in compliance with state policies.

The Finance Division handles the following activities for effective and transparent management of finances of the Department.

1.5.11.1 Preparing and implementing the procurement plan of the Department.

1.5.11.2 Distributing goods and services obtained through the procurement process

1.5.11.3 Issuing imprest for regional offices and monitoring financial activities thereof.

1.5.11.4 Preparing monthly, biannual and annual account reports and submitting same to the relevant parties on due date.

1.5.11.5 Handling all activities connected with receipts and payments to external parties in compliance with rules and regulations.

1.5.11.6 Conducting capital assets survey and disposing of assets of the department

1.5.11.7 Paying personal emoluments and advances and allowances of officials of the Department.

1.5.12 Planning, Research, Training and Publication Division

Drafting the Annual Action Plan and the Strategic Plan of the Department and coordinating activities for guiding all divisions and regional offices of the Department for attaining targets thereunder, coordinating the affairs of the monthly meeting of the Commissioners of Labour held for discussing the progress of different divisions and scheduled future activities of the department, preparing the monthly progress reports for the progress review meeting convened monthly by the Ministry of Labour and

coordinating such meetings, submitting reports requested by the Ministry of Labor and other ministries are the key functions of the Planning, Research, Training and Publication Division.

This division holds responsibility for steering the progress review activities of regional offices of the Department and the preparation and monitoring of the annual progress review plan of regional offices thereunder too is handled by this division. Progress review is carried out through Deputy Commissioners of Labour in charge of zones and progress is assessed through monitoring teams to each regional office.

Thus, this Division monitors the operations of all district and sub-labour offices as well as all divisions of the Department for the attainment of the vision and mission and the reaching of relevant annual targets of the Department of Labour. The supervisory function of this division is to monitor the activities of the divisions of the department and district offices and making recommendations required for sustaining the progress having analyzed the data obtained therefrom.

Provision of training required for the entire staff of the department, referring officials to training programmes conducted by external institutions, allocation of financial provisions required for degrees and postgraduate degrees followed by employees, carrying out coordination activities required for foreign training are the human resources

development functions performed by this Division.

Further, this division handles printing activities such as printing legislation relating to labour laws and determinations of the Wages Boards required for the officials of the Department and printing labour inspection reports, monthly diaries and general forms required for field activities of labour officers

1.5.13 Statistics Division

Collection and analysis of data relevant to the labour sector to develop understanding on the orientation of the labour sector of Sri Lanka, identifying the need for amending labour legislation and making projections for the future are the primary functions of the Statistics Division. This Division functions under the supervision of the Commissioner of Labour of the Planning, Research Training and Publications Division.

1.5.12 Internal Audit Division

Similar to all other public sector institutions, the Department of Labour too has to carry out its activities in conformity with the Financial Regulations, circulars issued from time to time by the government and circulars issued by the Department. In order to supervise whether such activities are carried out optimally using resource gainfully and with transparency, the Internal Audit Division has been established under the

direct supervision of the Commissioner General of Labour.

1.6 Funds under the purview of the Department

The Employees' Provident Fund has been established under the Employees' Provident Fund Act No. 15 of 1958 with the principle objective of ensuring a secured retired life free of economic burdens for the country's workforce in the private and semi government sectors. The fund is administered by the Department of Labour and the Monetary Board of the Central Bank is in charge of the management of the fund.

Further details on the fund are given under 1.5.8 of Chapter 01 above and Chapter 02.

Chapter Two

Progress and Outlook

Progress and Outlook

2.1 Securing industrial peace for the promotion of economic development

Since the vision of the Department is to contribute towards the establishing of a country with everlasting industrial peace for an internationally competitive economy, maintaining industrial peace is the fundamental and all-important functions of the Department.

For this purpose, the Department exercises several key functions, namely the maintaining of a dialogue between employers and employees, conducting integrated labour inspections and resolving issues regarding the denial of statutory rights and constituting legal action for the protection of statutory rights of workers.

2.1.1 Maintaining a dialogue between the two parties- the employer and the employee

For fostering productivity and efficiency of private and semi government sector

institutions established throughout the country, the following tasks were carried out in the year 2021 for promoting an enabling environment that would strengthen industrial peace between two stakeholders, the employer and the employee.

2.1.1.1 To educate both employers and employees on labour laws through awareness programmes for private and semi government sector institutions aimed at promoting favourable working environment, programmes were organized and conducted as outlined below in table 2.1.

In addition, two training of trainers programmes were conducted for the officers of the Department of Labour.

2.1.1.2 The following publications were published for raising people's awareness on the field of labour

Table 2.1 - Activities carried out by the Human Resources Development Division 2021			
Programme	No of programmes	No of participants/beneficiaries	
		No. of employees	No of employees
Institutional level awareness programmes for both employers and employees conducted by the Human Resources Development Division	31	875	307
Programmes conducted at semi-government institutions by the Human Resources Development Division	3	150	10



Photograph 2.1 - Institutional level programmes held at Siam City Cement (Lanka) Company on 12th November 2021 and at Deniyaya Estate on 20th December 2021

- . 'Kathikawa' News Journal

The 20th volume of 'Kathikawa' news journal was launched concurrent to World Day Against Child Labour which fell on 12th June and 2021 International Year for the Elimination of Child Labour.

- Prime Work Magazine

The first volume of this magazine printed for free distribution with the intention of fostering industrial peace by broadening knowledge on labour laws and fostering dialogue amongst employers and employees was issued under the theme of 'Navigating Conflicts' in June 2021 and the second volume was issued on the theme of 'Work-Life Balance' in December 2021.

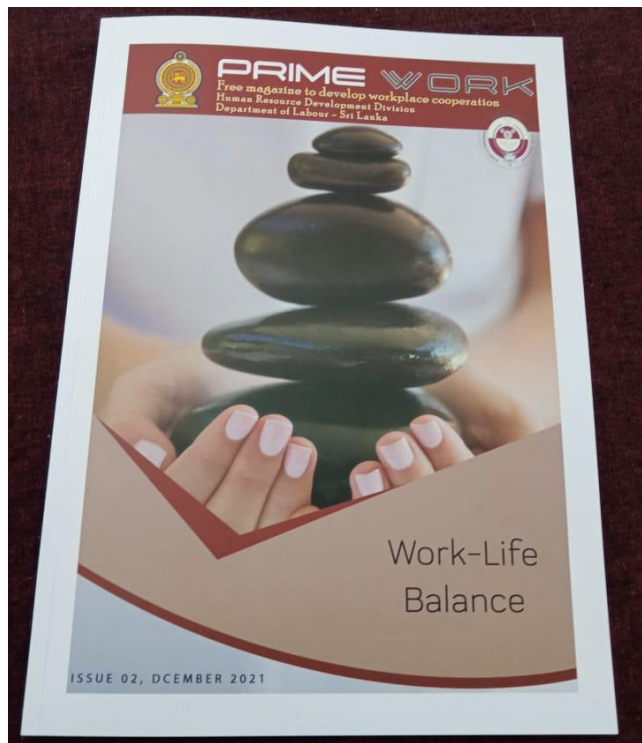
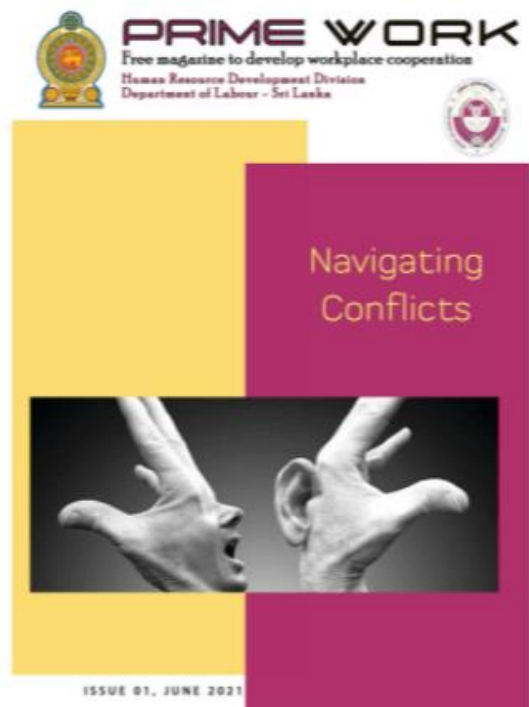
- Social dialogue programme handbooks and Labour legislation handbooks

Labour legislation handbook was compiled for fulfilling the need for a simplified version of labour laws as a reference material for employees and employers of private and semi government sector institutions, those interested in the field of labour laws and

academics who have undertaken studies on the realm of labor laws and a handbook was also prepared on social dialogue and workplace cooperation.

Due to the Covid-19 situation that prevailed in the country, the awareness programmes for employers and employees, social platform programmes and zonal labour advisory councils planned to be conducted by the Human Resources Development Division through offices of zonal deputy commissioners of labour, district labour offices and sub labour offices could not be conducted.

A competition on social dialogue and workplace cooperation "Social Dialogue Excellence" Awards is conducted island-wide annually at small, medium and large scales with representations from the manufacturing, service, apparel and plantation sectors to ascertain the extent to which social dialogue has been established within institutions. However, it was decided not to hold this competition this year due to the Covid-19 pandemic situation.

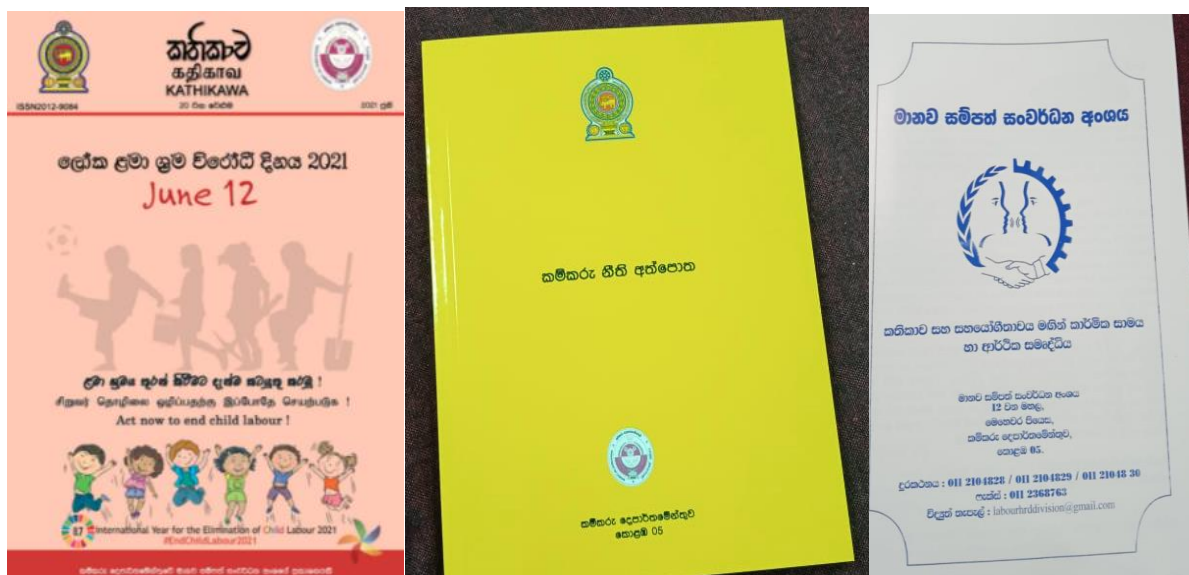


Photograph 2.2 - First and second volumes of Prime Work magazine

2.1.2 Conducting Workplace Inspections

The foremost objective of conducting workplace inspections is to investigate whether the rules and regulations imposed for the protection of statutory rights of workers in the place of work are complied with and take necessary actions to redress grievances and pave the way for the establishment of cordial relationships between employers and employees. To carry out this function, 11 offices of zonal deputy commissioner's of labour and 40 district labour offices, 17 sub labour offices and 10 district factory inspecting engineer's offices have been established to cover the entire island and the number of Labour Officers deployed as at 31st December 2021 including those serving in the head office was 474. The total number of labour inspections

performed by labour officers in the year 2021 was 45,724.

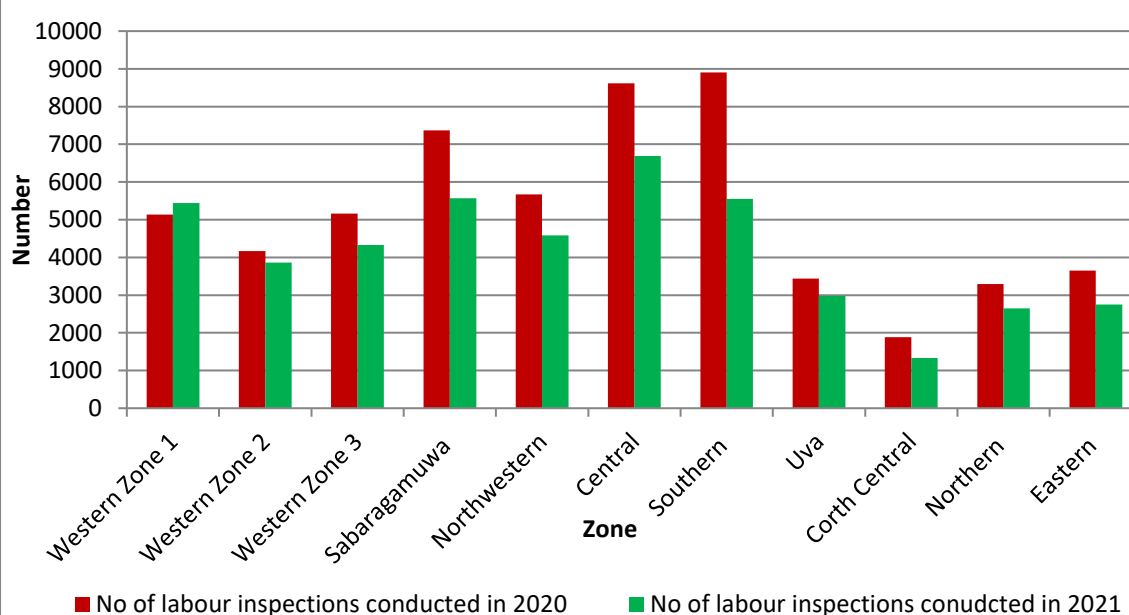


Photograph 2.3 - 'Kathikawa' news journal, Labour legislation handbook and Social dialogue programme handbook

inspections due to the Covid-19 pandemic situation in 2021.

The number of labour inspections conducted in the year 2021 has seen a reduction compared to the year 2020. This was due to the total suspension of labour inspections in certain months of the year and restrictions imposed on

Graph 2.1 - Labour inspections – Progress of the year 2021 as against the progress of the year 2020



2.1.3 Resolving complaints on the violation of statutory entitlements and resolving industrial disputes

Complaints regarding the violation of statutory laws and potential breaches in industrial peace and the possibility of strikes are lodged with the head office, district offices and sub offices by employees or trade unions and actions are pursued by the relevant offices to resolve such complaints. If attempts to resolve industrial disputes at the department level failed, such disputes are referred to an arbitrator or an industrial court for a solution on the order of the Minister in charge of the subject.

Complaints received on the violation of statutory laws and solutions offered in the year 2021 in comparison to the year 2020 are as follows.

It is observed that the number of complaints received and resolved in the

year 2021 is comparatively low due to the Covid-19 pandemic situation.

No sooner a situation that could possibly lead to a strike action is observed, the officials of the Department take actions to contain the situation and if a strike is launched, necessary interventions are made to resolve the dispute. Compared to the year 2020, Though a slight decline is seen in the number of strikes reported in the year 2021 compared to year 2020, an increase can be witnessed in the number of man days lost.

Graph 2.2 - Complaints received on the violation of statutory laws and solutions offered in the year 2021 in comparison to the year 2020

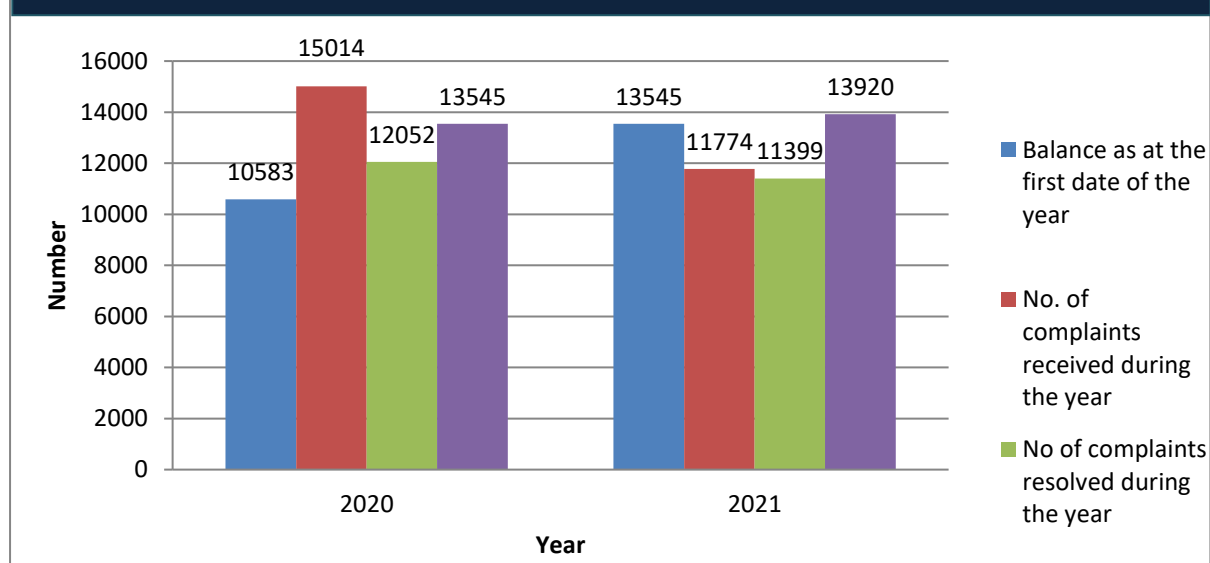


Table 2.2 - Data reported on strikes -2021 compared to 2020

S.No	Event	Plantations	Construction	Manufacturing	Mining	Lodging and food supply	Semi government	Other services	Total
2020	Strikes reported	13	-	12	-	2	-	1	28
	No of employees participated	1936	-	4040	-	64	-	85	6125
	No of man days lost	9375	-	12,806	-	324	-	85	22,590
2021	Strikes reported	05	-	12	-	-	-	-	17
	No of employees participated	848	-	5872	-	-	-	-	6720
	No of man days lost	3705	-	105,067	-	-	-	-	108,772

By entering into collective agreements as a means of settlement of industrial disputes, a more permanent solution is offered to both the employer and the employee and they enable employees to secure greater privileges than the rights and privileges conferred through labour legislation. Similarly, the Department endeavours to make a greater inducement through social dialogue to move towards collective agreements. The total number of collective agreements in operation as at 31st December 2021, including the 25 collective agreements gazetted in the year 2021 was 171.

Industrial disputes which cannot be resolved with the intervention of labour offices or with the direct involvement of the Industrial Relations Division of the Department are referred to arbitration or to an industrial court and in the year 2021, there had been 73 references for compulsory arbitration and the number of

awards issued was 49. In order to make the arbitration process more efficient, 86 arbitrators were appointed in the year 2021.

It is compulsory for all trade unions to register with the Department of Labour. Accordingly, the number of trade unions registered with the Department in the year 2021 was 128 and the total number of valid trade unions in operation as at 31st December 2021 was 1936.

2.2 Special Investigations

A reinvestigation is conducted as and when necessary, upon a request made for an independent inquiry to the Commissioner General of Labour by any party aggrieved by the way an investigation was conducted into a complaint or an inspection was conducted at an institution, by a labour office of the Department. Such investigations are

conducted by the Special Investigations Division of the Department.

Accordingly, 422 investigations into complaints were conducted in the year 2021 and the value of the EPF in arrears thus computed was Rs. 21,782,992.58 and the value of the statutory allowances in arrears was Rs. 14,061,361.23.

2.3 Safeguarding and developing Labour Standards

Formulating and updating and giving legal effect to policies, standards and conditions of work in order to ensure welfare and job security of the workers employed by the private sector is a foremost process of the Department. Accordingly, the following activities have been conducted in the year 2021.

Table 2.3 - – Activities pertaining to the standardization of workers' rights -2021

S.No	Programme/Activities	Targets for the year 2021		Progress from 01.01.2021 to 31.12.2021	
		Physical	Financial Rs	Physical	Financial Rs
1	Appointing representatives to 05 Wages Boards whose official terms will expire	100%	250,000.00	90%	183,421.80
2	Conducting a technical committee for Tea Growing and Manufacturing Wages Board.	100%	62,000.00	-	-
3	Convening 40 Wages Board subsequent to the amendment of the National Minimum Wage Act.	100%	12,600,000.00	35%	1,082,429.10
4	Revising salaries of Wages Boards	100%	600,000.00	100%	473,282.80
	Rubber Cultivation and Raw Rubber Processing Trade				
	Tea Growing and Manufacturing Trade				
5	Restructuring Wages Boards	100%	1,575,000.00	-	-
	Printing Trade.				
	Engineering Trade.				
	Textile Manufacturing Trade.				
	Naval Transport and Operational Services Trade				
	Ornamental Plants, Vegetables and Fruit Cultivation and Exporting Trade				

6	Computing monthly salaries relevant to the Cocoa, Cardamom and Pepper Growing and Manufacturing Trade	100%	312,000.00	92%	391,278.60
7	Granting approval for five-day work week	Upon request	-	210	-
8	Checking legal validity of collective agreements	Upon request	-	35	-
9	Granting approval for deductions from salaries under the Wages Boards Ordinance and the Shops and Office Employees Act.	Upon request	-	29	-
10	Announcing special holidays and election holidays pertaining to Wages Boards through notices published in newspapers (as per requirements)	Upon request	200,000.00	-	-
11	Amending the number of working hours, annual leave, weekly holidays, etc. of workers covered by part 1 of the Wages Board Ordinance	100%	-	-	-
12	Referring soft copies of gazettes, amendments to Acts and regulations published by the Division for uploading to the website of the Department	As per requirements	-	3	-
13	Translating determinations of Wages Boards into English and Tamil languages	100%	120,000.00	60%	13,357.50
14	Conducting awareness programmes for employers and employees	100%	180,000.00	-	-
15	Making clarifications and giving interpretations for inquiries made by the public and various institutions regarding acts and ordinances	Upon request	-	39	-

2.3.1 Updating minimum wages of Wages Boards

Rs. 12,500 and the daily wage was less than Rs. 500/-

The department updated the minimum salaries of Wages Boards of which the minimum monthly salary was less than

Table 2.4 - Updating minimum salaries of Wages Boards - 2021

S.No	Wages Board	Monthly wage before updating the monthly wage (Basic Salary)	Monthly wage after updating the monthly wage (Basic Salary)
1.	Rubber, Plastic and Petroleum Resin Based Products Manufacturing Trade	10,000.00	12,500.00
2.	Security Services Trade	10,000.00	12,500.00
3.	Textile Manufacturing Trade	10,000.00	12,500.00
4.	Printing Trade	10,000.00	12,500.00
5.	Hotel and Catering Trade	10,000.00	12,500.00
6.	Retail and Wholesale Trade	11,500.00	12,500.00
7.	Brick and Tile Manufacturing Trade	11,126.00	13,351.00
		445.00*	534.00*
8.	Coconut Manufacturing Trade	425.00*	500.00*
9.	Tea Growing and Manufacturing Trade	405.00*	900.00*
10.	Rubber Cultivation and Raw Rubber Processing Trade	405.00*	900.00*

Note- * Daily wage

2.4 Ensuring decent work environment for occupational safety of the employees

established are covering the entire island to inspect factories to discharge this function.

2.4.1 Ensuring accident-free work environment

The danger of physical injuries and even death exists for workers in factories due to electricity, heat, air pressure, excessive light or sound and minimizing such accidents is one of the primary responsibilities of the Department.

Qualified engineers attached to 10 District Factory Inspecting Engineer's Offices

2.4.1.1 Registration of new factories

When applications are made for the commencement or registration of new factories, having inspected whether the prescribed standards that prevent unsafe work environment have been followed by such factories, the registration is done of the prescribed standards have been complied with. The number of factories registered under the registration of new factories by the end of the year 2021 was

Table 2.5 - Awareness workshops conducted for improving occupational safety and health-2021

S.No	Relevant Division	No. of programmes conducted	No. of participants
01	Apparel and manufacturing	05	360
02	Construction	03	375
03	Mixed programmes (construction, manufacturing and service provision)	26	1050
04	Total	34	1785

32,414. This includes the 684 new factories registered during this year.

2.4.1.2 Inspecting and approving building plans

In constructing buildings for factories, inspections are carried out to ensure their compliance with the Factories Ordinance and the same is certified. During the year 2021, 133 building plans were inspected and certified.

2.4.1.3 Inspection of factories

Instructions are given to the relevant offices to inspect the factories in their respective areas of authority and rectify conditions, if any, that may lead to accidents. The number of factories inspected in the year 2021 was 1587.

2.4.1.4 Investigations into accidents and hazardous events

During the year 2021, 63 fatal accidents and 1,130 non-fatal accidents have been reported to the Department. By identifying the reasons for accidents, consequent to investigations into all such fatal and serious non-fatal accidents, awareness was created to prevent recurrence of such accidents and legal action was constituted by the Department in 2021 against 26 employers in which

accidents had been caused due to actions that had violated the Factories Ordinance

2.4.1.5 Regulation of the inspection of high risk machinery

Action is taken to cause the inspection of machinery used in factories such as steam boilers, steam tanks, air tanks, hoisting machines, lifts which should be inspected and inspection reports should be obtained under the Factories Ordinance. The number of machinery inspected in the year 2021 was 7,405.

2.4.1.6 Investigating into complaints

The Department also investigates into complaints received in respect occupational safety and health of factory workers and remedies the existing problems. Accordingly 81 complaints were inquired during the year 2021.

2.4.1.7 Conducting awareness programmes

In matters relating to improving occupational safety and health, enhancing knowledge of both employees and employers is as equally important as the enforcement of laws and regulations. Details of programmes conducted in the year 2021 by the Industrial Safety Division

Due to the restrictions imposed in the outbreak of Covid-19 pandemic, awareness programmes could not be conducted as expected.

Measures were taken to refer details of all fatal and serious accidents reported during the year 2021 to the Commissioner of Workmen's Compensation and the Shramo Vasana Fund.

The Commissioner of Workmen's Compensation provides compensation to the victims and their dependents and the Shrama Vasana Fund provide scholarships to children studying in the families of the victims.

A national seminar conducted by the Department of Labour annually and regional level awareness programmes on occupational safety and health to commemorate World Safety Day which falls on 28th of April every year could not be conducted in the year 2021 due to the Covid-19 pandemic situation.

The national seminar to mark the National Occupational Safety and Health Week was conducted online on 11th October 2021. One hundred factory employers and employees participated in the programme.

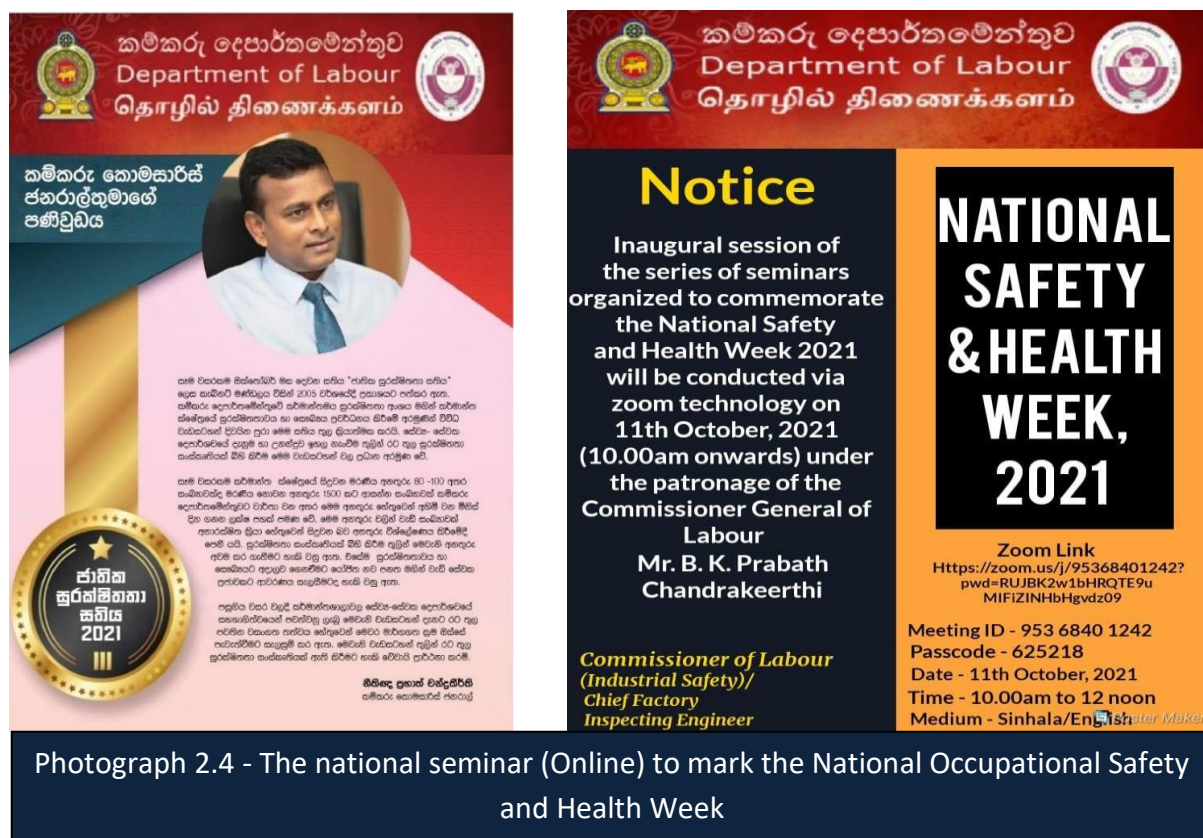


Table 2.6 - Promotional programmes conducted on occupational safety and health - 2021

S.No	Programme	Date	No. of employers/employees participated
1	Fire control drill at Port City	18 th October 2021	150
2	Meriboc Auditorium, BOI, Horana	26 th October 2021	75
3	ITC Project, Galle Face	28 th October 2021	150
4	BOI Auditorium, Seetawaka	02 nd November 2021	75
5	BOI Auditorium, Katunayake	09 th November 2021	60
6	BOI Auditorium, Kundasal, Kandy	26 th November 2021	50
7	HKN Waterfront construction site	30 th December 2021	75

Additionally, 06 promotional programmes on occupational safety and health were conducted concurrent to the National Occupational Safety and Health Week in construction worksites and vocational training institutes. Details thereof are tabulated above.

2.4.1.10 Other activities commenced in the year 2021

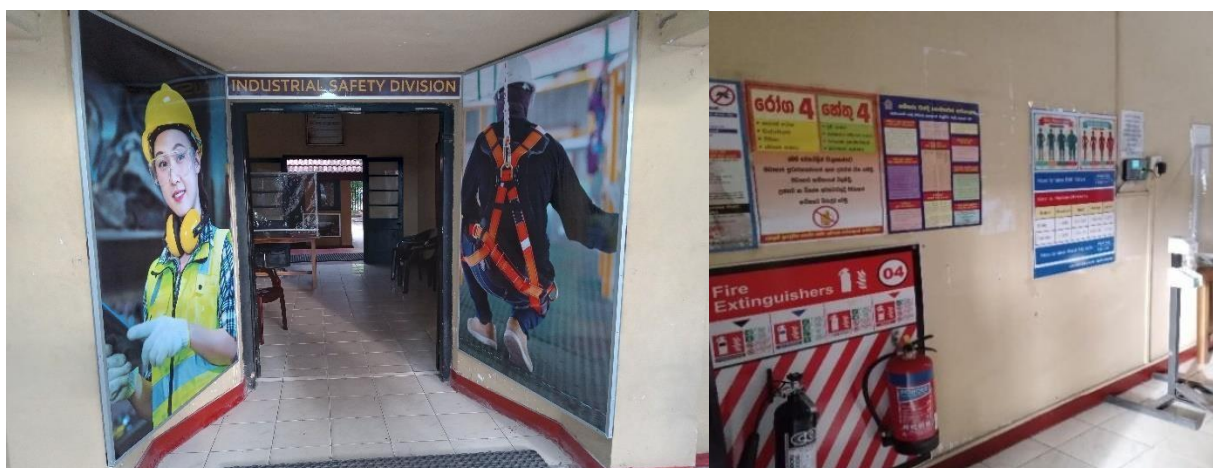
Having formulated proposals containing regulations relating to self audit on occupational safety and health, the same was forwarded to the Enforcement Division of the Department and action is

being taken in that regard.

- Action was taken to print handbooks, leaflets and banners for the promotion of occupational safety and health and arrangements have been made for their distribution in the near future.
- A television documentary was produced on construction safety and it is due to be telecast in the coming year.



Photograph 2.5 - Fire control drill held at Port City on 18th October 2021



Photograph 2.6 - Photograph showing how the Jawatta office premises belonging to the Industrial Safety Division was modernized to serve as an example to clients and disseminate knowledge on workplace safety

- Preliminary measures were taken to conduct a study employing the engineers of the Department for the identification of fields with high vulnerability. Expert advice is due to be procured for the future activities thereof.
- The Jawatta office premises belonging to the Industrial Safety Division was modernized to serve as an example to service recipients and disseminate knowledge on workplace safety.

2.4.2 Ensuring Occupational health

According to the provisions of the Factories Ordinance, creating an environment for protecting occupational safety and health of employees is a mandatory legal obligation of the

employer and the right to work in a safe environment is a fundamental right of the worker.

2.4.2.1 Checking occupational health of workplaces

The Department conducts inspections employing scientific methods to assess whether there is a possibility of health issues or accidents in a workplace and creates awareness on the prevention of such accidents.

Accordingly, the Department conducts environmental condition monitoring, biological monitoring and sound measurement tests free of charge to check the possibility of health issues/ accidents that might occur at a workplace. Accordingly, the progress of activities conducted in the year 2021 is as follows.

Table 2.7 Activities conducted for inspecting occupational health measures in workplaces.- 2021

	Programme	Physical Progress
1	Environmental measurements	86
2	Biological tests	1475
3	Occupational safety and health audits	150

Under the environmental measurements samples are obtained under the measurements such as the intensity of light, sound, speed of the wind, WBGT index, dry bulb temperature, wet bulb temperature, globe temperature, relative humidity and the number of samples obtained in the year 2021 was 3562.

2.4.2.2 Providing knowledge required for protecting occupational health in workplaces and conducting awareness programmes

Awareness programmes on occupational safety and health are conducted covering both parties, i.e. the employers and employees. Details of awareness programmes conducted by the Department are tabulated below. The overall number of beneficiaries of these

awareness programmes was 2041.

Awareness needed for continuing production activities without compromising occupational health of employers and employees ensuring the safety of workers in compliance with Covid-19 health guidelines was imparted.

2.4.2.3 Providing medical board decisions

Eleven medical boards were held in the year 2021 for employees who claimed

grounds and decisions were submitted. The number of employees who received benefits from the Employees' Provident Fund on medical board decisions was 850 and the number of Employees who received benefits from the Employees' Trust Fund was 240.

Table 2.8 Imparting knowledge required for safeguarding health in workplaces and conducting awareness programmes - 2021

S.No	Programmes /Activities	No. of programmes/activities
01	Awareness programmes	
	1.1 Educational programmes for employers and employees, labour officers and medical officers	67
	1.2 Training programmes for employers and employees, labour officers and medical officers	57
	1.3 Awareness programmes for employers and employees, labour officers and medical officers	100
02	Providing expert evidence	10

2.5 Safeguarding the occupational rights of women and young persons and eliminating child labour

One of the primary responsibilities of the Department is to promote productive contribution of women's labour by enforcing labour laws covering women at workplaces and recommend necessary amendments to such laws by reviewing them periodically.

Similarly, eliminating child labour with the contribution of all stakeholders, enforcing labour legislation applicable to children less than 18 years of age and recommending amendments to existing laws to be compatible with prevailing social issues too are key responsibilities of this Department.

2.5.1 Enforcing existing laws applicable to employed women, young persons and children –Progress of the year 2021

Table 2.9 - Enforcing existing laws applicable to employed women, young persons and children –2021

S.No	Category	Number	Observations
01	Daily inspections	37	Conducting routine inspections was suspended due to Covid-19 pandemic.
02	Inspections on child labour	204	Investigations into 126 complaints were finalized and files were closed in the year 2021. Fourteen investigation files of the year 2019 and 2020 too were finalized and files were closed in the year 2021. Since the employment of child labour was disclosed in 7 such complaints, legal action has been constituted in respect of 4 of them. For 04 complaints regarding which legal proceedings in the year 2020, cases were filed in the courts in the year 2021. During the year, matters relating to 03 cases were finalized.
03	investigations into complaints on service conditions of women	16	Investigations into 02 complaints of the year 2021 were finalized and files were closed in the year 2021. Investigations of 11 files relevant to the years 2018, 2019 and 2020 were completed and files were closed. Legal action was constituted for 11 complaints on violations of conditions in the year 2021. (These cases in respect of complaints investigated since the year 2020 were filed in the year 2021.)

04	Granting approval for employing women at night.	592	579 approvals by district offices and 13 approvals by sub offices were granted for employing women at night.
05	Special group investigations into hazardous forms of child labour.	64	318 institutions were inspected but no incidents of hazardous forms of child labour was reported.
06	Special group investigations into women workers	60	302 institutions were inspected. Violations of 30 institutional conditions have been reported. Legal proceedings were instituted against 2 institutions for violating conditions. Warnings were issued to 28 other institutions for minor violations of conditions.
07	Awareness creation on labour laws	08	Awareness was raised on the labour laws applicable to women and children for 08 groups comprising 30 female workers each of the private sector through the 11 offices of zonal deputy commissioners of labour in their respective areas.
08	Conducting awareness programmes on child labour in the fisheries sector	104	104 awareness raising programmes were conducted in collaboration with labour offices in fisheries areas. Awareness was raised amongst 5069 workers in the fisheries sector regarding the labour laws applicable to children.



Photograph 2.7 - Department of Labour and Sri Lanka Girl Guides Association signing an MoU

2.5.2. Conducting the relevant main commemorative days and conducting awareness programmes

2.5.1.1 Raising awareness by conducting the relevant main commemorative days

(A) International Women's Day Celebration 2021

Several programmes were conducted at the Department of Labour under the patronage of the Hon. Minister to coincide with International Women's Day which was celebrated under the theme 'Women in Leadership' held on 08th March 2021.

- The Department of Labour joined hands with the Sri Lanka Girl Guides Association (SLGGA) to raise societal awareness by educating girl guides on the labour law and a bipartite agreement was signed between the two parties aimed at specific objectives for the empowerment of girl guides.

- A handbook titled "Employment Report" containing a set of instructions useful for working life of those employed in the public and private sectors and job aspirants was launched.
- A capacity developing musical programme for improving mental wellbeing of female officers of the Department who spend the bulk of their working time with labour legislation was conducted by veteran psychological counsellor Mrs. Ama Dissanayake.
- Similarly, action was taken to conduct a psychological counselling and evaluation programme for women resident inmates of Katunayake and Koggala. Accordingly, the first of the programmes was held for women inmates of Katunayake hostel run by the Department of Labour was held on 4th February 2021 and the second for inmates of Koggala was held on 07th March 2021.



Photograph 2.8 - Program conducted under the patronage of the Hon. Minister of Labour to coincide with the International Day Against Child Labour

(B) World Day against Child Labour – 12th June 2021

Concurrent to World Day against Child Labour which fell on 12 June in the International Year for the Elimination of Child Labour, a host of programmes were planned and implemented by the Women and Children's Affairs Division of the Department. Of them, some of the standout activities are outlined below.

- Engendering a broad dialogue in the society about the legal framework of Sri Lanka on child labour under the aegis of the Hon. Minister of Labour on 11th June 2021 and conducting an online programme using zoom technology for creating awareness on the social responsibility for zeroing child labour in Sri Lanka.
- As a stakeholder in gathering information about child labour, the media community too was involved in this programme and the relevant parties were educated on recent amendments to laws pertaining to child labour and hazardous child labour.
- Pursuing action in terms of the MoU signed with the Sri Lanka Girl Guides Association (SLGGA) with the intention of eliminating child labour from Sri Lanka. A competition was conducted for designing badges against child labour creating an opportunity for girl guides to undertake a comprehensive study on child labour.

- Evaluating the skills of those who contributed to design badges to be awarded to guild guides with special talents who are actively involved in the programme for the elimination of child labour from Sri Lanka and selecting the first, second and third places and unveiling the selected badge and launching the “Kathikawa” magazine with a number of feature articles.

- Discussion on legislation relating to children and safety of children parallel to World Day against Child Labour - 2021

A topical discussion programme on legislation relating to children and safety of children was aired as part of “Sith Pahan Weta” programme of Lakhanda Radio on 10th June 2021.



(C) Commemoration of International Children's Day

- Publishing the message of the Minister of Labour Hon. Nimal Siripala De Silva in newspapers.

The Children's Day message of the Hon. Minister of Labour titled “A country devoid of child labour- a secure future for children” for International Children's Day

which fell on 01st October 2021 was published in newspapers



- **Conducting short film competition “Chalana Roo” to mark International Children’s Day**

A short film competition was organized to coincide with the commemoration of International Children’s Day and a facilitative workshop was held with the participation of a panel of experts in the Sinhala and Tamil media on 28th August through zoom technology for all competitors.



- **Newspaper interview on laws pertaining to children and children’s safety parallel to International Children’s Day 2021**

An interview was given to ‘Navaliya’ newspaper on laws pertaining to children and safety of children by the Commissioner of Labour of the Women and Children’s Affairs Division on 27th September 2021. The readers were educated on labour laws relating to child labour and the passage of the Amendment Act in Parliament which increased the minimum age a person can be employed from 14 years to 16 years.



- **Media briefing concurrent to International Children’s Day -2021 on legislation relating to children and safety of children**

A media briefing was held under the patronage of the Commissioner General of Labour at the Government Information Department on 30th September 2021 on the theme “Let’s protect our children

from numerous dangers”. The relevant officials from the Police Department and the National Child Protection Authority (NCPA) too participated in the briefing. Awareness was raised therein about the labour laws pertaining to child labour and the amendment of the relevant Act to increase the minimum age person can be employed from 14 years to 16 years. As the year 2021 has been declared as ‘International Year for the Elimination of Child Labour” discussion focused on the programmes to be carried out towards that end the role of the Department of Labour. This programme with 1100 views was streamed live using zoom technology and on the Facebook of the Government Information Department.



2.5.3 Programmes conducted with the aim of eliminating child labour from Sri Lanka

(a) Composing a theme song for raising awareness on the need to eliminate child labour

A theme song to mark the International Year for the Elimination of Child Labour was launched at a special programme held under the patronage of Minister of Labour Hon. Nimal Siripala De Silva on 14th

December 2021. The theme song was written by Mr. Rathna Sri Wijesinghe and composed by Dr. Rohana Weersinghe and was sung by six Dream Star artistes. (The YouTube extension of the song is <https://youtu.be/pgBULzDz2ks>)

(b) Designing posters with new laws and Amendment Acts brought in for the elimination of child labour to be displayed at all Divisional Secretariats, Grama Niladhari offices and all Labour Offices and designing a sticker to be displayed at CTB buses, schools and railway stations.

Posters were designed with new laws and Amendment Acts brought in for the elimination of child labour to be displayed at all Divisional Secretariats, Grama Niladhari offices and all Labour Offices and the posters were distributed through regional labour offices.

Similarly, a sticker was designed on the amendment of minimum age of employment aimed at eliminating child labour and educating people on the penalties for illegal employing children to be displayed buses, railway stations and schools.



Photograph 2.9 - Launching of the theme song to mark the International Year for the Elimination of Child Labour

(c) Publishing “Aththatu” (Wings) magazine to educate school children with the objective of eliminating child labour

Five thousand copies of the “Aththatu” magazine designed for educating school children on “International Year for the Elimination of Child Labour 2021” were printed and launched at a special ceremony held on 14th December 2021. The magazine was distributed to regional labour offices to be distributed to school libraries.

(d) National Steering Committee on Eliminating Child Labour

The government of Sri Lanka has pledged to eliminate child labour from the country by the year 2022. Thus it is necessary to further strengthen the collective efforts of all relevant stakeholders for the elimination of all forms of child labour including hazardous occupations. The National Steering Committee was set up to ensure that the targets are achieved through the collective endeavours of the relevant stakeholders.

The Committee meeting was held on 02nd March 2021 at the 4th Floor Auditorium of the Department of Labour with the participation of 26 officers representing partner institutions.

Similarly, the Technical Committee as proposed by the NSC at its meeting held on the above date was held on 07th April 2021 at the 04th floor auditorium of the Department of Labour with the participation of 16 Officers from relevant institutions.

(e) Implementing programmes jointly by the Sri Lanka Girl Guides Association and the Department of Labour

Several rounds of bipartite discussions were held regarding programmes planned for future subsequent to the signing of the MoU between the Sri Lanka Girl Guides Association (SLGGA) and the Department of Labour.

2.5.4 Assistance extended to activities carried out by other institutions during the year 2021 for the protection of women, young persons and children

- Despite the Covid-19 pandemic situation, labour officers participated in 28 district/ divisional child development committees and the committee members were made aware of child labour and related issues. Similarly, all District and Divisional Secretaries were made aware of International Year for the Elimination of Child Labour 2021 and labour officers of the Women and Children's Affairs Division conducted 02 meetings with the involvement of Divisional Secretariats in the Colombo District.
- A committee meeting on the foster parent scheme was conducted by the National Child Protection Authority (NCPA) on 24th August 2021 using zoom technology and the Department of Labour participated at the event as a stakeholder.
- A discussion on "National Policy on Daycare Facilities of Sri Lanka" conducted by the National Child Protection Authority (NCPA) was held on 28th September 2021 using zoom technology. The Department of Labour participated at the event as a stakeholder.
- Consent was granted on 26th January 2021 in respect of the Alliance 8.7 to amend the list of hazardous occupations as an active pledge as a member country to coincide with the International Year for the Elimination of Child Labour 2021. The Department of Labour participated in online workshops held in this regard.

- Training programmes to create awareness amongst girl guides and Commissioners of the Sri Lanka Girl Guides Association (SLGGA) with the intent of eliminating child labour. This programme was conducted in four sessions employing zoom technology on 28th November, 04th, 11th and 12th December 2021.

2.5.5 Printing leaflets

1. Leaflets on the amendment to raise the minimum age of employment from 14 years to 16 years to prevent underaged children from being employed and age limit for hazardous occupations from 16 years to 18 years was printed by Women and Children's Division in Sinhala, Tamil and English languages and the leaflets were distributed through regional offices and at special events.
2. Leaflets were designed and printed in Sinhala, Tamil and English languages to make people aware of increasing the number of hazardous occupations wherein no person under 18 years of age can be employed from 51 to 71. Action was taken to distribute these leaflets through regional offices.

2.5.6 Publishing newspaper articles on the fields of 71 hazardous occupations

The increase of the number of fields of hazardous occupations in where no person under 18 years of age can be employed from 51 to 71 and raise people's awareness on these fields of occupations, the fields of 71 hazardous occupations were published in popular newspapers the Dinamina, Thinakaran,

Daily News, Divaina and Lankadeepa together with the message of the Minister of Labour Hon, Nimal Siripala De Silva.

2.5.7 Progress of activities to amend the existing legal framework for the protection of women, young persons and children

- Regulations made under Sections 3,4,5, and 9 of the Employment of Women, Young Persons and Children Act No. 47 of 1956 were amended by the employment of Women, Young Persons and Children (Amendment) Act, No. 2 of 2021. Accordingly, the minimum age a child can be employed was raised from 14 years to 16 years. Similarly, persons between 16 to 18 years were interpreted as young persons under the said amendments which came into effect from 18th January 2021
- With the passage of the amendment to increase the number of fields of hazardous occupations from 51 to 71 in Parliament having identified fields of hazardous occupations that could be harmful to physical and mental wellbeing and safety of young persons, the fields of hazardous occupations was published in Gazette Extraordinary No: 2254/35 dated

18th November 2021.

2.5.8 Details of other special programmes implemented during the year 2021 for the safety of women, young persons and children

- **Special programme for International Year for the Elimination of Child Labour 2021-14th December 2021**

The Women and Children's Affairs Division of the Department of Labour organized a special event under the patronage of the Minister of Labour, Hon. Nimal Siripala De Silva to mark "International Year for the Elimination of Child Labour-2021".

This online programme was held on 14 December 2021 under the aegis of the Minister of Labour, Hon. Nimal Siripala De Silva and with the participation of the Secretary to the Ministry of Labour, partners of the National Steering Committee for the elimination of child labour, officials of the Department of Labour and all other relevant stakeholders.



Photograph 2.10 - The special event conducted under the patronage of the Hon. Minister of Labour to mark "The International Year for the Elimination of Child Labour-2021".

Cash prizes, shields and certificates were awarded to the winners of the “Chalana Roo” short film competition and medals and certificates were presented to the winners of the competition for designing badges of the Sri Lanka Girl Guides Association (SLGGA). The unveiling of a theme song on child labour, launching the handbook on child labour and the signing of an MoU with Maliban Biscuits Manufactories Limited were the other notable events of this programme.

- Discussion on laws pertaining to children and child safety -2021

Laws pertaining to children and safety of children was discussed at “Satana” programme of TV1 Television channel on 20th January 2021. The former Commissioner of Labour of the Women and Children’s Affairs Division of the Department of Labour participated at this discussion.

- An awareness programme on women’s working environment and sexual harassment in workplace was held at the premises of Print Care Company at Kelaniya for its employees on 12th February 2021.
- The Department participated in the discussion held on 05th March 2021 under the topic ‘whether the labour law of Sri Lanka favourable to women’s economy’.

2.6 Social Security of the Employees

The Employees’ Provident Fund, established by the Employees’ Provident Fund Act No. 15 of 1958 with the principle objective of ensuring a secured retirement for the country’s workforce in the private and semi government sectors is administered by the Department of Labour. The Fund is administered by the Department of Labour and the Monetary Board of the Central Bank is in custodian of the management of its funds. The value of the Fund as at 31st December 2021 was Rs. 2.54 trillion and the number of active accounts of the Fund is 19 million.

2.6.1 Registration of workplaces in Employees’ Provident Fund

All employers covered by the Employees’ Provident Fund Act are required to register with the Fund. Accordingly, the number of institutions registered in the year 2021 was 2407. The number of active employers who credited contributions to the Fund in 2021 was 84,874 and the amount of contributions credited to the Fund was Rs. 99,587 million.

2.6.2 Registration of members for Employees’ Provident Fund

Allocating membership numbers to all employees covered under the EPF Act and register them in the Fund is a responsibility of the employer and the process is monitored by the Department of Labour. Accordingly, the number of members registered with the Department during the year 2021 was 314,058 and as

Table 2.10 - The number of beneficiaries who received benefits in the year 2021

Nature of the benefit	No. of beneficiaries
Paying general benefits	95,474
Paying benefits of deceased members	4,607
Paying 30% pre-benefits	16,015

of now, there are 2.5 million active accounts

First notices and red notices are issued for employers who failed to make contributions as stipulated and if such notices are not properly responded to, actions are taken to constitute legal actions and recover the contributions together with the surcharge and account them. During the year 2021, Rs. 4242 million was recovered by issuing 8,491 first notices and Rs. 4,198 million was recovered by issuing 7,858 red notices.

2.6.3 Payment of benefits of EPF

The number of beneficiaries who received benefits in the year 2021 is as the table above.

2.6.4 Supervision of approved Provident Funds

There are 117 institutions with approved provident funds under the EPF. The functioning of such funds including the

crediting of contributions and payment of benefits is monitored by the Department and those institutions which do not function properly are brought under the purview of the Commissioner General of Labour.

2.6.5 Benefits granted to members from the Fund

2.6.5.1 Granting housing loans keeping the balance of the EPF account of the member as the security with the objective of uplifting the living standard of members, facilities have been made available to place the balance of the EPF as a security and obtain a housing loan subject to a ceiling of 75%. Accordingly, approval was granted for 6,792 housing loan applications during the year. The amount for which approval granted was Rs. 3.8 billion.

Table 2.11 - Supervision of approved Provident Funds

No. of complaints received in the year 2021	41
No of complaints resolved and files closed in the year 2021	35
No. of reports on private provident funds monitored by labour officers in the year 2021	81
No. of institutions monitored in the year 2021	88

2.6.5.2 Conducting mobile service programmes

A mobile service was conducted at Labookelle Estate, Nuwaraeliya with the objective of raising awareness on the EPF on 18th December 2021 and the number of beneficiaries thereof was 518.

2.6.5.3 Through the decentralization of the service provided by the Head Office to regional offices, more facilities were made available to members.

2.6.5.4 For the provision of uninterrupted service to clients of the EPF in the outbreak of the Covid-19 pandemic, service instructions were provided over telephone and several services including the acceptance of benefit applications were offered by reserving time and date online

2.6.5.5 A video is being produced to be posted on the YouTube Channel of the Department for educating members on EPF with a view to promoting EPF. Further, an EPF promotional advertisement has been produced and measures are underway for airing same.

2.7 Legal protection for safeguarding the employees' rights

The Department enforces a host of legislation for the protection of statutory rights of workmen. Accordingly, in order to ensure the uniform execution of the provisions of such legislation required to be enforced by the Department of Labour,

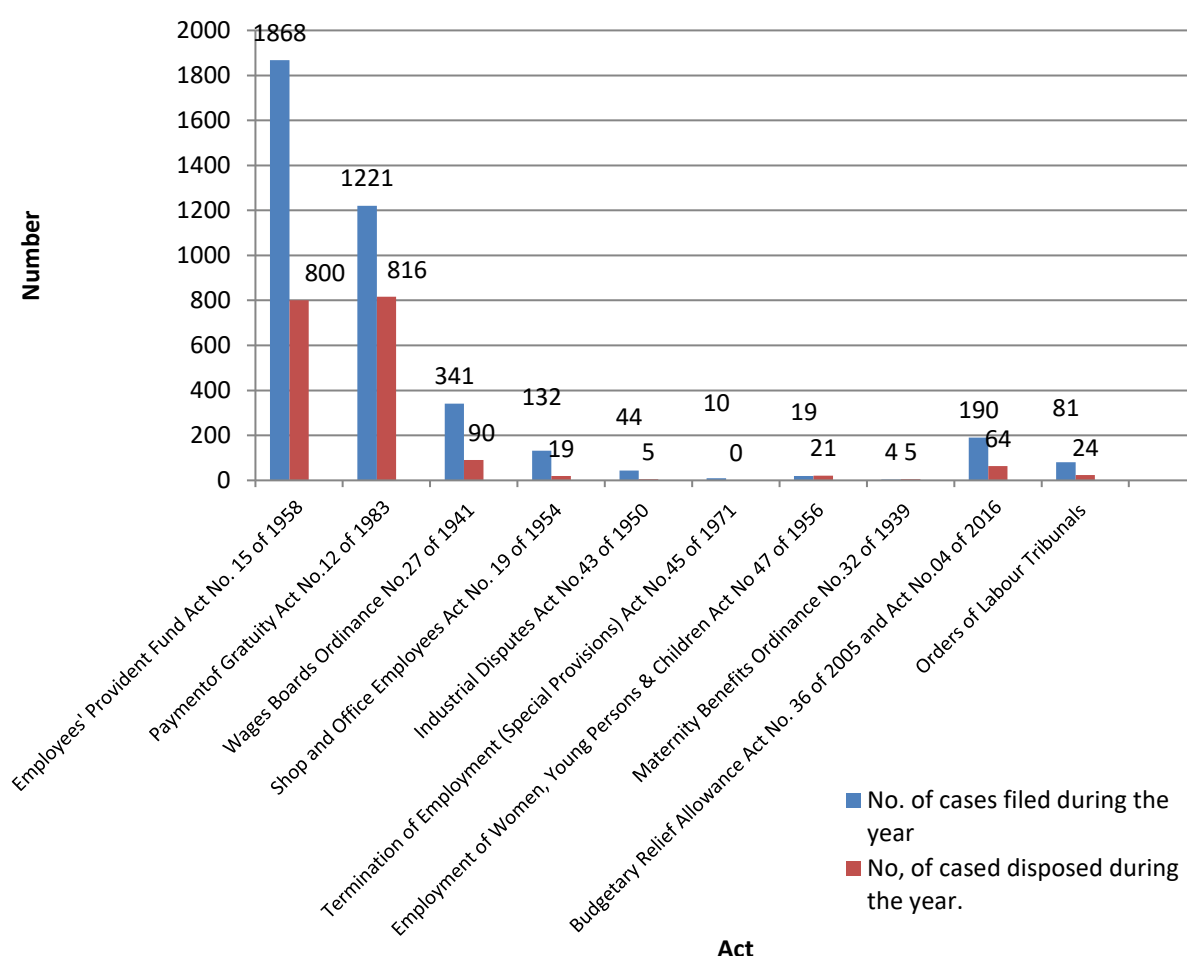
actions are pursued by the Department to constitute legal actions against perpetrators of such violations thereby safeguarding the rights of employees and promoting the cooperation between the employers and employees.

Accordingly, the progress of legal action constituted by the Department in 2021 is as graph 2.3.

The number of inactive cases received by the Enforcement Division of the Department was 5151 and the financial value thereof was Rs. 3,108,693,249.34. The number of open warrant cases was 2822 and the financial value thereof was Rs. 879,249,209.85. The following measures were taken to activate these cases.

- Apprising the airport police where open warrants have been issued on employers gone overseas and forwarding warrants to the addresses in the foreign countries such addresses are available.
- Calling for copies of open warrants from the Zonal Deputy Commissioners of Labour in respect of open warrant cases and taking actions expeditiously to refer them to the Deputy Inspector General of Police and have the warrants executed.
- Activating open warrant cases and preparing instructions required for activating inactive cases as a checklist and forwarding them to zonal offices and district offices.

Graph 2.3 – Court cases filed by all district and sub labour offices and cases resolved - 2021



Necessary measures were adopted in the year 2021 for the amendment of several labour related legislation. Amendments finalized and new Acts introduced in 2021 are as follows.

Table 2.12 - Amendments finalized and new Acts introduced in 2021

S.No	Name of the Act	Measures taken for amendment as at 31 st December 2021	Objective/benefits of amendments
1	National Minimum Wage (Amendment) Act, No.16 of 2021	Increasing the national minimum wage by Rs. 2500 under the Act	Increasing the national minimum wage.
2	Amending regulations under the EPF Act No.15 of 1958	Regulations were approved by Parliament on 06 th October 2021 and are in force with effect from 01 st of June 2022	Upgrading the existing system for the registration of members and the provision of an effective service

3	Termination of Employment (Special Provisions) Act Mo 45 of 1971	Increasing compensation from Rs. 1,250,000 to Rs. 2,500,000	Increasing the compensation paid at termination of employment
4	EPF Amendment Act No.23 of 2021	In force from 13 th October 2021	Formulation of a legal framework for the signing of a bilateral social security agreement between Sri Lanka & India, Exemption of EPF paying Sri Lankans working in India from contributing to the Social Security Fund.
5	Shop and Office Employees (Amendment) Act No. 01 of 2021		Raising the minimum age of employment from 14 years to 16 years
6	Employment of Women, Young Persons and Children (Amendment) Act No.02 of 2021		
7	Minimum Wage (Indian Labour) (Amendment) Act No.03 of 2021		
8	Factories (Amendment) Act No.04 of 2021		
9	Minimum Retirement Age of Workers Act No. 28 of 2021	Came into effect on 17 th November 2021	Extending the retirement age of private sector employees up to 60 years.

Table 2.13 - Court wise performance of cases -2021

Court	Balance brought forward to year 2021	No of cases initiated in the year 2021	No of cases closed in the year 2021	No. of instruction letters and instruction files
Supreme Court	124	14	19	
Court of Appeal	160	132	12	
High Court	97	33	20	
Commercial High Courts / District courts	277	3	0	
Magistrate's Court	93	170	154	77
Total	751	152	205	77

2.8 Administration

2.8.1. Administration Activities

2.8.1.1 Activities carried out by the Administration Branch in the year 2021

In addition to routine duties, the following measures were taken for continuing the services of the Department uninterrupted in the outbreak of Covid-19 pandemic.

1. A work roster system was introduced to officers for reporting to duty during the period of Covid-19 pandemic. With effect from 01st October 2021, except for pregnant female officers, all other officers were called for duty and with effect from 01st of January 2022 all officers including pregnant female officers were called for duty.
2. The following measures were adopted to discharge duties in compliance with health guidelines.
 - Notices were prepared to make the staff and service recipients aware of health guidelines and an ongoing awareness campaign was conducted at the head office premises.
 - Shared spaces of divisions/offices such as counters, dining areas and washrooms were sanitized daily and maintained hygienically.
 - Examination of body temperature before entering the office premises, provision of hand-washing facilities.
 - Instructions and guidelines were issued regarding the calling of the Departmental staff to work, conducting field inspections and inquiries conducted on complaints etc.
 - Formal methods were adopted to prevent the risks that could arise as a result of public visiting offices for

obtaining services gathering within limited spaces and a suitable supervising officer was appointed for this purpose for the proper supervision of the process.

- Taking measures wherever possible to minimize the gathering of officers and mobility between divisions.
- Making arrangements to vaccinate officers of the department with first and second doses of Covid-19 vaccine.
- Minimizing meetings, seminars and discussions conducted physically and other gatherings and instead using zoom, Teams and similar technological innovations.
- Forwarding all circulars and instructions through Slack Application to the divisions and regional offices of the Department.

2.8.2. Establishment Activities

2.8.2.1 Activities carried out by the Establishments Branch in the year 2021

Details of Efficiency Bar Examinations conducted in the year 2021 are given below.

- Applications were called for the second efficiency bar examination-2021 for Assistant Commissioners of Labour and applications were closed on 30th November 2021. Applications were forwarded to the National Institute of Labour Studies and the examination is due to be held in the year 2022.
- The written test on the departmental/ office procedures related to the first efficiency bar examination for officers of the Engineering Service was held in February 2021.
- The first efficiency bar examination-2021 for Labour Officers

was held in August 2021 and results too were released.

- Applications were called for the second efficiency bar examination-2021 of Labour Officers and closed on 30th November 2021. Applications were forwarded to the National Institute of Labour Studies (NILS) and the examination is due to be held in the year 2022.
- The first and second efficiency bar examinations for Human Resources Development Officers were held on 30th March 2021.
- The first, second and third efficiency bar examinations (first for the year) for employees of the Office Employees Service were held on 01st, 02nd and 03rd February 2021 and the second examination for the year was held on 24th November 2021.
- The first, second and third efficiency bar examinations for drivers were held on 25th October 2021.

Details of recruitment of officers and promotions granted during the year are as follows.

- The promotion of all Labour Officers who have fulfilled the qualifications to Grade 1 was finalized.

- Having conducted the examination for the recruitment of stenographers, 02 stenographers were recruited on 27th December 2021.
- Based on the competitive examination held in the year 2019, ten Assistant Labour Commissioners (Departmental) were recruited on 21st August 2020.
- National Institute of Labour Studies (NILS) was instructed to re-conduct the open and limited examination to recruit officers for the Sri Lanka Technological Service.

2.8.3. Constructions

Infrastructure facilities were developed in the following offices during the year 2021.

The newly constructed Kurungala labour office building and Ambalangoda labour office building were declared open by the Minister of Labour Hon. Nimal Siripala De Silva in the year 2021 and office activities were commenced.

Similarly, action was taken to select a contractor and award the contract for the interior work of 8th, 9th, 10th, 11th and 12th floors of Mehewara Piyesa building.

Table 2.14 - Development of Infrastructure facilities of the department - 2021

Provision for the year 2021(From January to December) (Rs.)	Activities/projects planned (Major)	Financial progress as at 31 st December 2021	Physical progress as at 31 st December 2021
126,080,000.00	Construction of Badulla labour office building	126,080,000.00	95%
71,719,000.00	Construction of Hatton district labour office building	71,719,000.00	95%
2,200,000.00	Estimation of additional works of Kurunegala labour office building and installation of fire protection system	2,200,000.00	96%

2.8.3 Library, Museum and Information Service

Roughly 1500-1800 books and magazines are lent to members of the library monthly. In the year 2021, the lending of library books was limited exclusively for subject related publications.

However, publications for sale were sold to external readers during the opening hours of the library and the service for providing information and photocopies upon requests on labour laws and regulations, new amendments of Acts and Ordinances, decisions of Wages Boards were maintained.

2.9 Financial Management

The department adopted measures for the efficient, effective and economical administration of financial resources allocated to the department from the budget of 2021 in compliance with public policies.

Accordingly, 78% of recurrent provisions and 40% of capital provisions allocated to the Department from the annual budget

in the year 2021 had been utilized achieving the financial management targets.

2.10. Steering towards targets by monitoring the functions of the Department and human resources development

2.10.1. Steering towards targets by monitoring the functions of the Department

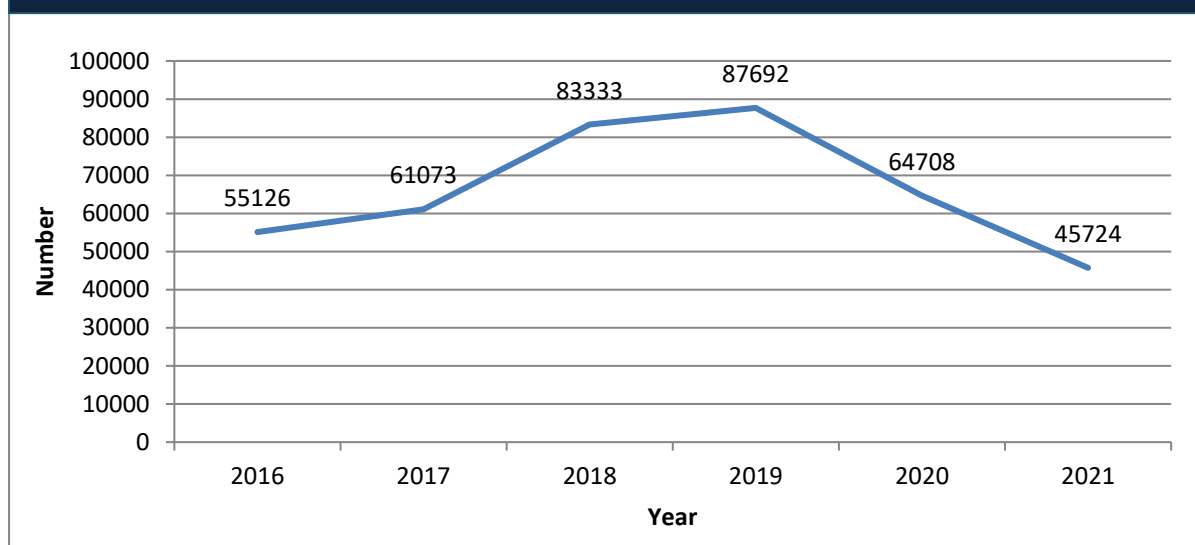
2.10.1.1 Monitoring District/ Sub Labour Offices

In the year 2021, the progress of 57 district offices and sub labour offices was monitored. Accordingly, field inspection activities and court activities of labour officers, process of recovering EPF in arrears and activities relating to the payment of EPF benefits, activities connected with efficient resolution of complaints on industrial disputes and violations of statutory entitlements received by the Department and administrative activities of offices were monitored and instructions were given with regard to activities which needed to be further streamlined.

Table 2.15 - Overall financial progress of the year 2021

		As at 31 st December 2021	Allocation utilization as a percentage
Recurrent expenditure	Provision (Rs.)	2,650,400,000	78%
	Expenditure (Rs.)	2,080,103,792	
Capital expenditure	Provision (Rs.)	2,077,600,000	40%
	Expenditure (Rs.)	828,967,397	

Graph – 2.4 – Number of Labour Inspections conducted during the last six years



Due to the Covid-19 pandemic, zonal level meetings could not be conducted in the year 2021 to review the progress of regional labour offices.

01. Field inspections of Labour Officers

Planning and obtaining approval for field inspections, deciding on the institutions to be accorded priority in selecting institutions for this purpose, classifying the quality of field inspections, handing over reports on due date by labour officers and the efficiency of implementing the recommendations made in such reports were monitored and the progress thereof is given in graph 2.4.

Though there has been a steady increase in the labour inspections conducted during the year 2021, the number of inspections conducted in the years 2020 and 2021 was less when compared to previous years due to the total suspension of labour inspections during certain months and the restrictions imposed in other months.

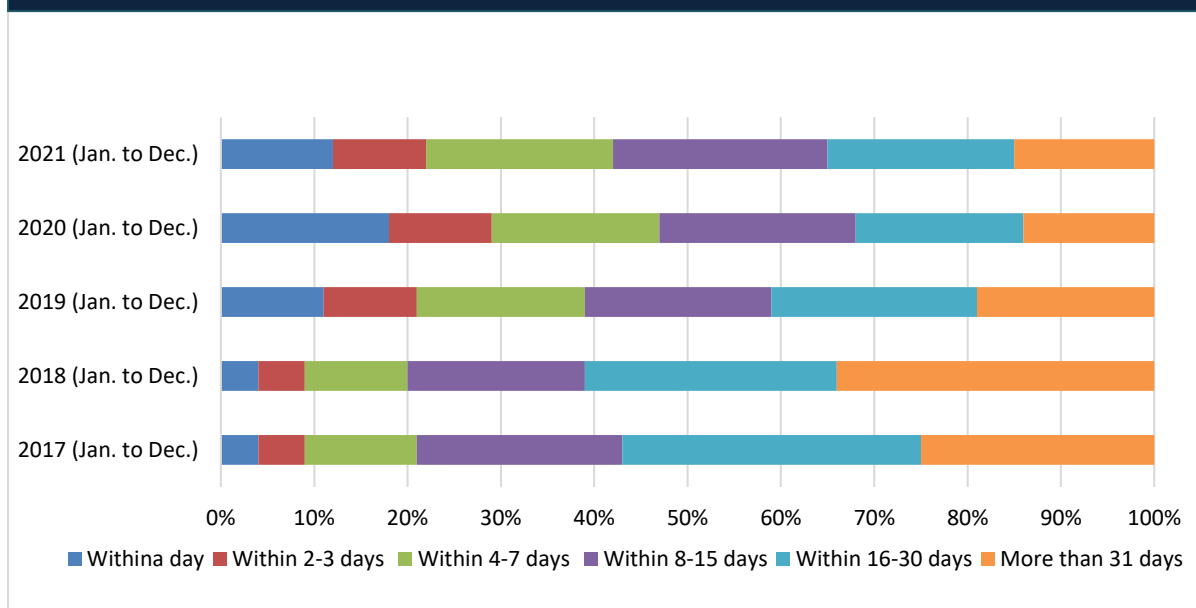
02. Payment of EPF benefits

An incremental increase is witnessed in the payment of EPF benefits and as compared to the year 2017, the percentage to whom benefits were paid within 14 days has increased from 43% to 65% by the end of the year 2021 thus signifying an enhanced efficiency in the payment of benefits.

03. Petitions and complaints related activities

Having identified the delays in the process of resolving complaints received by each district and sub offices and the number of files of which resolution has been delayed, relevant instructions and recommendations were given to deal with them speedily. A Standard Operating Procedure (SOP) was introduced from November 2021 to deal with complaints and petitions received by the Department and its progress is expected to be reviewed in the year 2022.

Graph – 2.5 – Time taken for the payment of EPF benefits – Years From 2017 to 2021years



Similarly, online meetings were held under the patronage of the Commissioner General of Labour to review the progress of all district and sub offices.

2.10.2 Human Resources Development

It is imperative to develop the capacity of officers for enhancing the quality of the services provided by the Department by improving knowledge of the officials of the Department about the role expected to be performed by them and their ability to take practical measures. Accordingly, the Department identifies the training needs of officers and provides the requisite training with the help of resource persons. In addition, financial provisions required for the participation of training programmes conducted by external institutions are allocated and whenever opportunities for foreign trainings are available, the necessary coordination work is carried out and financial provisions are arranged. In terms

of Public Administration Circular 02/2018, the human resources development plan of the Department for the two upcoming years was drafted in the year 2020 and the conduct of training programmes during the year 2021 was planned accordingly.

The training programmes conducted in the year 2021 are as follows. Further details on these training programmes are illustrated in Chapter Six under human resources development.

Table 2.16 - Training programmes conducted in the year 2021

S.No	Programme		No. of programmes held	No. of officers participated
1	Orientation training	Orientation programme for newly appointed Assistant Commissioners of Labour	01	08
2		Orientation programme for new Development Officers (Online)	01	91
3		Orientation programme for new Multifunctional Development Assistants	01	18
4	Training for Development Officers of the Special Investigations Division		01	04
5	Capacity development training programme conducted concurrent to International Women’s Day		01	150
6	Awareness raising on the amendment of labour inspection reports and training officers on industrial safety and occupational hygiene -2021		01	175
7	Awareness programme on the Standard Operating Procedure (SOP) for the resolution of complaints and petitions received by the Department of Labour (Conducted online in Sinhala and Tamil languages)		02	118
8	Training programmes on EPF activities (Physically and virtually		04	762
9	Awareness programme for officers on public financial management procedure and public procurement procedure (Online)		01	75
10	Series of programmes under the decent work programme for educating officers at the zonal level on disguised employment. (Online)		01	520
11	Training programme on the introduction of Acts, amending Acts, complaint investigation, collecting evidence and filing cases –Central zone/ Southern zone		02	130
12	Language training courses conducted as per PA Circular 18/2020- primary, secondary and tertiary and executive levels (This programme started in the year 2021 and is due to end in the year 2022)		04	277
	Total		20	2328

Table 2.17 - Allocation of provisions to officers of the department for trainings conducted by external training institutes -2021

S.No	Programme	No of officers to whom provisions were granted
1	Post graduate degrees	12
2	Bachelor of Law degree	03
3	Certificate courses and workshops	54
	Total	69

Table 2.18 - Overall expenditure as at 31st December 2021 for capacity development activities - 2021

Expenditure head	Provision for the year 2021 (Rs.)	Expenditure as at 31.12.2021 (Rs.)	Balance as at 31.12.2021 (Rs.)	Expenditure as a percentage of the provision %
221-01-01-2401	5,500,000	2,232,264	3,267,736	41%
221-02-02-2401	300,000	-	300,000	0%
221-02-03-2401	1,500,000	103,500	1,396,500	7%
221-02-04-2401	1,500,000	19,790	1,480,210	1%
Total	8,800,000	2,355,554	6,444,446	27%

2.10.3 Decent Work Programme

Sri Lanka is committed to implement the basic conventions of the United Nations on the civil and political rights in compliance with the fundamental principles of the world body. Accordingly, as a member country of the International Labour Organization (ILO), it is expected to promote equal opportunities for men and women to secure productive work within an environment of freedom, equity, security and human dignity.

The decent work programme is based on the following 4 pillars.

- i. Job creation, promotion and national productivity
- ii. Rights at work
- iii. Social protection
- iv. Social dialogue

From the provisions allocated In the year 2021 to the Department for the implementation of multifarious programmes and projects under the decent work programme, the following programmes were executed.

Table 2.19 - Progress of Decent Work Programme -2021

Division which implemented the project	Provision for 2021 (Rs.)	Expenditure as at 31.12.2021 (Rs.)	Expenditure percentage (%)
Human Resources Development Division	5,635,316.61	3,931,789.30	70 %
Women & Children's Affairs Division	8,521,200.00	6,580,919.16	77 %
Industrial Safety Division	1,000,000.00	991,321.20	99 %
Labour Standards Division	610,000.00	145,815.00	24 %
Statistics Division	158,000.00	158,000.00	100 %

2.11 Activities of the Statistics Division

The following activities were conducted in the year 2021.

1. Labour Statistics Sri Lanka Report - 2019 was prepared with the objective of providing details of demographical information of the labour force of Sri Lanka required for the government, policy formulators and data analysts, details of salaries and living conditions of workers, enforcement of laws and other measures by various divisions of the Department for upholding the rights of workers and to provide annual details on international labour measurements. The 2020 report was also prepared and reexamining activities too were carried out. (Action was taken to print and distribute 150 copies of the report)

2. Having analyzed and finalized the relevant data for the survey on the number of hours worked and the labour cost-2020, the tables were prepared and questionnaires were prepared and posted to relevant institutions for obtaining the relevant information on the number of hours worked and the labour cost-2021. Through this survey, data relating to the

labour cost, the number of hours worked and average earnings is obtained for the formulation of development strategies of the country. It makes available information required for formulating plans and decision making of the public and private sectors as well as for making future plans devised for the advancement of both employers and employees. Similarly, labour indices collected by the ILO too are prepared.

3. Data required for the labour gazette was provided.

4. Collection of data for minimum wage ratio index and the preparation of index was carried out. This minimum wage ratio index is computed monthly on the basis of minimum wage prescribed by the Department of Labour under the Wages Boards Ordinance in terms of the Wages Boards established. This index is computed severally and jointly for major sectors such as agriculture (plantation sector), industries, commerce and services through which the changes in minimum wage levels of major sectors of economy are observed.

5. Coding and computerization of all registrations for the year 2020 to the data system designed for the computerization

of new EPF registrations was carried out. This computerization is carried out in accordance with the number of employees of new institutions registering under EPF and the international standard industrial classification (ISIC) with the objective of maintaining up to date data system and devising an updated institutional information system that can be used for the surveys conducted for the Department of Labour.

6. Subject to the standards of the ILO, action was taken to prepare and present 14 Key Indicators of Labour Market (KILM). KILMs are prepared for the provision of information to national and international institutions.

2.12 Use of Information Technology for service delivery

In providing services to service recipients, the Department has turned close attention to improving convenience of gaining access to services by providing such services through computer systems using information technology. The Department has linked the EPF monitoring system with the EPF data system of the Central Bank. Further, the “Slack Application” was introduced in the year 2020 for internal communication of the Department enabling internal communication to be carried out instantly minimizing the use of papers and it has also contributed to optimize duties performed by officers during the period where work from home was implemented.

In addition, documents such as specimen applications and forms required for service recipients to obtain services, various Acts and Ordinances and decisions

of the Wages Boards to which attention should be paid by employers are uploaded on the website of the Department and could be downloaded as and when necessary. Similarly, the Department maintains an official YouTube channel, a Facebook page and a Twitter account for the provision of updated information to the public.

Accordingly, the services provided by the Department through its websites, Slack application, YouTube channel, Facebook page and Twitter account in the year 2021 are as follows.

Table 2.20 - Services provided by the Department using Information Technology -2021

S. No	Application and the Service provided	Target group
01	Website of the Department	
	<ul style="list-style-type: none"> • Uploading) downloadable information - All forms (such as applications for obtaining clearance certificates for security services), Statistical data (Annual Employment Survey, Labour Statistics Sri Lanka, Covid-19 and beyond – Impact on Sri Lanka’s Labour Market E-survey report etc.) • Updating information uploaded on website (services provided by the Divisions of the Head Office, contact details of all labour offices) • Providing important information (media releases, foreign scholarships, bid invitations, training programmes, schemes of recruitment, labour legislation and extraordinary gazettes, departmental circulars, seniority list of departmental officers, list of valid trade unions, The list of names of persons with the certificate issued by the Commissioner General of Labour designated as authorized persons under the Factories Ordinance Reserving time online for handing over applications relevant to the payment of benefits of EPF. • Submitting applications online for seeking approval to employ women at night work. • Launching journals <ul style="list-style-type: none"> ○ Launching the June 2020 volume of ‘Kathikawa’ magazine as an e-book concurrent to the World Day against Child Labour. ○ Launching ‘Prime Work’ magazine as an e-book by the Human Resources Development Division in June 2021 ○ Training curriculum conducted by the Women and Children’s Affairs Division of Department of Labour in collaboration with Sri Lanka Girl Guides Association. ○ Uploading information on labour offices from which service recipients can obtain services according to the area where the establishment is situated. 	Internal and external service recipients
	Uploading staff notice (Information and results of open and limited examinations, Efficiency bar examinations notices and applications, Information on staff transfers)	Officers of the Department
02	Slack application	
	Using the Slack Application as a medium of internal communication of the Department while working from home during Covid-19 pandemic.	Officers of the Department

03	Zoom application	
Making facilities available for discussions required for officers working from home due to Covid-19 situation. (More than 50 video conferences have been conducted up to 31 st December 2021)		Officers of the Department
04	Official YouTube channel of the Department	
<p>Contents have been posted on the official YouTube Channel of the Department raising awareness on labour laws, acts and ordinances enforced by the Department of Labour, services provided by the Department and offices from which such services can be obtained, links for downloading the required documents, instructions for filling applications accurately and the institutions affiliated to the Ministry of Labour and their functions.</p> <p>Award winning short films of the programmes conducted to mark International Year for the Elimination of Child Labour and the theme song launched by the Department to coincide with International Year for the Elimination of Child Labour have been posted on the channel.</p> <p>(31 videos have been posted as at 31st December 2021)</p>		Internal and external service recipients
05	Official Facebook page of Department of Labour	
<p>The objective is to disseminate information as soon as possible to the public (media releases, bid invitations, etc.)</p> <p>(As at 31st December 2021 more than 1700 followers have contacted through the Facebook page)</p>		Internal and external service recipients
06	Official Twitter account of Department of Labour	
<p>The objective is to disseminate information as soon as possible to the public (media releases, bid invitations, etc.)</p> <p>(As at 31st December 2021 about 25 followers have joined through this)</p>		Internal and external service recipients
07	Google forms	
<p>Using Google forms to gather information expeditiously and efficiently. (Eg: Identifying labour demand required for the private sector in the year 2022 with the objective of achieving higher productivity and advancement of the nation, Covid-19 and beyond- impact on labour market of Sri Lanka, calling reports of investigations into complaints on hazardous child labour, obtaining information required in selecting officers for training programmes conducted for officers serving in the Department of Labour.</p>		External service recipients and departmental officers

2.13 Internal Audit

The activities carried out in the year 2021 are as follows.

- As per the audit plan prepared in 2021 by the Internal Audit Division in respect of the year, 09 internal audits were conducted covering district labour offices and the Divisions of the Head Office.
- 12 audit queries issued by the Government Audit Division after inspecting various offices of the Department were answered.
- During the year 2021, 03 quarterly Audit & Management Committee meetings were held.

2.14 Achievements, challenges and goals

2.14.1 Special Achievements

Despite the challenges posed by the Covid-19 pandemic, the Department was able to achieve a slew of outstanding successes during the year 2021.

i. Standard Operating Procedure (SOP) was formulated for the resolution of labour disputes

A standard operating procedure (SOP) was prepared for integrating of the resolution of labour disputes of all labour offices and expediting the resolution process. From November 2021, all labour offices have started to operationalize this standard procedure (SOP) for the resolution of complaints.

ii. Facility for forwarding applications for EPF claims through the website of the Department

For the uninterrupted delivery of services to the service recipients in the outbreak of Covid-19 pandemic, service instructions were delivered over the phone and a date and time was allocated online to submit applications.

iii. Action was taken to provide required drafts, information and observations regarding the following new Acts or amendments/legal provisions for Acts in the labour relations sections

Table 2.21 - Amendments finalized and new Acts introduced in 2021

S.No	Name of the Act	Measures taken for amendment as at 31 st December 2021	Objective/benefits of amendments
1	National Minimum Wage (Amendment) Act, No.16 of 2021	Increasing the national minimum wage by Rs. 2500 under the Act	Increasing the national minimum wage.
2	Amending regulations under the EPF Act No.15 of 1958	Regulations were approved by Parliament on 06 th October 2021 and are in force with effect from 01 st of June 2022	Upgrading the existing system for the registration of members and the provision of an effective service
3	Termination of Employment (Special Provisions) Act Mo 45 of 1971	Increasing compensation from Rs. 1,250,000 to Rs. 2,500,000	Increasing the compensation paid at termination of employment

4	EPF Amendment Act No.23 of 2021	In force from 13 th October 2021	Formulation of a legal framework for the signing of a bilateral social security agreement between Sri Lanka & India, Exemption of EPF paying Sri Lankans working in India from contributing to the Social Security Fund.
5	Shop and Office Employees (Amendment) Act No. 01 of 2021		Raising the minimum age of employment from 14 years to 16 years
6	Employment of Women, Young Persons and Children (Amendment) Act No.02 of 2021		
7	Minimum Wage (Indian Labour) (Amendment) Act No.03 of 2021		
8	Factories (Amendment) Act No.04 of 2021		
9	Minimum Retirement Age of Workers Act No. 28 of 2021	Came into effect on 17 th November 2021	Extending the retirement age of private sector employees up to 60 years.

iv. Employment of Women, Young Persons and Children (Amendment) Act, No.2 of 2021 amended Sections 3, 4, 5 and 9 of the Employment of Women, Young Persons and Children Act, No. 47 of 1956. Accordingly, the minimum age a child can be employed was raised from 14 years to 16 years. According to the amended Act which came into operation on 18th January 2021, “young person” means a person who has attained the age of sixteen years but is under the age of eighteen years.

v. Introduction of Minimum Retirement Age of Workers Act, No.28 of 2021

The Minimum Retirement Age of Workers Act introduced in the year 2021 can be

termed as a unique Act that further consolidates the job security of more than 13 million people working in the private sector while contributing to create a favorable work environment. The provisions incorporated in the Act dispel attitudinal imbalance with regard to permanence of employment of an employee serving in the private sector and it will serve as a motivation for the young generation of Sri Lanka to undertake employment in the private sector in future.

Prior to the introduction of the Act, the retirement age of the employee was determined by conditions in the employment agreement entered into with the employer. In addition, though the

retirement age was included as a condition in collective agreements signed between trade unions and employers, the statutory labour law has no reference to retirement age. According to appointment letters and collective agreements in the private sector, it is observed that 55 years of age is considered as the retirement age.

One of the key factors for the introduction of this Act was increase in average lifespan of persons living in Sri Lanka in recent years which had triggered a rapid increase in the adult population. In addition, prolonged demand of trade unions for an extension in the retirement age and the relevant proposals in this regard in the policy statement ‘Vistas of Prosperity and Splendour’ too were contributory factors.

The following are some of the salient features of the Act.

- Subject to the exceptions set forth in the Act, requiring an employer to employ workers until he/she attains the age of 60 years. However, the right currently enjoyed by a worker to leave the service voluntarily at any time during the course of employment will remain intact.
- By providing limited interpretations to legal matters such as fixed term employment, probationary employment contract, seasonal employment contract, casual employment contract interpreted by general law in relation to labour law having incorporated into them

statutory law by this Act, the opportunities for abusing these principles have been restricted.

- The period for complaining to the Commissioner General of Labour for any worker who has been prematurely retired has been limited to two months. The period for making an application to the Commissioner General of Labour under the Termination of Employment Act and to the Labour Tribunals under the Industrial Disputes Act is 06 months.
- Where an employer intends to file a writ application before Court of Appeal challenging the decision of the Commissioner General of Labour made under this Act, he is given the opportunity file the writ application after furnishing a security in cash equivalent to the amount referred to in the order of the Commissioner General of Labour.
- Public enterprises, statutory institutions, government companies, cooperative societies and all types of trainees are exempted from the provisions of this Act.

vi. A YouTube Channel was launched to raise public awareness on the services provided by the Department and it will be continued.

A YouTube channel with an array of short video clips was launched last year with the aim of raising public awareness on the services delivered by the Department and the channel was developed further during this year. As of 31st December 2021, 36 videos have been posted. Preliminary arrangements have been made to include more videos in the coming year with the support of the ILO.

vii. Initial steps have been taken for the establishment of the complaint management system(CMS)

A complaint management system (CMS) has been devised by for lodging complaints with the Department of Labour as well as for the management of complaints by a committee comprising officials of the Department with the involvement of the Right to Information Commission (RTI Commission) and under the sponsorship of the United Nations Development Programme (UNDP). The officials of the Department were briefed thereon and plans are afoot to effectuate same from the beginning of the year 2022.

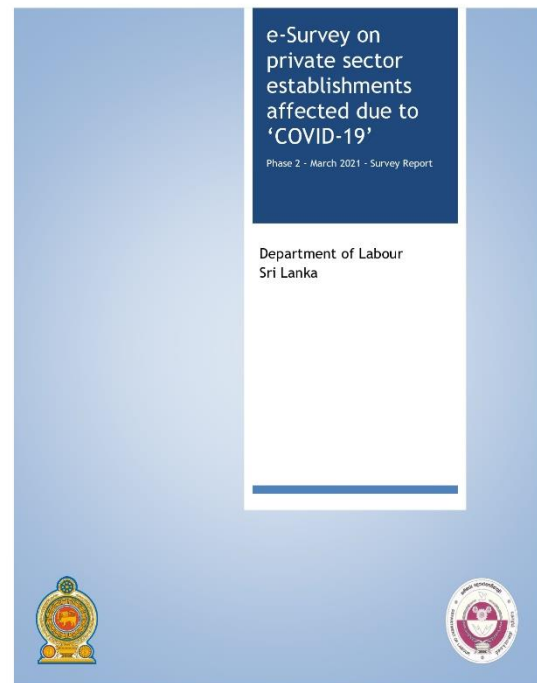
viii. Measures have been taken to simplify the labour inspection format currently used by the Labour Officers to report the details of their field inspection visits.

ix. Labour legislation handbook was compiled for fulfilling the need for a simplified version of labour laws as a reference material for employees and employers of private and semi government sector institutions, those interested in the field of labour laws and academics who have undertaken studies on the realm of labour laws.

x. During the Covid-19 pandemic, measures were taken to foster industrial peace by introducing measures such as the establishment of a mechanism for the receipt of complaints on the termination of employment on account of the Covid-19 pandemic outbreak and resolve them efficiently and effectively.

xi. The first stage of the E-survey conducted by private sector institutions on the impact of Covid-19 on the labour market

of Sri Lanka was conducted in the year 2020 and the second stage thereof was carried out in the year 2021. (Download link is http://labourdept.gov.lk/images/PDF_upload/statistics/covid_p2.pdf)



xii. A study was conducted for creating a proportionality in the method for distributing work amongst officers of regional offices of the Department with the assistance of the National Productivity Secretariat (NPS) for enhancing service productivity of the Department of Labour. Similarly, a study was conducted for restricting the existing processes of regional offices of the Department for improving efficiency of service delivery of regional offices of the Department of Labour and it is being implemented at present in several selected offices.

2.14.2. Challenges faced during this period

- Routine office activities had to be restricted during the period of Covid-19 pandemic. Consequently, labour inspections and factory inspections too had to be restricted temporarily which in turn had a negative impact on all activities of the Department.
- Realizing the vision of the Department using the limited financial and human resources is the main challenge faced by the Department.
- Addressing labour related issues emerged during Covid-19 pandemic period.

2.14.3 Key Future Plans

(i) Action has been initiated to update existing labour legislation to be in harmony with the rapidly changing socio-economic environment and simplifying same by removing complexities. Accordingly, amendments are expected to be made to the following acts and new legislation are expected to be introduced in the year 2022.

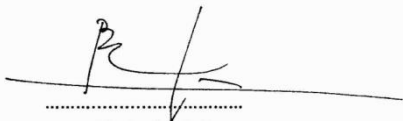
- In filing writ applications and revision applications against the termination of employment orders under the Termination of Employment (Special Provisions) Act No.45 of 1971, making it a legal obligation for employers to deposit the amount payable to employees before filing such applications.
- In filing writ applications and revision applications against the orders of Arbitrator or Industrial Courts or Labour

Tribunals under the Industrial Disputes Act, No. 43 of 1950, making it a legal obligation for employers to deposit the amount payable to employees before filing such applications.

- Where an application has been made for the termination of employment in a Labour Tribunal under the Industrial Disputes Act, No. 43 of 1950, allowing the employee to be represented by a representative of his own choice.
- Amending the Gratuity Act No.12 of 1983 for enhanced welfare of workers and suit the present day needs.
- Revising the Wages Boards Ordinance, No. 27 of 1941 to be in line with present socio-economic situation.
- Revising the Shop and Office Employees Act, No. 19 of 1954 to be in line with present socio-economic situation.
- As proposed in the policy statement “Vistas of Prosperity and Splendour” under Section 04, prescribing a specific period and method for making a final determination by employers against employees who have been subjected to disciplinary inquiries or interdiction by amending the Industrial Disputes Act No.43 of 1950.
- Bringing in a new Act on Occupational Safety, Health and Welfare.
- Introducing new Industrial Disputes (Special Provisions) Act.
- Establishing a social security system for insurance agents.

(ii) Conducting a study on the division of work in different branches and regional offices of the Department and taking relevant action to improve the productivity of such offices.

- (iii) Using modern technology for increasing the efficiency of service delivery of the EPF.
- (iv) Broadening the activities to create public awareness on labour legislations
- (v) Printing Labour Inspection Guide commenced with the assistance of ILO and producing videos to educate service recipients regarding the activities of the Department to be posted on the official YouTube channel of the Department.
- (vi) A standard operating procedure (SOP) was prepared for integrating of the resolution of labour disputes of all labour offices and expediting the resolution process and optimizing the labour dispute resolution process by operationalizing this standard procedure by all labour offices.
- (vii) Holding a competition on occupational safety and health for promoting industrial safety and health.
- (viii) Automating the functions of the library of the Department of Labour to be in tune with national and international standards, networking the services of the library as external and internal, taking measures for the conservation of the collection of old and rare books and publications as they are faced with the risk of damage and discoloration due to damages caused by fungi and insects and dampness.
- (ix) Implementing the digitalization drive of the Department aimed at simplifying and re-engineering the existing processes and introducing new processes subsequent a study on all processes of the Department for the provision of more efficacious service to the public and enabling officers of the Department to discharge their duties and functions more conveniently.



B. K. Prabath Chandrakeerthi
Commissioner General of Labour

Chapter Three

Overall Financial Performance

for the year ended

31st December 2021

3.1 Statement of Financial Performance for the year ended 31 December 2021

ACA-F					
Statement of Financial Performance for the period ended 31st December 2021					
Budget 2021 Rs.	Note	Actual			
		2021 Rs.	Restated 2020 Rs.		
- Revenue Receipts		-	-		
- Income Tax	1	-	-	ACA - 1	
- Taxes on Domestic Goods and Services	2	-	-		
- Taxes on International Trade	3	-	-		
- Naon Tax Revenue & Others	4	-	-		
- Total Revenue Receipts (A)		-	-		
- Non Revenue Receipts		-	-		
- Treasury Imprests		1,547,010,000	2,030,323,025	ACA - 3	
- Deposits		1,508,180,043	1,873,175,788	ACA - 4	
- Advance Accounts		96,410,060	81,994,630	ACA - 5	
- Other Main Ledger Receipts		-	-		
- Total Non Revenue Receipts		3,151,600,103	3,985,493,443		
- Total Revenue Receipts & Non Revenue Receipts C=(A)+(B)		3,151,600,103	3,985,493,443		
Remittance to the Treasury (D)		-	25,000		
Net Revenue Receipts & Non Revenue Receipts E=(C)-(D)		3,151,600,103	3,985,468,443		
Less : Expenditure					
Recurrent Expenditure					
1,666,200,000	Wages, Salaries & Other Employment Benefits	5	1,481,679,367	1,446,432,428	
934,179,819	Other Goods and Services	6	558,114,818	471,503,483	ACA - 2(ii)
2,620,181	Subsidies, Grants and Transfers	7	2,620,181	2,382,316	
25,300,000	Interest Payments	8	15,917,819	20,705,058	
22,100,000	Other Recurrent Expenditure	9	21,771,606	-	
2,650,400,000	Total Recurrent Expenditure (F)		2,080,103,792	1,941,023,285	
Capital Expenditure					
234,200,000	Rehabilitation & Improvement of Capital assets	10	60,002,143	37,054,504	
1,824,600,000	Acquisition of Capital Assets	11	763,904,607	943,520,888	
-	Capital Transfers	12	-	-	ACA - 2(ii)
-	Acquisition of Financial Assets	13	-	-	
8,800,000	capacity Building	14	2,355,554	985,119	
10,000,000	Other Capital Expenditure	15	2,705,093	-	
2,077,600,000	Total Capital Expenditure (G)		828,967,397	981,560,511	
	Deposit Payments		1,660,727,824	1,803,429,515	ACA - 4
	Advance Payments		103,609,362	86,073,631	ACA - 5
	Other Main Ledger Payments		-	-	
	Total Main Ledger Expenditure (H)		1,764,337,186	1,889,503,146	
	Total Expenditure I=(F+G+H)		4,673,408,374	4,812,086,942	
	Balance as at 31st December J=(E-I)		(1,521,808,272)	(826,618,499)	
	Balance as per the Imprest Reconciliation Statement		(1,521,808,272)	(826,618,499)	ACA - 7
	Imprest Balance as at 31st December				ACA - 3
			(1,521,808,272)	(826,618,499)	

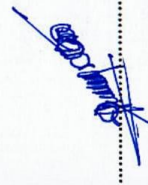
3.2 Statement on Financial Status as at 31 December 2021

ACA-P			
Statement of Financial Position As at 31st December 2021			
	Note	2021 Rs.	Actual 2020 Rs.
Non Financial Assets			
Property, Plant & Equipment	ACA-6	17,538,212,207	17,049,392,907
Financial Assets			
Advance Accounts	ACA-5/5(a)	260,643,928	253,446,194
Cash & Cash Equivalents	ACA-3	-	-
Total Assets		17,798,856,135	17,302,839,101
Net Assets / Equity			
Net Worth to Treasury		(449,634,426)	(609,379,941)
Property, Plant & Equipment Reserve		17,538,212,207	17,049,392,907
Rent and Work Advance Reserve	ACA-5(b)		
Current Liabilities			
Deposits Accounts	ACA-4	710,278,354	862,826,135
Unsettled Imprest Balance	ACA-3	-	-
Total Liabilities		17,798,856,135	17,302,839,101

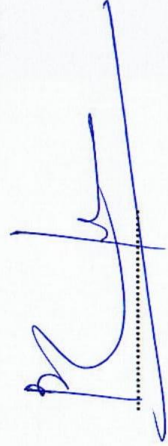
Statement of Financial Position

As at 31st December 2021

Detail Accounting Statements in ACA format Nos. 1 to 7 presented in pages from 12 to 49 and Notes to accounts presented in pages from 50 to 66 form an integral part of these Financial Statements. The Financial Statements have been prepared in complying with the Generally Accepted Accounting Principles whereas most appropriate Accounting Policies are used as disclosed in the Notes to the Financial Statements and hereby certify that figures in these Financial Statements, Notes to accounts and other relevant accounts were reconciled with the Treasury Books of Accounts and found in agreement. We hereby certify that an effective internal control system for the financial control exists in the Reporting Entity and carried out periodic reviews to monitor the effectiveness of internal control system for the financial control and accordingly make alterations as required for such systems to be effectively carried out.

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Chief Accounting Officer
M.P.D.U.K. Mapa Pathirana
 Name : Secretary
 Ministry of Labour
 7th Floor, "Mehewara Piyesa"
 Designation : Narahenpita
 Colombo - 05
 Date : 2022.02.25

.....


Accounting Officer
B.K. Prabath Chandrakeerthi
 (Attorney-at-Law)
 Name : Commissioner General of Labour
 Department of Labour
 Designation : Colombo 05.
 Date : 2022.02.24

.....


Chief Accountant
 Name :
 Date : 2022.02.24

P. Jeyabaskar
 Chief Accountant
 Department of Labour
 Colombo - 05.

3.3 Statement of cash flows for the year ended 31 December 2021

ACA-C		
Statement of Cash Flows for the Period ended 31st December 2021		
	Actual	
	2021 Rs.	Restated 2020 Rs.
Cash Flows from Operating Activities		
Total Tax Receipts	-	-
Fees, Fines, Penalties and Licenses	-	-
Profit	-	-
Non Revenue Receipts	-	8,810,549
Revenue Collected on behalf of Other Revenue Heads	1,297,454,447	845,791,843
Imprest Received	1,547,010,000	2,030,323,025
Recoveries from Advance	100,880,257	93,616,498
Deposit Received	1,508,180,043	1,873,175,788
Total Cash generated from Operations (A)	4,453,524,747	4,851,717,703
Less - Cash disbursed for:		
Personal Emoluments & Operating Payments	2,060,553,232	1,916,265,110
Subsidies & Transfer Payments	18,538,000	23,087,373
Expenditure incurred on behalf of Other Heads	22,488,951	39,640,977
Imprest Settlement to Treasury	-	25,000
Advance Payments	102,923,532	87,708,884
Deposit Payments	1,660,727,824	1,803,429,848
Total Cash disbursed for Operations (B)	3,865,231,540	3,870,157,192
NET CASH FLOW FROM OPERATING ACTIVITIES (C)=(A)-(b)	588,293,207	981,560,511
Cash Flows from Investing Activities		
Interest	-	-
Dividends	-	-
Divestiture Proceeds & Sale of Physical Assets	-	-
Recoveries from On Lending	-	-
Total Cash Generated from Investing Activities (D)	-	-
Less - Cash disbursed for:		
Purchase or Construction of Physical Assets & Acquisition of Other Investment	588,293,207	981,560,511
Total Cash disbursed for Investing Activities (E.)	588,293,207	981,560,511
NET CASH FLOW FROM INVESTING ACTIVITIES (F)=(D)-(E)	(588,293,207)	(981,560,511)
NET CASH FLOW FROM OPERATING & INVESTMENT ACTIVITIES (G)=(C.)+(F)	-	-
Cash Flows from Financing Activities		
Local Borrowings	-	-
Foreign Borrowings	-	-
Grants Received	-	-
Total Cash generated from Financing Activities (H)	-	-
Less - Cash disbursed for:		
Repayment of Local Borrowings	-	-
Repayment of Foreign Borrowings	-	-
Total Cash disbursed for Financing Activities (I)	-	-
NET CASH FLOW FROM FINANCING ACTIVITIES (J)=(H)-(I)	-	-
Net Movement in Cash (K)=(G)+(J)	-	-
Opening Cash Balance as at 01st January	-	-
Closing Balance as at 31st December	-	-

3.4 Notes to Financial Statements

1) Reporting period

The period from 01 January to 31 December 2021 is the reporting period applicable to these financial statements.

2) Basis for preparation

The Financial Statements have been prepared on historical cost modified by the revaluation of certain assets and accounted on a modified cash basis, unless otherwise specified.

The figures of the Financial Statements are presented in Sri Lankan Rupees rounded to the nearest rupee value.

3) Recognition of Revenue

Exchange and non exchange revenues are recognized on the cash receipts during the accounting period irrespective of relevant revenue period.

4) Recognition and Measurement of Property, Plant and Equipment (PP&E)

An item of Property, Plant and Equipment is recognized when it is probable that future economic benefits associated with the assets will flow to the entity and the cost of the assets can be reliably measured.

PP&E are measured at a cost and revaluation model is applied when cost model is not applicable.

5) Property, Plant and Equipment Reserve

This revaluation reserve account is the corresponding account of PP&E.

3.5 Performance of the revenue collection

Revenue Code	Description of the Revenue	Revenue Estimate		Collected Revenue	
		Original Estimate	Final Estimate	Amount (Rs)	As a % of Final Revenue Estimate
Not Applicable					

3.6 Performance of the utilization of allocation

Type of Allocation	Allocation		Actual Expenditure	Allocation Utilization as a % of Final Revenue Estimate
	Original	Final		
Recurrent	2,650,400,000	2,650,400,000	2,080,103,792	78%
Capital	2,077,600,000	2,077,600,000	828,967,397	40%

3.7 In terms of FR 208 grant of allocations for expenditure to this Department as an agent of the other Ministries/ Departments

S. No.	Allocation Received from which Ministry / Department	Purpose of the Allocation	Allocation		Actual Expenditure	Allocation Utilization as a % of Final Revenue Estimate
			Original	Final		
01.	Department of pensions	Loan Balances of Retired Officers	866,279.69	4,158,941.94	4,158,941.94	100%
02.	Ministry of Public Administration, Provincial Councils and Local Government	Payment of Allowance of Graduate Trainees	2,520,000.00	2,520,000.00	2,520,000.00	100%
03.	Ministry of Labour	For the Payment of Water and Electricity Bills of the Ministry	2,611,768.59	2,611,768.59	2,611,768.59	100%
04.	Ministry of Labour	Mehewara Piyesa Facility Management Fees	1,390,395.78	1,390,395.78	1,390,395.78	100%
05.	Ministry of Labour	For the Expenses on Decent Work Programme	11,807,844.66	11,807,844.66	11,807,844.66	100%

3.8 Performance of the reporting of non-financial assets

Assets Code	Code Description	Balance as per the Board of Survey Report as at 31st December 2021	Balance as per Financial Position Report as at 31st December 2021	Yet to be Accounted	Reporting Progress as a %
9151	Buildings and Structures	1,433,310,442.00	1,433,310,442.00		100%
9152	Machinery and Equipment	684,353,610.35	684,353,610.35		100%
9153	Land	2,262,720,000.00	2,262,720,000.00		100%
9154	Intangible Assets	37,398,096.00	37,398,096.00		100%
9155	Biological Assets				
9160	Work in Progress	13,120,430,058.62	13,120,430,058.62		100%
9180	Lease Assets				

3.9 Report of the Auditor General

Commissioner General of Labour
Department of Labour

Summary report of the Auditor General in terms of Section 11(1) of the National Audit Report Act No.19 of 2018 on the financial statements of the Department of Labour for the year ended 31 December 2021

1. Financial Statements

1.1 Qualified Opinion

The audit of the financial statements of the Department of Labour for the year ended 31 December 2021 comprising the statement of financial positions at 31 December 2021 and the statement of financial performance and cash flow statement for the year then ended, was carried out under my direction in pursuance of provisions in Article 154(1) of the Constitution of the Democratic Socialist Republic of Sri Lanka read in conjunction with provisions of the National Audit Act No. 19 of 2018. This report contains my comments and observations on the financial statements submitted to the Department of Labour in terms of Section 11(1) of the National Audit Act No.19 of 2018. The report of the Auditor General that should be submitted in terms of Section 10 of the National Audit Act, No.19 of 2018 which should be read in conjunction with Article 154(6) of the Constitution of the Democratic Socialist Republic of Sri Lanka will be presented to Parliament in due course.

In my opinion, except for the effects of the matters described in Paragraph 1.6 of this report, the financial statements give a true and fair view of the financial position of the Department of Labour as at 31 December 2021 and its financial performance and cash flow for the year then ended, in accordance with Generally Accepted Accounting Principles.

1.2.1 Basis for Qualified Opinion

My opinion is qualified on the basis of matters set out in Paragraph 1.6 of this report. I conducted my audit in accordance with Sri Lanka Auditing Standards (SLAuSs). My responsibility, under those standards is further described in the Auditor's Responsibility for the Audit of the Financial Statements section of my report. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

1.3.1 Responsibility of the Chief Accounting Officer and the Accounting officer for the Financial Statements

The Accounting Officer is responsible for the preparation of financial statements that give a true and fair view in accordance with Generally Accepted Accounting Principles and in terms of Section 38 of the National Audit Act, No.19 of 2018 and for such internal control as the Accounting Officer determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

As per Sub-section 16 (1) of the National Audit Act, No. 19 of 2018, the Department is required to maintain proper books and records of all its income, expenditure, assets and liabilities, to enable annual and periodic financial statements to be prepared of the Department.

In terms of Sub-section 38(1) (c) of the National Audit Act, the Chief Accounting Officer and the Accounting Officer shall ensure that an effective internal control system for the financial control exists in the Department and carry out periodic reviews to monitor the effectiveness of such system and accordingly make any alterations as required for such systems to be effectively carried out.

1.4 Auditor's Responsibility for the Audit of the Financial Statements

My objective is to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Sri Lanka Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with Sri Lanka Auditing Standards, I exercise professional judgment and maintain professional skepticism throughout the audit. I also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions or the override of internal control.

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Department's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the management.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

I communicate with the Accounting Officer regarding, among other matters, significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

1.5. Report on Other Legal Requirements

As required by Sub-section 6(1)(d) of the National Audit Act, No.19 of 2018, I state the following:

- (a) Financial statements were consistent with the preceding year;
- (b) The recommendations made by me with regard to the financial statements of the preceding year had been implemented.

1.6 Comments on Financial Statements

1.6.1 Statement of Financial Performance

1.6.1.1 Payment of Advances

Even though the payment of advances in the Statement of Financial Performance was Rs. 103,609,332, according to the treasury statements it was Rs. 103,607,793, hence the balance should have been Rs. 1,521,806,703 as per the imprest reconciliation statement.

1.6.2 Imprest Adjustment Account

Even though it has been stated in terms of Section 7.2 of the State Accounts Guidelines No: 2021/03 that revenue collected by reporting entities on behalf of other Revenue Accounting Officers should not be included in the Statement of Financial Performance and such revenue should be adjusted in Statement of Imprest Reconciliation and comparative figures for the year 2020 should also be stated, the comparative figures have not been stated accordingly.

1.6.3 Statement of Financial Position

1.6.3.1 Non-financial assets

The following observations are made.

- (a) In ACA-6 statement of the financial Statements, the value of offices, buildings and work in progress was Rs. 492,441,061, but according to ACA-2(i) programme expenditure statement it was Rs. 708,270,692. The difference was Rs. 215,829,631 and it had not been accounted in ACA-6 statement.
- (b) Office equipment to the value of Rs. 745,000 purchased under expenditure item 221-2-4-2104 (Buildings and Constructions) had been stated as buildings and constructions in ACA-6 statement.
- (c) Even though the accumulated amount for work in progress for the year 2021 was stated as Rs. 338,726,680 in ACA-6 statement, the value of work awarded to the Department of Buildings but not completed was Rs. 384,203,502. Accordingly, the work in progress had been understated by Rs. 45,476,642.
- (d) As stated in the Assets Management Circular No. 01/2017 dated 28 June 2017 of the Ministry of Finance and Media, though accurate details of all assets purchased and disposed by each institution from the year 2018 onwards should be submitted to the Comptroller General at the end of the relevant quarter, it had not been so done.
- (e) Though the acquisition cost of machinery and equipment disposed during the year under review should have been stated under Disposal in the Statement of Nonfinancial Assets, by indicating the sales value of the disposed machinery and equipment of Rs. 2,480,673 as disposals in ACA-6 statement, the nonfinancial assets in the Statement of Financial Position as at 31 December 2021 had been over-calculated.

1.6.3.2 Balances in the Deposit Account

- (a) The balance in the Employee's Provident Fund Deposit Account was Rs. 272,476,382 and the EPF value (according to the EPF final account as at 31.12.2021) retained in the general deposit account in respect of district labour offices was Rs. 29,303,455. Accordingly, the value of EPF balances in the departmental deposit account without being credited to the individual balances as at 31 December 2021 was Rs. 301,779,837.
- (b) The value of non-EPF money (in the C accounts) in the account as at 31 December 2021 payable to beneficiaries was Rs. 82,008,172. Included in this was a sum of Rs. 79,200,752 received from private institutions through judicial and non-judicial

processes for the payment of compensation to workers, Public Service Provident Funds (PSPF) amounting to Rs. 149,873 to be remitted to the Department of Pensions having deducted from the employees' salaries, stamp fees of Rs. 68,375 to be remitted to the Department of Inland Revenue and a sum of Rs. 2,589,172 payable to various parties including efficiency bar examinations, special allowances and election allowances.

- (c) The aggregate of balances in two General Deposit Accounts maintained by the Department as at 31 December 2021 amounted to Rs. 710,278,354. Of them, Rs. 313,823,202 had not been settled between periods ranging from 2 to 6 years and Rs. 129,768,153 between 6-10 years. Accordingly, action had not been taken in terms of Financial Regulations 571 (2) and (3) regarding lapsed deposits over 2 years amounting to Rs. 443,591,355, i.e. 62 percent of the deposit balance as at 31 December 2021.

1.6.4 Lack of evidence for audit

- (a) Schedules and information were not submitted for Rs. 470,736,369 out of deposit balances of Rs. 710,278,354 as at 31 December 2021.
- (b) Due to the threats of landslides, the Ratnapura District Labor Office had been relocated in a rented out building and action had been taken to have the old building repaired at an estimated cost of Rs. 11,177,000 by the Department of Buildings and shift the District Labour Office back to its original location. The certificate obtained from the National Building Research Organization before the commencement of renovations of the building confirming that there was no landslide risk and the details of the implementation of the short term recommendations issued by the NBRO were not presented to the audit.
- (c) Procurement activity recommendations had been given during the year to award 17 constructions with an estimated value of Rs. 77,067,802 which had not been included in the procurement plan of the year 2021. Though a request was made from the Engineer (Civil) by letter No. LSW/B/LD/01/2022/INF/24 dated 29 March 2022 to submit information regarding the contracts awarded to the Department of Buildings from 01 January 2018, a reply had hitherto not been submitted.
- (d) Though the details required for confirming the ownership, existence, extent and value of nonfinancial assets were requested by letter No:

LSW/B/LD/01/2022/INF/241 dated 15 March 2022, such details were not submitted to the audit.

2. Financial Review

2.1 Expenditure Management

- (a) The total provision of Rs. 7,200,000 in respect of 3 expenditure items had been closed in terms of Cabinet Memorandum dated 28 August 2021 for minimizing expenditure and provisions amounting to Rs. 4,400,000 relevant to 4 expenditure items had not been utilized 100 percent during the year 2021.
- (b) In terms of Cabinet Memorandum dated 28 August 2021, action had been taken to close Rs. 441,270,000 from items of Programme 1 for minimizing expenditure and after the closing of the said expenditure items, Rs. 1,011,083,360 out of the provision of Rs. 1,417,295,319 made in respect of 33 expenditure items as at 31 December 2021 had not been utilized and the resultant saving was in the range of 50 percent to 98 percent.
- (c) The budget estimated provision for expenditure head 221-1-1-0-1404 was Rs. 33,000,000 and the total expenditure was Rs. 74,334,386. Under F.R. 66, Rs. 41,334,500 had been transferred and the expenditure exceeding the estimated provision was 125 percent.

2.2 Non-compliance with laws, rules and regulations

Reference to laws, rules and regulations	Observations
(a) (i) FR 208	Though the institution requesting the service should make allocations and the institution rendering the service should obtain imprest from the Treasury and make the payment, as a result of the action taken by the Department of Labour to make the full payment to the Department of Buildings before the commencement of contracts, Rs. 397,410,290 had been accounted as expenditure, even though the amount had not been spent.
(b) F.R. 396 (a) & (c)	There were 14 outstanding cheques to the value of Rs. 55,273 of which validity had expired six months ago as at 31 December 2021 in the account bearing No: 0861-001-6-9026274 and action had not been taken in that regard as per Financial Regulations.
(c) Sections 1.1, 1.1(3), 5.2 of Circular No: 01/99 dated 11 February 1999 of	Collecting accurate data at the time of first inspection in recovering contributions in arrears and surcharges of the Employees' Provident Fund, recording statements from employees, maintaining formal inspection reports, calculating

the Commissioner General of Labour	surcharges correctly and maintaining EPF/I.L./05 register had not been carried out.
(d) 3(iii) and 2(iii) of the departmental circular No: 11/2000 dated 08 May 2020 of the Commissioner General of Labour	Maintaining an updated register regarding open warrant cases, submitting quarterly reports to the law enforcement division, implementing a special programme to enforce open warrants had not been carried out.
(e) No: 4.3.1 of Government Procurement Guidelines of 2006	Though the total cost estimate should be prepared by the entity, the relevant estimates had been prepared by the Department of Buildings, i.e. the contractor.
(f) SLS-573 (Sri Lanka Standards 573)	Though payments should be made after carrying out the measurement of building works, the total amount had been paid to the Department of Buildings without complying with this standard.

2.3 Irregular transactions

Formal rental agreements had not been entered into even by 24 May 2022 with the Employee's Provident Fund, Department of Community Based Corrections, State Pharmaceuticals Corporation, Employees' Trust Fund Board and Inland Revenue Department for which 129,799 square feet had been allocated on rent basis on the 13th floor of the Mehewara Piyasa building.

2.4 Releasing and settling advances

The idle loan balance of transferred and interdicted officers as at 31 December 2021 was Rs. 54,910, the balance between 2 to 4 years of the loans non recovered from officers who had vacated the service dismissed from service and whose services were terminated was Rs. 781,108 and the balance exceeding 5 years was Rs. 1,186,675.

2.5 Deposits

In paying statutory payments such as salaries, compensation, allowances, gratuity recovered from investigations into complaints of the Special Investigations Division, the balance that had been deposited in general deposit accounts due to the failure to establish the identity of the complainants from the year 2016 and remained non-settled as at 31 December 2021 was Rs. 538,734.

3. Operating Review

3.1 Performance

3.1.1 Not fulfilling functions

- (a) Out of the complaints referred to the Special Investigations Division as at 31 December 2021 from complaints lodged with the Commissioner General of Labour regarding the non-receipt of benefits entitled to employees from the employer, the number of cases that remained unresolved relevant to the period from 2015 to 2020 was 96 which was 31 percent of the total number of complaints.
- (b) As per the information received by the audit regarding the institutions maintaining approved contributory pension schemes (in the private employees' provident fund) in terms of Section 27 of the Employees' Provident Fund Act No. 15 of 1958, there had been 117 such institutions as at 31 December 2021, and even though the total of the balances of funds of 30 institutions as of that date was Rs. 106,794,071,789, the Department of Labour had failed to properly regulate such funds. Due to reasons such as the non-identification of the number of relevant registered institutions, disclosure of the instances of nonpayment of contributions by employers during the prescribed period and non-imposition of surcharges, obtaining money in the funds fraudulently by the officers of those institutions, non-submission of articles of the employer institutions to the Department of Labour, amended articles not being available with the Department of Labour, no taking action to investigate into complaints received, non-identification of the number of members in each fund correctly, non-identification of dormant institutions/funds, non-identification of funds in arrears, non-submission of formal information on the inspection of institutions, lack of adequate number of officers for the activities of the Private Provident Fund Division and non-updating of the sections of the Act to suit the present, various crises had emerged paralyzing the activities of this Division.
- (c) As a result of there being no formal regulation, Rs. 73,839,369 of the approved Employees' Provident Fund of the Coconut Cultivation Board had been defrauded by its officers and as a result of nonpayment of contributions on due date by the Associated Newspapers of Ceylon Limited, surcharges amounting to Rs. 107 million for the three years of 2019, 2020 and 2021 had to be paid.

3.1.2 Delays in implementing projects

Out of the floors allocated for offices in the Mehewara Piyasa building, Internal designs and partitioning activities had not been done on floors 4,5,6,7,8,9,10,11,12,13,14,15 (North),17,18,19,20,21,22,23,28,29 and 30. Though Rs. 460,326,053 had been paid as at 31 December 2021 for internal designs and partitioning in floors 4,8,9,10,11,12,13,14,15 and 16, those activities had not been carried out even by 02 March 2022.

3.1.3 Projects which have not achieved progress despite the release of funds

The value of work in progress which had not been completed despite the release of funds for construction and upgrading activities as at 31 December 2021 was Rs. 13,120,430,059.

3.2 Procurements

(a) Thirteen (13) contracts to the value of Rs. 397,410,290 had been awarded to the Department of Buildings for the construction of labour offices of the Department of Labour, upgrading common facilities and internal designs in buildings in the year 2021 and the following matters came to light during the audit inspection conducted in this regard.

- (i) Without adopting the due procurement procedure in terms of Paragraph 3 of the Government Procurement Guidelines of 2006, the contracts had been awarded directly to the Department of Buildings by the Procurement Committee.
- (ii) The management failed to submit to the audit, the contract agreements entered into between the Department of Labour and the Department of Buildings for each contract and performance guarantees in terms of 5.4.8 Of the said guidelines.
- (iii) The Department of Buildings had carried out the said contracts by employing subcontractors. It was revealed that the subcontracts had been awarded at a value less than the estimated amount and had the Department of Labour selected a contractor by calling bids, the work could have been carried out a lower estimated cost and as a result of awarding the contract directly to the Department of Buildings, the amount lost to the Department of Labour was Rs. 370.4 million.

- (iv) As the documents and year based on which the estimates were prepared (BSR, SSR) were not included in the estimates, such rates could not be formally inspected.
 - (v) The Department of Buildings includes a 5 percent management fee in preparing estimates, and awards contracts to subcontractors at a value lower than the estimated value. Since the Department of Labour had paid the entire estimated amount to the Department of Buildings before the commencement of work, a higher contract value and additional management fee had to be borne.
 - (vi) Eight (08) works valued at Rs. 143,657,855 out of the construction contracts awarded to the Department of Buildings in the year 2021 had not been included in the approved procurement plan.
- (b) In terms of the agreement entered into with a private company on 03rd October 2013, though it had been agreed to complete the construction of Mehewara Piyasa building in 36 months, the period had been extended up to 30 April 2019 subject to the charging of late fees as per Cabinet decision No: CP/19/0761/101/046-1 dated 27th March 2019. However, the works of the contract had not been completed even by 31 December 2021 and action had not been taken to recover late fees in terms of the agreement.
- Though a sum of Rs. 21,772,797 had been paid as late fees for 13 Interim Payment Certificates (IPC) to the relevant private construction company as stated in the Audit Report of 2020, action had not been taken to recover late fees from the company for the delay in the contract.

3.3 Commitments and Liabilities

- (a) As per the treasury account statement (SA-92) of 31 December 2021, the liability balance was Rs. 92,787,487 and the liability balance indicated as at that date in the accounts statements was Rs. 13,301,690. Accordingly, the total liability values of Rs. 47,245,030 had not been taken into the accounts and liabilities to the value of Rs. 32,240,777 had been understated in accounts in each expenditure head.
- (b) Commitments amounting to Rs. 24,562,247 in the treasury statement, had not been indicated in the statement of commitment and liabilities.
- (c) There was a difference of Rs. 119,218 in liabilities stated in the accounts statements under 03 expenditure heads and the values shown under the same expenditure heads in the liability register.

3.4 Management Inefficiencies

- (a) One of the key functions of the Department of Labour is to provide benefits duly to beneficiaries through the proper management of the Employees' Provident Fund. However, it was revealed that a part of the EPF funds that should be credited to the employees' contribution account had been lying to the credit of the general deposit account of the Department of Labour and the account of the Commissioner General of Labour maintained in the Central Bank of Sri Lanka over a long period of time which had been a hindrance in achieving the said function. It was observed that the balance in the account of the Commissioner General of Labour maintained in the Central Bank of Sri Lanka and this included Rs. 72,400,045 credited to the contribution account of the Commissioner General of Labour as at September 2021 and remained unsettled for over 25 years, Rs. 1,803,701,945 between 11 to 25 years and Rs. 2,707,715,793 between 5 to 10 years thus making a total balance of Rs. 4,583,817,783.
- (b) A special project had been launched in collaboration with the Central Bank of Sri Lanka for settling the balance in the account of the Commissioner General of Labour in the Central Bank of Sri Lanka for correcting the accounts of institutions for which value over Rs. 10 million had been credited in the year 2018 and this special project should have settled Rs. 920,118,836 belonging to 23 institutions. As per the situation existed as at 07 September 2021, only Rs. 44,046,527 out of Rs. 262,810,466 of 10 institutions belonging to 09 zones had been settled. Accordingly, the percentage of non-settlement of these institutions was in a range between 52 percent to 100 percent and non-settled value was Rs. 218,763,923.
- (c) Out of the cases filed for the non-receipt of entitlement benefits of employees of the private sector and semi-government sector, there were 5,151 dormant cases to the value of Rs. 3,108,693,249 and 2,822 open warrants to the value of Rs. 879,249,210 as at 31 December 2021. These cases had been lying dormant for a time range of 1 to 30 years due to reasons such as the death or emigration of the respondent, failure to locate addresses, closure of the institution and the misplacing of files and the case files had not been maintained up to date.
- (d) Though problems had arisen regarding the payment of EPF to the relevant beneficiaries recovered through court proceedings for a period of over 10 years, as a result of the value not credited to individual accounts having recovered from the courts in the Colombo district during a period of 1-3 years being Rs. 127,700,262, it is observed that action had not been taken to regularize the procedure for filing cases by incorporating relevant details in a systematic manner in such manner so as

to resolve such problems. By retaining this money in the general deposit account of the Department of Labour for a lengthy period of time without being credited to the EPF, it is observed that “Ensuring that benefits are duly granted to workers through the sound administration of the EPF” which is one of the key functions of the Department of Labour is not fulfilled optimally and that the beneficiaries are unable to claim their own money when in need for meeting their requirements. This has also adversely affected the vision of the Ministry of Labour “ A statisfied, productive labour force”.

- (e) Rentals amounting to Rs. 171,463,000 were in arrears from the additional offices established at Mehewara Piyasa building from the date of establishment up to 31 December 2021. The space remaining idle without being put to use for a period over 2 years is 102,725 square feet of which the monthly estimated rental of 39,180 square feet is Rs. 6,981,000. (except for 4,5 28-31 floors) Accordingly, a rental income of Rs. 83,772,000 had been lost for the year 2021.
- (f) 36,741 square feet of unused space in the Labour Secretariat building located in Colombo-05 zone which is an area of high commercial value remains idling for a period ranging from 10 months to 02 years and the monthly estimated rental thereof was Rs. 5,206,750. Accordingly, a rental income of Rs. 62,481,000 has been lost for the year 2021. The estimated value of the ground floor of the building was Rs. 314,000 and rent has not been charged from the Employees’ Trust Fund Board established in 1,336 square feet. Only a very small sum of Rs. 225 has been charged as monthly rental from the Department of Posts established in 840 square feet.

4. Good Governance

4.1 Internal Audit

- (a) As a result of the General Evidence Register maintained in labour offices of the Department not being duly supervised at the inspections carried out by the Internal Audit Division, sending notices, filing cases, taking action regarding petitions have been excessively delayed.
- (b) There were 503 petitions of which investigations had not been completed in 03 zonal labour offices and period of delay ranged from 458 days to 1146 days.

5. Human Resources Management

Approved staff, actual staff and expenditure for personal emoluments

The details of the approved and actual staff and vacant posts as at 31 December of the year under review are given below.

	Employee category	Approved cadre	Actual cadre	No, of vacancies
(i)	Senior level	211	142	69
(ii)	Junior level	668	483	185
(iii)	Secondary level	1,753	1,546	207
(iv)	Primary level	489	422	67
	Total	3,121	2,593	528

Accordingly, there existed 528 vacancies since the actual cadre was 2593 as against the approved cadre of 3121as at 31 December 2021.

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K.C.P. Senaratne
Senior Assistant Auditor General
For the Auditor General

Chapter Four

Performance Indicators

Performance Indicators

4.1. Performance indicators of the institution (on the basis of the Action Plan)

Specific indicators	Actual output as a percentage (%) of the expected output			
	100%-90%	75%-89%	50%-74%	Less than 50%
1.The percentage of labour inspections of high quality (A &B) out of the total labour inspections conducted during the year		76%		
2.The percentage of labour inspections conducted out of the targeted number of labour inspections				47% Note*
3.Of the complaints received on child labour, the percentage of the number of completed inspections		69%		
4.The number of programmes conducted for social dialogue as a percentage of the target				17% Note**
5.The percentage of payments of benefits of EPF within 14 days			65%	
6.The percentage of the number of staff members who received training out of the total staff	92%			
7.The percentage of the provision utilized, out of the overall provision allocated to the Department			64%	

*Note – it became difficult to conduct the targeted number of field inspections owing to the total suspension of field inspections in certain months and a limited number of field inspections being conducted in other months due to the Covid-19 pandemic situation that prevailed during the year.

**Note- The targeted percentage of social dialogue programmes could not be reached during the year owing to the inability to mobilize employers and employees for programmes on account of the restrictions imposed to contain the Covid-19 pandemic.

Chapter Five

Performance in achieving Sustainable Development Goals (SDGs)

Performance in achieving Sustainable Development Goals (SDGs)

5.1 Identified Sustainable Development Goals

Out of the Sustainable Development Goals to be achieved by Sri Lanka by the year 2030, the goal with direct relevance to the Department of Labour as per the mission of the Department is goal 8, i.e. **promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all**. Accordingly, the vision and mission of the Department of Labour is in harmony with this goal and the final outcome of all activities of the Department is the attainment of this goal. Thus, the overall progress of the Department reflects the progress in achieving Goal 8.

Aside from this, Goal 1 'End poverty in all its forms everywhere', Goal 5 'Achieve gender equality and empower all women and girls' and Goal 16 'Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels' are also relevant, albeit to a lesser degree, as per the activities of the Department.

Goal/ objective		Target		Achievement indicators		Progress of achievements up to now
01	End poverty in all its forms everywhere	1.1	By 2030, eradicate extreme poverty for all people everywhere, currently measured as people living on less than \$1.25 a day.	1.1.1	Proportion of the population living below the international poverty line by sex, age, employment status and geographic location (urban/rural)	<p>National Minimum Wage of Workers (Amendment) Act No.16 of 2021 was enacted in respect of the national monthly and daily minimum wages of private sector employees. Accordingly, the national minimum monthly salary was increased to Rs. 12,500/= and minimum daily wage was increased to Rs. 500/= to be effective from 16 August 2021 and was published as a supplement in the Government Gazette Part II dated 20 August 2021.</p> <p>Similarly, minimum wages of the following Wages Boards of which the minimum wage was less than Rs. 12,500/- were updated.</p> <ul style="list-style-type: none"> ➤ Rubber, Plastics, and Petroleum Resin Based Products Manufacturing Trade ➤ Security Service Trade ➤ Textile Manufacturing Trade ➤ Printing Trade ➤ Hotel and Catering Trade ➤ Retail and Wholesale Trade ➤ Bricks and Tiles Manufacturing Trade

						<p>Further, the minimum daily wage of the following Wages Boards of which the minimum daily wage was less than Rs.500/= was updated.</p> <ul style="list-style-type: none"> ➤ Coconut Manufacturing Trade ➤ Tea Growing and Manufacturing Trade ➤ Rubber Cultivation and Raw Rubber Processing Trade ➤ Bricks and Tiles Manufacturing Trade
05	Achieve gender equality and empower all women and girls	5.1	End all forms of discrimination against all women and girls everywhere.	5.1.1	Whether legal frameworks are in place or not to promote, enforce and monitor equality and non-discrimination on the basis of sex.	<ul style="list-style-type: none"> • Investigations into 02 complaints of the year 2021 were finalized and files were closed in the year 2021. Investigations of 11 files relevant to the years 2018, 2019 and 2020 were completed and files were closed. Legal action was constituted for 11 complaints on violations of conditions in the year 2021. (These cases in respect of complaints investigated since the year 2020 were filed in the year 2021.) • 302 institutions were inspected. Violations of 30 institutional conditions have been reported. Legal proceedings were instituted against 2 institutions for violating conditions. Warnings were issued to 28 other institutions for minor violations of conditions.
		5.2	Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation	5.2.1	Proportion of ever-partnered women and girls aged 15 years and older subjected to physical, sexual or psychological violence by a current or former intimate partner in the previous 12 months, by form of violence and by age	
		5.6 c	Adopt and strengthen sound policies and enforceable legislation for the promotion of gender equality and the empowerment of all women and girls at all levels	5.c.1	Proportion of countries with systems to track and make public allocations for gender equality and women's empowerment	

						<ul style="list-style-type: none"> • Awareness was raised on the labour laws applicable to women and children for 08 groups comprising 30 female workers each of the private sector through the 11 Offices of Zonal Deputy Commissioner of Labour in their respective areas. • The Department of Labour joined hands with the Sri Lanka Girl Guides Association (SLGGA) to raise societal awareness by educating girl guides on the labour law and a bipartite agreement was signed between the two parties aimed at specific objectives for the empowerment of girl guides. • The Department participated in the discussion held on 05th March 2021 under the topic 'whether the labour law of Sri Lanka favourable to women's economy' which was streamed live over Facebook social media platform. Awareness was raised therein about the impact of labour laws during the period of service of women. • An awareness programme on women's working environment and sexual harassment in workplace was held at a private institution at
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						<p>Kelaniya.</p> <ul style="list-style-type: none"> • Psychological counselling and evaluation programme was conducted for women inmates of hostels at Katunayake and Koggala.
8	Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all.	8.5	By 2030, achieve full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value.	8.5.1	Average hourly earnings of employees, by sex, age, occupation and persons with disabilities	In terms of labour laws, average hourly earnings of employees of the private and semi-government sectors do not vary by sex, age, occupation and persons with disabilities.
				8.5.2	Unemployment rate, by sex, age and persons with disabilities	
		8.7	Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms	8.7.1	Proportion and number of children aged 5–17 years engaged in child labour, by sex and age.	<ul style="list-style-type: none"> • 318 institutions were inspected for hazardous forms of child labour but no incidents of hazardous forms of child labour was reported. • Regulations made under Sections 3,4,5, and 9 of the Employment of Women, Young Persons and Children Act No. 47 of 1956 were amended by the employment of Women, Young Persons and Children (Amendment) Act, No. 2 of 2021. Accordingly, the minimum age a child can be employed was raised from 14 years to 16 years. Similarly, persons between 16 to 18 years were interpreted as young persons under the said

						<p>amendments which came into effect from 18th January 2021.</p> <ul style="list-style-type: none"> • With the passage of the amendment to increase the number of fields of hazardous occupations from 51 to 71 in Parliament having identified hazardous occupations that could be harmful to physical and mental wellbeing and safety of young persons, the fields of hazardous occupations was published in Gazette Extraordinary No: 2254/35 dated 18th November 2021. • Concurrent to World Day against Child Labour which fell on 12 June in the International Year for the Elimination of Child Labour 2021, a host of programmes were planned and implemented by the Women and Children's Affairs Division of the Department including engendering a broad dialogue in the society about the legal framework of Sri Lanka on child labour on 11th June 2021 and creating awareness on the social responsibility for zeroing child labour in Sri Lanka. • A topical discussion on laws
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						<p>applicable to children and safety of children was broadcasted as a segment of “Sith Pahan Weta” programme of Lakviru Radio on 10th June 2021 to coincide with World Day against Child Labour.</p> <ul style="list-style-type: none"> • Holding a short film competition “Chalana Roo” as part of international Children’s Day, giving an interview to Navaliya newspaper on laws pertaining to children and protection of children, holding a media briefing at the Government Information Department on 30th September 2021 on the theme “Let’s protect our children from numerous dangers”. • Holding the meetings of the National Steering Committee (NSC) for further strengthening collective efforts geared towards eliminating child labour and hazardous forms of child labour. • Kathikawa’ news journal with a number of feature articles on child labour was launched.
		8.8	Protect labour rights and promote safe and secure working environments for all	8.8.1	Rates of fatal and non-fatal occupational injuries by sex and migrant status.	<ul style="list-style-type: none"> • During the year 2021, sixty-three fatal accidents and 1,130 non-fatal accidents have been reported to

			workers, including migrant workers, in particular women migrants, and those in precarious employment.			the Department. By identifying the reasons for accidents, consequent to investigations into all such fatal and serious non-fatal accidents, awareness was created to prevent recurrence of such accidents and legal action was constituted by the Department in 2021 against 26 institutions in which accidents had been caused due action that had violated the Factories Ordinance.
				8.8.2	Level of national compliance with labour rights (freedom of association and collective bargaining) based on International Labour Organization (ILO) textual sources and national legislation, by sex and migrant status.	<ul style="list-style-type: none"> • Freedom of association and collective bargaining exists and accordingly the number of trade unions registered in the country in 2021 was 128. As at 31st December 2021, the total number of valid trade unions in the country including those registered in 2021 was 1936.

5.2 Achievements and challenges in fulfilling Sustainable Development Goals

Due to the Covid-19 pandemic situation that prevailed throughout the year 2021, it was very difficult to reach the targets of most of the activities planned for the year.

Chapter Six

Human Resources Profile

Human Resources Profile

6.1 Cadre Management

Post	Approved cadre	Existing cadre as at 31 st December 2021	No. of vacancies	No. of vacancies as a percentage of approved cadre
Senior level	211	142	69	33 %
Tertiary level	668	483	185	28 %
Secondary level	1753	1546	207	12 %
Primary level	489	422	67	14 %
Total	3121	2593	528	17 %

6.2 How the shortage or surplus of human resources has affected the performance of the institution

The percentage of vacancies of senior level officers of the Department as at 31 December 2021 was 33% and the percentage of vacancies of the tertiary level officers was 28%. Since officers of both these categories contribute to the decision making process, the existence of a high percentage of vacancies at these two levels has given rise to a slew of practical problems in the process of making decisions, assumption of responsibilities and supervision and guidance within the institutional hierarchy. It also leads to declining of productivity in the execution of duties of other officers. Further, the increased workload resulting from overseeing duties of vacant posts in addition to the prescribed duties of officers, adversely affect the productivity in discharging duties and may subject them to physical and mental stress.

Moreover, the Department discharges routine duties relating to around 14 legislation on the labour sector and activities pertaining to the payment of Employees' Provident Fund, investigations into complaints are carried out on a daily basis. Owing to the vacancies in the

service of the Public Management Service Officers' it is difficult to execute these duties with efficacy.

Generally, the absence of an adequate number of officers, has made it difficult to execute the daily functions of the Department efficiently.

6.3 Human Resources Development

Developing professional knowledge, skills and attitudes as well as promoting productivity and efficiency in the delivery of service is the prime objective of training programmes conducted for the officials of the Department. Through the training programmes, it is also expected to motivate officers to apply modern technology in their duties whilst competently managing the limited provisions and resources available with the Department, improve trilingual proficiency of officers to offer a friendlier service to the public and building more effective interrelations within the Department. Accordingly, these training programmes are geared towards producing a group of well-experienced, efficient and contended officers.

The participation of departmental officers in the local and foreign training programmes during the year 2021 is as follows.

Table 6.1 - Participation in local training programmes - 2021								
S.No	Name of the Programme	Number of officers and employees trained		Duration of the programme	Overall investment (Rs'000)		Nature of programme (Local / Foreign)	Output/Knowledge acquired
		Post	No. of employees		Local	Foreign		
Programmes conducted by the Planning, Research, Training & Publications Division								
1	Capacity development training programme held to mark International Women's Day	Female officers covering all posts	150	08 th March 2021	95,720.00		Local	Improving artistic taste and capacity development of officers
2	Awareness on the amendment of labour inspection reports and training of officers on industrial safety and occupational hygiene	All Deputy Commissioners of Labour in charge of zones, Assistant Commissioners of Labour and LOs of the 15 selected district labour offices (Colombo Central/ Colombo East/ Maharagama/ Colombo North/Negombo/ Ratnapura/ Kurunegala/ Kandy South/ Hatton/ Galle/ Badulla/ Monaragala/ Anuradhapura/ Jaffna/ Trincomalee	175	29 th and 30 th March 2021	162,650.00		Local	Instructions and procedure required for applying the amended labour inspection reports
3	Training programme for creating awareness amongst officers at the office level on EPF data system	Heads of EPF branches of all zonal, district and sub offices	68	23 rd March 2021	128,875.00		Local	Updating knowledge of officers on EPF data system and resolving problems
		Deputy Commissioners of Labour in charge of zones, Assistant Commissioners of Labour in charge of district offices. Senior	68	06 th April 2021				

		Labour Officers in charge of sub offices						
4	Orientation programme for Multifunctional Development Assistants	New Multifunctional Development Assistants	18	29 th July 2021	11,740.00		Local	Providing knowledge required for discharging duties
5	Training for Development Officers of Special Investigations Division	Development Officers of Special Investigations Division	04	05 th and 06 th August 2021	8,280.00		Local	Educating on the activities of the investigation team
6	Orientation programme for new Development Officers (Online)	Development Officers who received appointments on 01 st April 2021	91	25 th to 29 th October and 01 st and 02 nd of November 2021	21,900.00		Local	Training officers on file management and office methods.
7	Orientation programme for Assistant Commissioners of Labour	Assistant Commissioners of Labour	08	01 st of July to 09 th of July 2021	112,055.00		Local	Providing knowledge required for discharging duties and orientation training
8	Awareness programme on the implementation of Standard Operating Procedure (SOP) to resolve complaints and petitions received by Department of Labour –SOP-Sinhala medium programme (Online)	Deputy Commissioners of Labour in charge of zones, Assistant Commissioners of Labour in charge of district offices. Senior Labour Officers in charge of sub offices	68	21 st October 2021			Local	Awareness on SOP for resolving complaints and petitions
9	Awareness programme on the implementation of Standard Operating Procedure(SOP) to resolve	Deputy Commissioners of Labour in charge of zones in the Northern & Eastern zones, Assistant	50	23rd November 2021			Local	Awareness on SOP for resolving complaints and petitions

	complaints and petitions received by DoL –SOP-Tamil medium programme (Online)	Commissioners of Labour in charge of district offices, Senior Labour Officers in charge of sub-offices and all Labour Officers						
10	Training programme on the payment of 30% & services of “L” Branch	Management Service Officers of all zonal offices and the 30% and “L” Branch of the head office	100	23 rd and 25 th November 2021	3,870.00		Local	Updating knowledge of officers on the payment of 30% & services of “L” Branch
11	Making officers aware of public finance management process and procurement process	All Commissioners of Labour, Chief Accountant, all Deputy Commissioners of Labour, all Accountants, Assistant Commissioners of Labour of all divisions of the head office, District Factory Inspecting Engineers, Engineer-Civil, Engineer-Electrical	75	29 th November, 07 th and 13 th December 2021	11,850.00		Local	Solving problems relating to public finance management process and procurement process
12	Making officers aware of disguised employment relations under the decent work programme -2021 (Online)	Deputy Commissioners of Labour in charge of zones, Assistant Commissioners of Labour in charge of district offices. Senior Labour Officers in charge of sub offices and all Labour Officers	520	30 th November and 08 th , 10 th 15 th , 16 th and 22 nd December 2021	35,515.00		Local	Introducing disguised employment relations

13	Training programme on EPF monitoring system and services of the Claims Branch	Officers dealing with EPF monitoring system and payment of EPF benefits in all offices and the head office	526	01 st , 02 nd , 03 rd and 07 th December 2021	18,900.00		Local	Updating knowledge and of Officers dealing with EPF monitoring system and payment of EPF benefits and resolving problems.
14	Training programme on the introduction of Acts, amendments to Acts, complaint investigation, gathering evidence and filing cases –Central zone and Southern zone	Deputy Commissioners of Labour, Assistant Commissioners of Labour and Labour Officers of Central and Southern zones	130	17 th December 2021 (Central Zone) 21 st December 2021 (Southern zone)	129,700.00		Local	introducing disguised employment relations and resolving problems
15	Language training programme conducted in terms of PA Circular 18/2020 –Primary Level	Workers of the Office Employees Service and Drivers	43	100 hours	75,000.00		Local	improving Tamil language proficiency of officers
16	Language training programme conducted in terms of PA Circular 18/2020 – Secondary Level	Management Service Officers, Development Officers, Sinhala Stenographers, English Stenographers, EPF Clerks	136	150 hours	2,225, 000.00		Local	improving Tamil language proficiency of officers
17	Language training programme conducted in terms of PA Circular 18/2020 –Senior Level	Assistant Commissioners of Labour, Legal Officers, Labour Officers etc.	98	200 hours	1,500,000		Local	improving Tamil language proficiency of officers
Referring officials for trainings of external training institutions								
Workshops								
18	Higher National certificate in Labour Law and Labour Relations – NILS	Assistant Commissioners of Labour and Labour Officers	05		200,000.00		Local	Providing knowledge required for discharging duties

19	Training programme on personal file management – Sri Lanka Foundation Institute (SLFI)	Management Service Officers	07	31 March 2021	26,000.00		Local	Providing knowledge required for discharging duties
20	Productivity certificate course conducted for public officials	Development Officers and Management Service Officers	42	20 hours	8,000.00		Local	Providing knowledge required for discharging duties
Referring to diploma, degree and post graduate degree programmes								
21	Post Graduate Degree on Labour Relations and Human Resources Management	Assistant Commissioners of Labour	01		100,000.00		Local	Providing knowledge required for discharging duties
22	Post Graduate Degree on Information System Management	IT Officer	01		139,250.00		Local	Providing knowledge required for discharging duties
23	Post Graduate degree in Occupational Safety and Health Management (University of Moratuwa)	District Factory Inspection Engineer	01		103,500.00		Local	Providing knowledge required for discharging duties
24	Post Graduate Degree on Law	Legal Officers	02		303,000.00		Local	Providing knowledge required for discharging duties
25	Degree on Law	Labour Officers	03		97,050.00		Local	Providing knowledge required for discharging duties
26	Post Graduate Degree on Ecology	Research Officer	01		200,000.00		Local	Providing knowledge required for discharging duties
27	Masters in Public Administration and Management	Deputy Commissioners of Labour and Assistant Commissioners of Labour	05		425,000.00		Local	Providing knowledge required for discharging duties
28	Masters in Public Administration and Management	Assistant Commissioners of Labour	01		75,000.00		Local	Providing knowledge required for discharging duties

Table 6.2 – Participation in Foreign training programmes, Year 2021

S.No	Name of the Programme	No. of employees trained		Duration of the programme	Overall investment Rs. .	
		Post	Post		Local	Foreign
01	ILO Regional Tripartite Meeting (Towards a more resilient, Inclusive and Sustainable garment and textiles Sector in Asia and the Pacific	Secretary to the Wages Boards	1	18 th to 20 th October 2021		Training was conducted online.
02	Seminar on Building and of Employment of Service System	Deputy Commissioner of Labor	1	09 th to 22 nd November 2021		Training was conducted online.
03	South Asian Regional Tripartite Training Course on “Evidence – based Policy Making for Decent Work” 22- 26 November 2021(Online)	Assistant Commissioners of Labour	2	22 nd to 26 th November 2021		Training was conducted online.
04	Seminar on Industrial Park Construction for Belt and Road Countries, From 28 October to 10 November 2021	Assistant Commissioner of Labour and Senior Labour Officer	2	28 th October to 10 th November 2021		Training was conducted online.
06	Multi – Country Observation Study Mission on Data Governance in the Public Sector to Improve Productivity	Assistant Commissioners of Labour	1	24 th to 25 th November 2021		Training was conducted online.
07	Development of APO – Certified Public Sector Productivity Specialists	Assistant Commissioners of Labour	1	06 th to 10 th December 2021		Training was conducted online.
08	Sri Lankan Tripartite Participation in (Virtual) South Africa (NEDLAC) Annual Summit	Commissioners of Labour, Deputy Commissioners of Labour, Assistant Commissioners of Labour and the Secretary to the Wages Boards	5	07 th December 2021		Training was conducted online.

Chapter 07

Compliance Report

Compliance Report

No.	Applicable Requirement	Compliance Status (Complied/Not complied)	Brief explanation for non-compliance	Corrective actions proposed to avoid non-compliance in future
1	The following Financial statements/accounts have been submitted on due date			
1.1	Annual financial statements	Complied		
1.2	Advance to public officers account	Complied		
1.3	Trading and Manufacturing Advance Accounts (Commercial Advance Accounts)	Not relevant		
1.4	Stores Advance Accounts	Not relevant		
1.5	Special Advance Accounts	Not relevant		
1.6	Others	Not relevant		
2	Maintenance of books and registers (FR 445)			
2.1	Fixed assets register has been maintained and updated in terms of Public Administration Circular 267/2018	Complied		
2.2	Personal emoluments register/ Personal emoluments cards has been maintained and updated	Complied		
2.3	Register of Audit queries has been maintained and updated	Complied		
2.4	Register of Internal Audit reports has been maintained and updated	Complied		
2.5	All the monthly account summaries (CIGAS) are prepared and submitted to the Treasury on due date	Complied		
2.6	Register for cheques and money orders has been maintained and update	Complied		
2.7	Inventory register has been maintained and updated	Complied		
2.8	Stocks Register has been maintained and updated	Complied		
2.9	Register of Losses has been maintained and updated	Complied		
2.10	Commitment Register has been maintained and updated	Complied		
2.11	Register of Counterfoil Books (GA — N20) has been maintained	Complied		

	and updated			
3	Delegation of functions for financial control (FR 135)			
3.1	The financial authority has been delegated within the institution	Complied		
3.2	The delegation of financial authority has been communicated within the institution	Complied		
3.3	Authority has been delegated so that each transaction is signed by two or more officers	Complied		
3.4	The controls has been adhered to by the Accountants in terms of State Account Circular 171/2004 dated 11 th May 2014 in using the Government Payroll Software Package	Complied		
4.	Preparation of Annual Plans			
4.1	The annual action plan has been prepared	Complied		
4.2	The annual procurement plan has been prepared	Complied		
4.3	The annual Internal Audit plan has been prepared	Complied		
4.4	The annual estimate has been prepared and submitted to the National Budget Department (NBD) on due date	Complied		
4.5	The annual cash flow has been submitted to the Treasury Operations Department (TOD) on time	Complied		
5	Audit queries			
5.1	All the audit queries has been replied within the time specified by the Auditor General	Complied		
6	Internal Audit			
6.1	The internal audit plan has been prepared at the beginning of the year after consulting the Auditor General in terms of Financial Regulation 134(2)) DMA/1-2019	Complied		
6.2	Answers have been submitted to all internal audit reports within a period of one month	Complied	More than one month is taken when receiving answers from the relevant offices	Relevant divisions and offices have been enlightened
6.3	Copies of all the internal audit reports has been submitted to the Department of Management Audit in terms of Sub-section 40 (4) of the National Audit Act No. 19 of 2018	Complied		

7	Audit and Management Committee			
7.1	Minimum 04 meetings of the Audit and Management Committee has been held during the year as per the DMA Circular 1-2019	Complied		
8	Asset Management	Complied		
8.1	The information about purchases of assets and disposals was submitted to the Comptroller General's Office in terms of Paragraph 07 of the Asset Management Circular No. 01/2017	Complied		
8.2	A suitable liaison officer was appointed to coordinate the implementation of the provisions of the circular and the details of the nominated officer was sent to the Comptroller General's Office in terms of Paragraph 13 of the aforesaid circular	Complied		
8.3	The boards of survey was conducted and the relevant reports submitted to the Auditor General on due date in terms of Public Finance Circular No. 05/2016	Complied		
8.4	The excesses and deficits that were disclosed through the board of survey and other relating recommendations, actions were carried out during the period specified in the circular	Complied		
8.5	The disposal of condemned articles had been carried out in terms of FR 772	Complied		
9	Vehicle Management			
9.1	The daily running charts and monthly summaries of the pool vehicles had been prepared and submitted to the Auditor General on due date	Complied		
9.2	The condemned vehicles had been disposed of within a period of less than 6 months after condemning	Not complied	When a vehicle is condemned in any of the labour offices that cover all districts, a considerable period of time is taken for the appointment of committees for the disposal process and take	Taking action to expedite the disposal process by appointing disposal committees twice a year

			necessary course of action	
9.3	The vehicle log books had been maintained and updated	Complied		
9.4	The action has been taken in terms of FR 103, 104, 109 and 110 with regard to every vehicle accident	Complied		
9.5	The fuel consumption of vehicles has been retested in terms of the provisions of Paragraph 3.1 of the Public Administration Circular No. 30/2016 of 29 th December 2016	Complied		
9.6	The absolute ownership of the leased vehicle log books has been transferred after the lease term	Complied		
10	Management of Bank Accounts			
10.1	The bank reconciliation statements had been prepared, got certified and made ready for audit by the due date	Complied		
10.2	The dormant accounts that had existed in the year under review or since previous years settled	Complied		
10.3	The action had been taken in terms of Financial Regulations regarding balances that had been disclosed through bank reconciliation statements and for which adjustments had to be made, and had those balances been settled within one month	Not Complied		
11	Utilization of Provisions			
11.1	The provisions allocated had been spent without exceeding the limit	Complied		
	The liabilities not exceeding the provisions that remained at the end of the year as per the FR 94(1)	Complied		
12	Advances to Public Officers Account	Complied		
12.1	The limits had been complied with	Complied		
12.2	A time analysis had been carried out on the loans in arrears	Complied		
12.3	The loan balances in arrears for over one year had been settled	Complied	Loan balances in arrears for over one year have been settled to a certain extent and there are loan balances in arrears that remain to be settled	

13	General Deposit Account			
13.1	The action had been taken as per FR 571 in relation to disposal of lapsed deposits	Complied		
13.2	The control register for general deposits had been updated and maintained	Complied		
14	Imprest Account	Complied		
14.1	The balance in the cash book at the end of the year under review remitted to Treasury Operations Department (TOD)	Complied		
14.2	The ad-hoc sub imprests issued as per FR 371 settled within one month from the completion of the task	Complied		
14.3	The ad-hoc sub imprests had been issued without exceeding the limit approved as per F.R. 371	Complied		
14.4	The balance of the imprest account had been reconciled with the Treasury books monthly	Complied		
15	Revenue Account	There is no revenue account for the Department		
15.1	The refunds from the revenue had been made in terms of the regulations	Not relevant		
15.2	The revenue collection had been directly credited to the revenue account without credited to the deposit account	Not relevant		
15.3	Returns of arrears of revenue forward to the Auditor General in terms of FR 176	Not relevant		
16	Human Resource Management			
16.1	The staff has been maintained within the approved cadre	Complied		
16.2	All members of the staff have been issued a duty list in writing	Complied		
16.3	All reports have been submitted to MSD in terms of their circular no.04/2017 dated 20 th September 2017	Complied		
17	Provision of information to the public			
17.1	An information officer has been appointed and a proper register of information is maintained and updated in terms of Right to	Complied		

	Information Act and Regulation			
17.2	Information about the institution to the public have been provided by Website or alternative measures and has it been facilitated to appreciate / allegation to public against the public authority by this website or alternative measures	Complied		
17.3	Biannual and Annual reports have been submitted as per section 08 of the RTI Act	Complied		
18	Implementing citizens charter			
18.1	A citizens charter/ Citizens client's charter has been formulated and implemented by the Institution in terms of the circular number 05/2008 and 05/2018(1) of Ministry of Public Administration and Management	Having prepared the Citizens' Charter and has been referred again to the relevant divisions and offices for reconfirmation		
18.2	A methodology has been devised by the Institution in order to monitor and assess the formulation and the implementation of Citizens Charter / Citizens client's charter as per paragraph 2.3 of the circular	In implementing the Citizens' Charter subsequent to its finalization, the necessary plans for its supervision and evaluation are being drawn up		
19	Preparation of the Human Resource Plan			
19.1	A human resource development plan has been prepared in terms of the format in Annexure 02 of Public Administration Circular No.02/2018 dated 24 th January 2018	Complied		
19.2	A minimum training opportunity of not less than 12 hours per year for each member of the staff has been ensured in the aforesaid Human Resource Plan	Complied		
19.3	Annual performance agreements have been signed for the entire staff based on the format in Annexure 01 of the aforesaid Circular	Not complied	These activities are expected to be carried out during next year	

19.4	A senior officer was appointed and assigned the responsibility of preparing the human resource development plan, organizing capacity-building programs and conducting skill development programs as per paragraph No.6.5 of the aforesaid Circular	Complied		
20	Responses to Audit Paragraphs			
20.1	The shortcomings pointed out in the audit paragraphs issued by the Auditor General for the previous years have been rectified	Complied		

End.