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Management

The Practices, Challenges and Achievements of Labor Inspection with respect to Manufacturing and Construction Sectors: A Case Study of Bole Sub City, Addis Ababa City Administration

By: Biruk Matebe

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This is to certify that the thesis prepared by Biruk Matebe Ayalew entitled “*The Practices, Challenges and Achievements of Labor Inspection with respect to Manufacturing and Construction Sectors: A Case study of Bole Sub City, Addis Ababa City Administration*”, which is submitted in partial fulfillment of the requirements for the Degree of Masters in Public Management and Policy (MPMP), complies with the regulations of the University and meets the accepted standards with respect to originality and quality.

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Abstract

The objective of this study was to assess the practices, challenges and achievements of labor inspection with respect to the manufacturing and construction sectors in Bole sub-city, Addis Ababa City Administration. To achieve this objective, a descriptive cross sectional study was carried out in Bole sub-city, Addis Ababa City Administration. The study employed both quantitative and qualitative approach of data collection and analysis. Structured questionnaires and key informant interview guide were administered in data collection. 220 (Two hundred twenty) employees of the manufacturing and construction sectors were sampled using multi-stage sampling technique. Whereas, non-random technique were used for selecting 7 key interviewees. Secondary data from annual report, performance reports, and different legislations were also used. Analysis was done using SPSS version 24. The findings characterize the working condition in medium level enterprises of manufacturing and construction sectors in Bole sub-city as poor which is evident from unequal payment for the same kind of job, denial of annual leave, higher rate of occupational accident or disease, a shortage of safety equipment, untrained employees on the issue of occupational safety and accident, inability to unionize. And this poor working condition is the reflection of the sub-city's labor inspectorate which has not been equipped with sufficient, skilled and competent labor inspectors and which has been struggling with unmatched responsibilities and logistics to conduct labor inspection. On job training, well organized inspectorate, emphasis on prevention, risk based inspection, inspection based on wider participation and delegating inspection are the recommendations of this study.

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Acronyms

AALSAB	Addis Ababa Labor and Social Affairs Bureau
ATF	Akaki Textile and Garment Factory
BOLSAB	Bole sub city labor and Social Affairs Bureau
BPR	Business Process Re-engineering
FDRE	Federal Democratic Republic of Ethiopia
GTP	Growth and Transformation Plan
HIV	Human immune deficiency Virus
HOP	House of Peoples Representatives
HSE	Health and Safety Executive
ILO	International Labor Organization
MOLSA	Ministry of Labor and Social Affairs
NOSH	National Occupational Safety and Health
OSH	Occupational Safety and Health
OSHMS	Occupational Safety and Health Management System

CHAPTER ONE

INTRODUCTION

1.1 Background of the Study

All countries, irrespective of their level of economic development, have labor market regulations. The distinction between countries lies in the degree to which they are embedded in the law, whether the law is enforced and the extent to which government policies are sufficiently developed to pursue certain objectives. Their origin reflects the balanced ambitions of the labor markets' different stakeholders, mostly workers' rights, as well as the demands of businesses according to their production needs (Cazes, 2013).

Why do governments intervene in the labor market? The rationale underlying such interventions is that free labor markets are imperfect, that as a consequence there are rents in the employment relationship, and that employers abuse workers to extract these rents, leading to both unfairness and inefficiency. For example, employers discriminate against disadvantaged groups, underpay workers who are immobile or invest in firm-specific capital, fire workers who then need to be supported by the state, force employees to work more than they wish under the threat of dismissal, fail to insure workers against the risk of death, illness or disability, and so on. In response to the perceived unfairness and inefficiency of the free market, every state intervenes in the employment relationship (Djankov and Ramalho, 2009).

Countries have always tried to protect workers from their employer who have a greater bargaining power in concluding employment contracts. Djankov and Ramalho (2009) explained that countries have established a system of laws intended to protect the interests of workers and assure a minimum standard of living for the population at large. In addition to some basic civil rights protections, this system encompasses three bodies of law: employment law, collective relations law, and social security law. Employment laws govern the individual employment contract. Collective or industrial relations laws regulate the bargaining, adoption, and

enforcement of collective agreements, the organization of trade unions, and the industrial action by workers and employers. Social security laws govern the social response to needs and conditions that have a significant impact on the quality of life, such as old age, disability, death, sickness, and unemployment.

Like any other legislation, a labor code establishes a system of implementation which acts a watchdog for labor rights and namely the labor inspection system. Labor inspection is an essential part of the labor administration system, exercising the fundamental function of labor law enforcement and effective compliance. It ensures fairness in the workplace and helps promote economic development (International Labor Organization [ILO], 2011).

Blanc (2013) defined inspections as visits conducted by state regulatory agencies (or by quasi-state, or even non-governmental organizations, but acting upon a specific delegation of power from the state) – they are usually neither requested by, nor paid for (though there are exceptions) by the objects they visit. They are mandatory checks of compliance with applicable regulations. They are conducted on the premises of the inspected entities.

In essence, the institution of labor inspection has a twofold nature. On the one hand, it supervises the enforcement of legal provisions, particularly with regard to workers' rights. This is not restricted to working and employment conditions and OSH. Labor inspectors enforce legal provisions dealing with social services, migrant workers, vocational training, social security and other matters. On the other hand, labor inspection provides information and advice, as well as training. This dual nature means that labor inspection systems play a key role in the world of work and should be able to effectively remedy a wide range of labor problems. They are a tool for fairness in the workplace and good governance, and are particularly important when there is turmoil in the labor market, as in times of economic crisis (ILO ,2011).

One-third of the Federal Democratic Republic Ethiopia (FDRE) constitution incorporates human rights provisions including labor rights. The rights provided in the constitution would not be fulfilled unless they are implemented through proclamations and regulation by administrative agencies. To fulfill the labor rights recognized in the constitution and international Human Rights and International Labor Organization (ILO) Conventions, the Labor Proclamation , Proclamation Number 377/2003 , has been adopted by the parliament. The proclamation

establishes a labor inspection service with a power to supervise, executive, educate, study, make research and prepare a standard of work to ensure the implementation of the provisions issued in accordance with this Proclamation and other laws regarding working conditions, occupational safety, health and working environment in addition to other executives powers (Article 177 , Labor Proclamation).

An effective and efficient labor inspection service is a prerequisite for the implementation of the proclamation up to the expectation of the legislature. And hence improvement of the protection for workers' rights is impossible without an effective and efficient functioning of the mechanisms and institutions established to enforce compliance with labor law. Considering the high stake in the labor inspection service it is essential to understand the practices, challenges and achievements of labor inspection system in manufacturing and construction sectors in the case of Bole Sub-City which is an industrial and construction hub of the capital city of Ethiopia ,Addis Ababa.

The study area ,Bole Sub-City, is located at the eastern part of the metropolitan. It borders Yeka Sub-City in the North ,Nifasilk Laphto Sub-City and Kirkos Sub-City in the West, Akaki Kality Sub-City to the South and Oromiya Reginal National State to the East. The Sub-city is the largest of the ten sub-cities in terms of total area it occupies. It has with 122.08 Square Kilometers of land area under its possession (BOFED, 2011). It is organized into 14 *woreda* which are mandated to execute laws and polies within their boundary. The 14 *woredas* are accountable to the central administration of the Sub-City which is headed by a Chief Executive Officer.

According to the 2015/2016 registered businesses statistical data compiled by Addis Ababa Social and Labor Affairs Bureau (AASLAB), there are 478,428 employees within the city of Addis Ababa .Table 1.1. below depicts the number of employees with their corresponding sub-city .

Table 1.1. The number of employees with their corresponding sub-city

Sub-City	Number of Registered Business	Number of Employees						
		Ethiopians			Foreigners			Total Number of Employees
		Male	Female	Total	Male	Fem.	Tot.	
Bole	8189	50192	41120	91312	1885	144	2029	93341
N/S/Lap ht	7173	34553	30879	65432	124	39	163	65595
Kirkos	4042	38377	24803	63180	112	129	241	63421
Yeka	3531	22810	17237	40047	53	23	76	40123
K/Keran y	3941	20193	16668	36861	321	25	346	37207
Arada	3225	20039	17356	37395	46	79	125	37520
Akaki Kality	3279	40499	22752	63251	566	106	672	63923
A/ Ketema	6530	16595	13506	30101	18	38	56	30157
Lideta	2265	16506	13049	29555	48	47	95	29650
Gulelle	2331	9382	8078	17460	20	11	31	17,491
Total	44506	269146	205448	474594	3193	641	3834	478,428

Source : Addis Ababa Social and Labor Affairs Bureau (AASLAB) 2016/2017 Annual Report

It is displayed in Table 1.1 below that out of the total registered businesses in the city , 8,189 of them with 93,341 employees are within Bole Sub-City. This is the highest percentage of registered businesses; 18.4% of 44,506 registered businesses and the highest percentage of employees; 19.5% of 478,428 employees employed by the registered businesses in the city. Since the sub-city has the highest percentage of registered businesses and highest percentage of employees, it is selected as a case study to test the performance of labor inspectorates of the city in general and that of Bole Sub-City in particular. The construction sector is selected since it consumes up to 60% of the annual budget of the country, it involves a number of sectors and it employs a number of workers. The manufacturing sector is selected because of the policy prioritization given to the sector and higher number of employees it employs (GTP 1). That why the researcher purposefully selected Bole Sub-City as geographical area of the study and the construction and manufacturing sectors to get a reliable findings which would be used as an input for the City's and federal government policy makers.

1.2 Statement of the Problem

In many countries, employment laws are often ineffective because of evasion, weak enforcement and failure to reach the informal sector. Even though labor legislation might be rigid de jure, de facto it is not enforced and is widely evaded. Achieving greater labor market flexibility through non-enforcement of laws is not an optimal choice because it undermines the rule of law, exposes firms to costly uncertainty, impedes decent formal employment growth and leaves workers without adequate protection (Rutkowski and Scarpetta 2005 as cited in World Bank ,2011).

Enforcing the implementation of even the most basic of core labor standards is difficult. Countries that have adopted the conventions have not necessarily developed the accompanying laws and regulations. Even when these laws and regulations are in place, implementation and enforcement is a challenge. An example is child labor: a majority of countries have adopted and converted into law ILO Conventions 138 and 182, but according to the ILO 218 million children were engaged in economic activity in 2007, of which 126 million were in hazardous forms of

work. Moreover, most of the regulations only reach the formal sector which represents less than 30 percent of the global labor force. Workers in the informal sector are seldom organized, more prone to suffer from abuse and discrimination, and more likely to lack access to social insurance arrangements (World Bank ,2011).

The protection of labor rights in developing countries follows the general trend low standard compared to developed ones. Cazes and Verick (2013) asserted that labour legislation in developing countries can be de jure rigid but low levels of enforcement often render the legislation ineffective. Moreover, a majority of workers in developing countries are located in the informal economy and are hence beyond the scope of regulation, implying that employers are not directly affected by the impact of rigidities arising from labour laws and the like. Many of those operating in the informal economy are in fact own-account workers, which means there is no employer–employee relationship to govern (Ethiopia which is among the developing countries is not an exception to this general non-compliance to the labour law).

Inspection studies and reforms shown in countries of Eastern Europe and the Former Soviet Union, a very frequent situation is to see inspectors, with actual authority to inspect, but visiting far more businesses, and far more often, than what they have officially been sent to do – with as a result a huge difference between the “official” number of inspections, and what businesses really receive (Blanc,2013).

In Kenya, it was found that people without official inspecting rights went to inspect (and harass) businesses, with a clear rent-seeking purpose ,mostly, these were either other officials (but not inspectors), or former inspectors having gone on pension. Survey data from Italy shows that, inspectors are in fact required to produce an ID upon inception of the inspection visit, but over 1/3 do not do so and less than 50% actually indicate what they are going to check, based on which particular legislation, and how long it is likely to take. This last example shows that this is an important systemic issue that is at hand, and not just an aberration from some countries. The problem stems from the opacity of the inspections system, and the fear that most businesses have in front of inspectors. Thus, abuses are easily possible, as most businesses will simply not dare to ask proof of the inspectors right to inspect – as they have no certainty of who has the right to inspect, what are the rights of businesses in the process, and what documentation they are entitled to request. Addressing such issues is thus an important priority (Blanc, 2013).

Quite few researches have been conducted in our country on the issues related with labor inspection. A study conducted by Solomon Tibebe entitled “The practices and challenges of occupational health and safety in Ethiopia: the case of Akaki Textile and Garment Factory (ATF) in 2014 assessed the challenges of occupational health and safety practices and the extent of occupational health hazards of the textile workers as well as the cost implication of these work-related incidents and diseases among ATF. The study indicated that work in the factory severely affected worker’s health, as most activities are insecure, hazardous and take place in unhealthy and unsafe environment.

Another study conducted by Takele Zewedieen titled “Assessment Of Occupational Safety And Health Management System In Some Federal Government Organizations” depicts the degree of effectiveness Occupational Safety and Health Management System (OSHMS) in fifty five Federal Government as ineffective.

The above two researches showed that there is a need to exert more effort to implement the labour law to its full extent. The two researches and other researches on the subject matter are organization based. There is a research gap which assess the labor inspection practice based on geographical area like cities and sub-cities. To the researcher’s knowledge there was no study conducted on Bole sub-city.

The researcher has been working as a labor inspector in Bole Sub-city Social and labor Affairs Bureau since 2014. This has provided me with a unique opportunity to fight and advocate for the rights of workers. My career has also given me a chance to witness the opportunities and the challenges of the labor inspection system. In addition, the Labor Proclamation specifically requires research based intervention on issues relating to working conditions. That is why I have decided to do my final thesis on the practices and challenges of the labor inspection system in the case of Bole Sub-city Social and labor Affairs Bureau.

1.3. Research Questions

1. To what extent are all the necessary working conditions in the manufacturing and construction sectors within Bole sub-city are clearly stipulated in a legally binding manner?
2. To what extent are the manufacturing and construction companies in Bole sub-city comply with the legally stipulated working conditions as perceived by their employees?
3. What are the major achievements of Bole Sub-City Labor Inspectorate in terms of addressing illegal labor practices in Manufacturing and Construction sectors within the Sub-city?
4. What are the major challenges facing Bole Sub-City Labor Inspectorate in addressing illegal labor practices in Manufacturing and Construction sectors?
5. What mechanisms are available for Bole Sub-City Labor Inspectorate to improve its labor inspection practices in Manufacturing and Construction sectors?

1.4 Objective of the Study

1.4.1 General Objective

The general objective of the study is to assess the practices, challenges and achievements of Labor inspection with respect to the manufacturing and construction sectors in Bole sub-city, Addis Ababa City Administration

1.4.2 Specific Objectives

1. Assessing the extent to which all the necessary working conditions in the manufacturing and construction sectors within Bole sub-city are clearly stipulated in a legally binding manner.
2. Assessing the extent to which the manufacturing and construction companies in Bole sub-city comply with the legally stipulated working conditions as perceived by their employees.
3. Identifying the major achievements of Bole Sub-City Labor Inspectorate in terms of addressing illegal labor practices in Manufacturing and Construction sectors within the Sub-city.

4. Identifying the major challenges facing Bole Sub-City Labor Inspectorate in addressing illegal labor practices in Manufacturing and Construction sectors.

5. Exploring the mechanisms available for Bole Sub-City Labor Inspectorate to improve its labor inspection practices in Manufacturing and Construction sectors.

1.5 Significance of the Study

This study is relevant to policy makers, government bodies, ministry of labor and social affairs (MOLSA) and bureau of labor and social affairs (BOLSA) to give insight on the overall problems faced by labor inspection system, workers and employer organizations may also use it to help inform their dialogue on national standards and policies, clarify their roles and improve representation of their members and provide an optimal level of efficiency and effectiveness of the management of labor inspection system to be established and maintained and appropriate level of resources and staffing is to be obtained to enable the inspector to fulfill their mandate and it has an academic significance for future research.

1.6 Scope of the Study

The study is limited to Bole Sub-city social and labor affairs bureau Labor Inspectorate performance with respect to manufacturing and construction Sectors. Organizations with 16 to 200 employees who fall under the sub-city's labor inspectorate which engaged in the above two sectors.

1.7 Organization of the Study

This study is organized into five chapters. The first chapter will present the introductory part of the study, which consists of background, the statement of the problem, objectives, research questions, significance, scope, limitation of the study, and organization of the thesis. The second Chapter will go through the existing literature. The third chapter discusses the methodological aspects of the paper. The fourth chapter will present the research findings. The final chapter will provide summary of findings, conclusions and a set of suggestions derived from the research findings.

CHAPTER TWO

REVIEW OF RELATED LITERATURE

Introduction

This chapter explores the theoretical and empirical review of related literature. It deals with the definition and nature of labor inspection with respect to manufacturing and construction sectors, historical development of labor inspection and the practices of labor inspection in general and labor inspection in the case of Bole sub-city in particular.

2.1. Historical Overview of Labor Inspection

The enforcement of laws is not a separate issue from their promulgation. Blanc (2013) explained that the question of their enforcement is probably nearly as old as the introduction of rules and laws themselves. Ancient Egypt in the New Kingdom era (16th-11th centuries BC) already had a complex administrative system with technical staff at the lower levels that were in charge of making sure that central directives (e.g. relating to irrigation systems etc.) were properly followed. Controls of customs and taxes have also come into existence very early – ancient Athens and Rome both levied fees on imports, and had agents in charge of controlling incoming ships. These agents, however, were in most cases working for private “contractors” who advanced the income from duties and taxes to the state, and then collected the actual payments for themselves – tax farming being the norm during Ancient times, and very frequent until the 19th century CE.

There is no the issue of labor if there are no industries which employ the working force. That is why the historical development of labor law in general and labor inspection in particular is closely related with that of manufacturing industries. Richthofen (2002) explained that during the nineteenth century, most European countries adopted, albeit slowly, legislation reflecting new developments in industry, as well as more democratic and socially aware attitudes. In 1890,

representatives of 15 States attended a conference in Berlin to adopt the first international labor standards. That conference affirmed that laws in each State should be supervised by an adequate number of specially qualified officers, appointed by government and independent of both employers and workers. Again, concerns for more equitable economic conditions in international trade and competition were as much behind these reforms as were social considerations. After that, however, social progress was further accelerated. The first medical inspector of factories was appointed in Great Britain in 1898. By 1899, the first specialist engineering adviser was in office. And, in 1901, the first female factory inspector, Elsa von Richthofen, was appointed in Germany. Thus, the foundation of a modern labour inspection system, with general inspectors, both men and women, and technical and medical specialists, had been laid in a number of European countries by the beginning of the twentieth century.

The establishment of the International Labor Organization (ILO) in 1919 was a turning point for the development of the international labor standards including labor inspection. In its Constitution, the ILO imposes a duty on all member countries to set up a system of labor inspection. Labor Inspection Recommendation, 1923 (No. 20) was an important a big leap forward in setting labor inspection standard. The Labour Inspection Convention 1947 (No. 81), the most important convention in the history of ILO since it setup the standards for labor inspection which are still in effect. Article 3 of the Convention specified the role of legal inspector and it articulates the role of labor inspection as :

The functions of the system of labor inspection shall be:

- ❖ to secure the enforcement of the legal provisions relating to conditions of work and the protection of workers while engaged in their work, such as provisions relating to hours, wages, safety, health and welfare, the employment of children and young persons, and other connected matters, in so far as such provisions are enforceable by labour inspectors;
- ❖ to supply technical information and advice to employers and workers concerning the most effective means of complying with the legal provisions;
- ❖ to bring to the notice of the competent authority defects or abuses not specifically covered by existing legal provisions.

Therefore , the historical development of labor inspection is closely related to the industrial revolution and the establishment of ILO has been playing an indispensable role in setting the boundaries of labor inspection and crafting the principles of labor inspection.

2.2. Labor Inspection Definition

Inspections are among the regulatory powers of a state . Blanc (2013) defined inspections as visits conducted by delegation state regulatory agencies (or by quasi-state, or even non-governmental organizations, but acting upon a specific of power from the state) – they are usually neither requested by, nor paid for (though there are exceptions) by the objects they visit. They are mandatory checks of compliance with applicable regulations. They are conducted on the premises of the inspected entities.

The labor proclamation ,Proclamation number 377/2003 , describes labor inspection as an entity of the executive organ which supervise, execute, educate, study, make research and prepare a standard of work to ensure the implementation of the provisions the Proclamation and other laws regarding working conditions, occupational safety, health and working environment.

For the purpose of this research, labor inspection is defined as an activity of an administrative agency which includes supervising, executing, educating , studying, making research and preparing a standard of work to ensure the implementation of the provisions the labor proclamation and other laws regarding working conditions, occupational safety, health and working environment.

2.3. Basic Principles of Labor Inspection

The ILO Conventions and recommendations have been instrumental in setting international labor standards regarding working conditions, occupational safety, health and working environment and labor inspection .In this section the basic principles of labor inspection will be discussed.

2.3.1. Labor Inspection is a Public Function

Regarding the nature of the responsibility of labour inspection , Article 6 of the Labour Inspection Convention, 1947 (No. 81) provides that :

The inspection staff shall be composed of public officials whose status and conditions of service are such that they are assured of stability of employment and are independent of changes of government and of improper external influences.

From this provision it could be understood that labor inspection is an extension of the social policies ;specifically labor policy. Richthofen (2002) explained that labor inspection is a public function, a responsibility of government, best organized as a system, within the larger context of a state system, in order to administer social and labour policy and to supervise compliance with legislation and standards. Therefore, labour inspectors should enjoy the status and independence of public officials exercising their powers and functions in an impartial manner compatible with their public office and free of undue pressures and constraints from outside the system. As representatives of the State in the world of work, labor inspectors are empowered with considerable rights, but also bound by a set of duties regarding the way they exercise their functions, which may extend even beyond the termination of their office. The proper exercise of these rights and duties is fundamental to the authority of inspectors and the inspection system as a whole.

2.3.2. Close Cooperation Between Labor Inspection

An effective tripartite cooperation between the government ,employees and employee is necessary for the full realization of the standards set in labor codes. Concerning the importance of a strong and positive tripartite relation , Article 5 of the Labor Inspection Convention, 1947 (No. 81) calls for effective cooperation between the inspection services and other government services and public or private institutions engaged in similar activities. And also collaboration between officials of the labor inspectorate and employers and workers or their organizations.

This principle was firstly forwarded by The Labor Inspection Recommendation, 1923 (No. 20). And it was recommended that :

It is essential that the workers and their representatives should be afforded every facility for communicating freely with the inspectors as to any defect or breach of the law in the establishment in which they are employed; that every such complaint should as far as possible be investigated promptly by the inspector; that the complaint should be treated as absolutely confidential by the inspector and that no intimation even should be given to the employer or his

officials that the visit made for the purpose of investigation is being made in consequence of the receipt of a complaint.

That, with a view to securing full cooperation of the employers and workers and their respective organizations in promoting a high standard in regard to the conditions affecting the health and safety of the workers, it is desirable that the inspectorate should confer from time to time with the representatives of the employers' and workers' organizations as to the best measures to be taken for this purpose.

The tripartite relation creates a forum for policy dialogue for all stake holders in social policy in general and that of labor in particular. Richthofen (2002) explained that this cooperation is essential. It begins with the collaboration between labor inspection, government, employers and employees' organizations in the formulation of labour protection legislation and its application in the workplace, and includes the study of problems and proposals to improve living and working conditions, and the provision of information to employers concerning their statutory obligations. Cooperation presupposes that the participation of workers' representatives is guaranteed, and that employers assume their responsibilities in full measure.

Therefore , tripartite cooperation is the best available tool to protect the right of workers. Arrigo, Casaleand and Fasani (2011) asserted that labour rights can best be achieved in this global arena through partnerships between governments, industry and workers' organizations, amongst others.

2.3.3 Emphasis on Prevention

Regarding the importance of prevention in labour inspection , Article 13 of the Labour Inspection Convention, 1947 (No. 81) provides that :

Labor inspectors shall be empowered to take steps with a view to remedy-ing defects observed in plant, layout or working methods which they may have reasonable cause to believe constitute a threat to the health or safety of the workers.

There are specified ILO Conventions and Recommendation with an objective of protecting workers from Occupational accident and disease including the following :

- ❖ Protection of Workers' Health Recommendation, 1953 (No. 97)

- ❖ Occupational Safety and Health Convention (No. 155), and Recommendation (No. 164), 1981
- ❖ Occupational Health Services Convention (No. 161),
- ❖ Recommendation (No.171), 1985
- ❖ Prevention of Major Industrial Accidents Convention (No. 174), Recommendation (No. 181), 1993
- ❖ Radiation Protection Convention (No. 115), and Recommendation (No. 114), 1960
- ❖ Occupational Cancer Convention (No. 139), and Recommendation (No. 147),1974
- ❖ Working Environment (Air Pollution, Noise and Vibration) Convention (No. 148), and Recommendation (No. 156), 1977
- ❖ Asbestos Convention (No. 162), and Recommendation (No. 172), 1986
- ❖ Chemicals Convention (No. 170), and Recommendation (No. 177), 1990

2.3.4 Drive for Universal Coverage

The principle of labor inspection for all workers in all working places is incorporated in all most all of ILO conventions and recommendations. Article 2 of the Labor Inspection Convention, 1947 (No. 81) calls for the system of labor inspection in industrial workplaces to be applied to all workplaces in respect of which legal provisions relating to conditions of work and the protection of workers while engaged in their work are enforceable by labor inspectors. Regarding labor inspection in commercial workplaces Article 23 of the convention provides that the system of labor inspection in commercial workplaces shall apply to work-places in respect of which legal provisions relating to conditions of work and the protection of workers while engaged in their work are enforceable by labor inspectors.

The drive for universal coverage of labor inspection serves us an instrument of social justice. Richthofen (2002) asserted that that this principle concerns the drive for universal coverage, the need to extend labor inspection's protective and preventive action to the largest possible number of working people in all areas of activity. In principle, society should not, and labour inspection cannot, tolerate the existence of an economy where certain categories of workers are protected and others are not. Labour inspection is also based on the notion of solidarity and respect for the collective values of society. That is why, in recent years, labour inspection systems in many countries have extended their coverage in various directions traditionally not under their

responsibility such as: central government administration, the public services, the armed forces, the police, the self-employed, the “informal” sector and so on. Some even go beyond the confines of formal employment relationships (in many systems the point of departure, and basis, for labor inspection intervention) to include the protection of anyone affected by work activities, although this is by no means undisputed.

2.4 Functional Approach

There are a number of ways to categorize inspection systems based on different parameters. Richthofen (2002) explained that this functional approach to systematization clearly allows for a more ready comparison of resources allocated to different functions, and of how effective a system is in accomplishing its mandate in different areas of functional competence. A functional concept is based on the notion that the generic term “labor protection”, to which all labor inspections subscribe (either explicitly or implicitly), encompasses four, and possibly, five major functional areas:

1. occupational safety and health (and possibly “welfare”);
2. general conditions of work (and possibly wage issues);
3. industrial relations (including conciliation, but as a rule excluding arbitration);
4. employment-related matters (from illegal employment to employment pro-motion, including vocational training programmes); and
5. social security issues (though this is usually limited to controlling remittances and other workers’ compensation matters, as in Spain, but sometimes, as in South Africa, unemployment insurance contributions).

2.5 Sectorial Aspects of Labour Inspection

2.5.1 Labor Inspection in the Construction Industry

The sector contributes a lot for an economy .According to the 2006 evaluation report of Construction Action Programme (CAP), performed by ILO , the construction sector is one of the three most hazardous sector of an economy in which to work. Thousands die from construction accidents worldwide (ILO , 2006).

There are peculiar features of the sector which make it more hazardous. Richthofen (2002) explained that in spite of advances in mechanization, the construction industry in every country of the world is labor intensive. It does not lend itself in any significant way to automation, and even prefabrication off site has severe limitations. The greater the size and complexity of the building project, the greater the range of specialist and craft skills required. The amount of activity and the level of employment are directly affected by the local, national and international economic climate. While increased mechanization in terms of lifting and drilling, excavating and mixing has reduced some of the hard physical labor, it has also made possible unusual and innovative designs and introduced new hazards.

The risks of non-compliance with labor law are common in a sector that is characterized by extensive contracting chains, the temporary nature of worksites, the mobility and diversity of the workforce, and the changing nature of operations conducted on construction sites. Frequent violations reported include a failure to recognize labour contracts, to pay the minimum wage and other entitlements, to register workers in social security and to respect working hours; there are even cases of violations of fundamental rights at work, such as the minimum age for employment, forced and slave labour (ILO ,2017).

Cognizant of the specific nature of the sector , the ILO adopts major international instruments which have set labor standards for the sector in addition to the Labor Inspection Convention, 1947 (No. 81), which also applies to the construction industry. The Safety and Health in Construction Convention [No. 167] and its associated Recommendation [No. 175] in 1988. In addition to these instruments , the ILO Code of Practice on Safety and Health in Construction was approved in 1992.

Article 35(1) of the Safety and Health in Construction Convention [No. 167] specifically requires member states to provide appropriate inspection service to supervise the application of the measures to be taken in pursuance of the convention and provide the services with the resources necessary for the accomplishment of the inspection. Ethiopia has adopted the Convention and has an obligation to establish inspection service.

2.5.2 Labor Inspection in the Manufacturing Sector

Rapidly expanding manufacturing industries in developing economies create hazards from environmental pollution, unsafe workplaces and an unhealthy atmosphere in and around industries. Such hazards create a need for continuous monitoring and periodic evaluation of workplaces through a program of frequency sampling and workplace inspection for compliance with regulated exposure limits (ILO ,2013).

Occupational Safety and Health Convention, 1981 (No. 155) and Labor Inspection Convention, 1947 (No. 81) are applicable to all economic activity including the manufacturing sector. In addition to these international instruments ,the ILO adopts :

- ❖ Radiation Protection Convention (No. 115), and Recommendation (No. 114), 1960
- ❖ Occupational Cancer Convention (No. 139), and Recommendation (No. 147),1974
- ❖ Working Environment (Air Pollution, Noise and Vibration) Convention (No. 148), and Recommendation (No. 156), 1977
- ❖ Asbestos Convention (No. 162), and Recommendation (No. 172), 1986
- ❖ Chemicals Convention (No. 170), and Recommendation (No. 177), 1990

All the above conventions and recommendations set a standard of operation for labor inspection in the specific manufacturing industry and the corresponding occupational hazard.

2.6 Labor Inspection in Ethiopia

2.6.1. Historical Development of Labor Relation in Ethiopia

The historical development of the relation between employer and employee is a mirror image of the social ,political and economic development of any country .Since Ethiopia has been in the lowest strata of social ,political and economic development for most of its modern history , the dynamics of development for labor reaction has also been in its infancy state . Guadagni(1968) explained that Labor relations in Ethiopia have been very low and slow in development. The cultural, religious and legal settings have had their respective shares for such an outcome. Culturally, the Ethiopian society's attitude towards labor and laborers has been very discouraging. The traditional Ethiopian society despised both trade and manual work. All the remaining occupations excluding priesthood were relegated to members of the population who were thought of as a lower class. Metal work, for instance was left to one group of the population with such a low reputation that nobody dared to mingle with segment of the population.

The system of slavery which was legal in Ethiopian history until 1942 was also to be blamed for the low socio-economic development of the country . Redae(2008) asserted that legally, though Ethiopia has been a member of the ILO since 1923, slavery had legal protection and was entrenched as a system for long time in Ethiopian history. It is well understood that for labor relations to exist and flourish, there should exist a free labor that is capable and ready to render service in return for wages on the basis of a contractual arrangement. However, in a system where slavery as mode of production is legally recognized, there is no such a free labor that is capable of freely contracting. It was only in 1942 that clear governmental commitment to abolish slavery was manifested. At this period, a proclamation which stipulated the abolishment of the status of slavery and which criminalizes possession, sale and transfer of slaves was issued. It is therefore with the doing away with the legal status of slavery that one can speak of labor development in Ethiopia as a freeperson capable of freely contracting has been an essential precondition.

2.6.2 Institutional and Legal Framework

2.6.2.1 The constitution of FDRE

The 1995 Constitution of the Federal Democratic Republic of Ethiopia (FDRE) allocates one-third of its volume for the recognition of fundamental human rights and freedoms. Labor rights are at the very heart of the jurisprudence of modern human rights. Labor rights are specifically recognized by the Constitution at article 42 and the Constitution recognize the following fundamental labor rights:

- ❖ The right to form associations and trade unions
- ❖ Women workers right to equal pay for equal work.
- ❖ The right to reasonable limitation of working hours, to rest, to leisure, to periodic leaves with pay, to remuneration for public holidays as well as healthy and safe work environment.

These grand constitutional labor rights are fulfilled and protected by means of national policies , strategies and labor proclamation ,regulations and directives. Since the Constitution is supreme law of the land as per article 9 (1) of Constitution , any policy ,strategy or law on the issue of labor should be in conformity with the above provision of the Constitution and any law or practice in contrary will be null and void.

The above grand constitutional labor rights are not the only labor rights recognized by the constitution. According to article 9(4) of the Constitution, all international conventions ratified by Ethiopia are assimilated into the domestic legal system of the country. As a result , labor rights recognized by international conventions which are ratified by Ethiopia gets equal recognition and protection by the constitution .

2.6.2.2 National Labor Policies and Strategies

The implementation of fundamental human rights and freedom ,including labor rights, which are recognized by Constitution requires national policies ,strategies and laws . In the case of labor rights the government of the FDRE enacted the National Occupational Safety and Health (NOSH) Policy and Strategy in July ,2014.

The vision of the NOSH Policy is to protect workers from work place accidents and diseases (1.2 of the Policy).

The Policy has three missions:

1. Creating conducive work environment through tripartite co-operation of employers, employees and government.
2. Protecting the workforce from any kind of work place accidents and diseases
3. Improving the employer's profitability and worker's living standard by boosting productivity and market competition (1.3 of the policy).

The general objective of the policy is providing effective Occupational Safety and Health Service by protecting and avoiding work place accidents and diseases. This objective is in line with the ILO principle of protection.

The Policy aims to achieve the following goals(1.5 of the policy).:

1. Providing accessible Occupational Safety and Health Service to all economic activities including the informal sector
2. Protecting work place accidents and diseases by establishing a system consultation for bilateral and tripartite parties.
3. Establishing accessible Occupational Safety and Health Service which treats women, youth, disabled and HIV carrier workers preferentially.

4. Protecting employers, employees and the community from health hazards by controlling from pollutants from work place.

The Policy provides the following broad based principles (1.6 of the policy):

1. Occupational safety and health service is workers basic right
2. Occupational safety and health service is necessary for all work places.
This means that the scope of application of the policy is to all economic activities including the informal sector. The policy also clearly provides that the policy is applicable to all workplaces and economic activities (1.6 of the policy).
3. Work place accidents and diseases are preventable
4. Bilateral and trilateral co-operation and concerted effort are the key tools of the implantation of the policy.

It is worth discussing the strategies of the policy since the strategy serves as a plan of action for the implementation of the policy. The strategies of the policy are (2.1.2):

1. Establishing an accessible , and effective occupational safety and health service which focuses on protection
2. Ratifying international agreements by customizing to the socioeconomic realities the country
3. Continual adoption and revision of national laws and standards on work place safety and health
4. Incorporating the issue of occupational safety and health into national development plans and programs.
5. Establishing a system of control for the importation, exploitation and disposal of machineries, raw materials or chemicals to avoid accident and health hazard to employees and the environment.
6. Establishing a system for engagement of the private sector to provide consultancy and technical service
7. Establishing a system of outsourcing occupational safety and health service to the private sector.
8. Establishing an extension service of occupational safety and health to make the service accessible.

2.6.2.3 Labor Proclamation, Proclamation Number 377/2003

Since the adoption of the Federal Democratic Republic of Ethiopia (EDRE) Constitution in 1995, which is currently in force, Ethiopia has been following a system of federalism which comprises of the federal government, 9 regional states and two city administrations. As per article 55 of the Constitution, it is the jurisdiction of the federal government to adopt a labor law which is applicable throughout the federation. Using this Constitutional mandate, the federal government has proclaimed the Labor Proclamation, Proclamation Number 377/2003, in 2003. The proclamation has been in force for the past 14 years with slight modifications.

Part eleven of the proclamation provides the modalities of enforcement of the labor rights included in the proclamation. The proclamation empowers the Ministry of Labor and Social Affairs (MoLSA) with a number of executive powers. Article 170 bestows the power to issue directives upon MoLSA on the following issues :

- ❖ occupational safety, health and the protection of working environment;
- ❖ standards of working conditions;
- ❖ classification of hazardous jobs, works which are particularly arduous or dangerous to the health and to the reproductive systems of women workers;
- ❖ work permits for foreigners and in general, the manner of giving work permits;
- ❖ employment of Ethiopian nationals outside of Ethiopia;
- ❖ occupations and works in which apprenticeship need to be given;
- ❖ duration of apprenticeship; theoretical and practical aspects of apprenticeships as well as the manner of giving tests; .
- ❖ procedure for the registration of job-seekers and vacancies;
- ❖ procedure for the reduction of work force;
- ❖ undertakings required to have insurance coverage for the payment of employment injury benefit.

According to article 170 sub –article 2, MoLSA is responsible to organize, co-ordinate, follow up and execute the labor administration system. The proclamation establishes a labor administration system which comprises of three organs :

- ❖ An employment Service

- ❖ Labor Inspection Service
- ❖ A permanent Advisory Board

The first organ established by the proclamation is An Employment Service and as per article 172 of the proclamation, the Service has the following responsibilities :

- ❖ Assisting persons who are able and willing to work to obtain employment;
- ❖ Assisting employer in the recruitment of suitable workers for their works;
- ❖ Determining the manner in which foreign national are employed in Ethiopia;
- ❖ Determining the manner in which Ethiopian nationals are employed outside of Ethiopia;
- ❖ Co-operating with the concerned offices and organizations, in the preparation of training programmes;
- ❖ Undertaking studies concerning the employed and unemployed manpower of the country;
- ❖ In collaboration with the concerned offices conduct studies relating to the manner of improving vocational training at the national level and distribute same to beneficiary and implement the employment policy properly.

The newly established Job Creation and Food Security Agency assumes most of the above responsibilities and it is accountable to MoLSA.

The second organ established by the proclamation is the Labor Inspection Service which is bestowed with the following powers as per article 177 of the proclamation :

1. Ensure the implementation of the provisions of labor proclamation, regulations and directives issued in accordance with the Proclamation, other laws relating to labor relations, registered collective agreement, and the decisions and orders given by the authorities responsible to determine labor disputes;
2. Supervise, executive, educate, study, make research and prepare a standard of work to ensure the implementation of the provisions issued in accordance with the Proclamation and other laws regarding working conditions, occupational safety, health and working environment;
3. Prepare the list of occupational diseases and schedules of degrees of disablement ,classify dangerous trades or undertakings;
4. Conduct studies, and compile statistical data relating to working conditions;

The labor proclamation defines working conditions as "conditions of work" means the entire field of relations between workers and employers and shall also include hours of work, wage, leave, payments due to dismissal, workers health and safety, compensation to victims of employment injury, dismissal because of redundancy, grievance procedure and any other similar matters.

5. Prepare training programmes concerning the prevention of employment injuries;
6. Supervise and ensure that where undertakings are constructed, expanded, renovated or their appliances installed, they are not dangerous to the safety and health of workers;
7. Take administrative measures in order to implement this Proclamation and regulations and directives issued in accordance with this Proclamation;
8. To seek in the courts or in the authorities responsible for determining labor disputes appropriate measures for the enforcement of the provisions of this Proclamation and of such sanctions as may be required by its decision rendered

In parallel with the responsibilities allocated to the labor inspection service ,article 178 sub-article 3 bestows administrative powers to the labor inspector who are assigned by MoLSA.

1. To enter, during any working hours without prior notice, any work place which they may think necessary to inspect in order to examine, test or enquire to ascertain observation of working conditions
2. To question any person alone or in the presence of witnesses;
3. To check, copy or extract any paper, file or other documents;
4. To ensure that the relevant notices are affixed at the appropriate place of work.
5. To take any sample of any matter in a work place and to test it to ensure that it does not Cause injury to workers;
6. To take photograph of any worker, and measure draw or test buildings, rooms, factories, car tools, goods and copy and registered document in order to ensure the safety and health of workers;

The third organ established by the proclamation is An Advisory Board which is responsible to study and examine matters concerning employment service, working conditions, the safety and health of workers, the labor laws in general and give advisory opinion to the Minister. Its duties

and responsibilities shall be determined in the directives to be issued by the Minister (Article 177 the Proclamation).

2.6.2.4 Occupational Safety and Health Directive

The other legislation which governs labor inspection is the Occupational Safety and Health Directive which was adopted in July 2008. This is also very wide-ranging in its application, covering all employment sectors but with specific provisions for the manufacturing and construction sectors. Without prejudice to the Labor Proclamation, this Directive lays down general duties of employers and the duties and rights of workers, and the need for certain organizational measures such as a safety and health policy and arrangements, and for personal protective equipment. It also specifies measures for controlling a wide range of risks, such as those from chemicals, noise, radiation, machinery, working at heights, boilers and lifting equipment. There are also specific provisions for the recording and notifying of occupational accidents and diseases (ILO Eth, 2008).

2.6.2.5 International ILO Conventions

According to Article 9(4) of the FDRE Constitution , international agreements ratified by the House of Peoples Representatives (HPR) are binding just as a domestic law .Therefore , ILO conventions ratified by Ethiopia are as binding as the labor proclamation. Ethiopia is also bound to submit annual report to ILO concerning the implementation of the Conventions to which it is a party. Ethiopia has ratified 21 ILO Conventions as of today as it shown in Table 2.1 Below.

Table 2.1 List of Conventions ratified by Ethiopia

Convention	Date of Ratification by Ethiopia
Unemployment Convention, 1919 (No.2)	11 – 06 – 1966
Rights of Association (agriculture) conv. 11/1921)	4 – 06 – 1963
Weekly rest (Industrial) Convention No.14/1921	28 – 01 -1991
Freedom of Association and protection of the right to organize conv 87/1948	4 – 06 – 1963
Employment service conv. No 88/1948	4 – 06 – 1963
Fee-charging employment agencies Conv. No. 96/1948	30-04-1991 Denounced on 10-05-1999
The right to organize and bargain Collectively Conv. No. 98/1948	4 – 06 – 1963
Equal remuneration Convention No. 100/1951	24-03-1999
Abolition of forced labour No.105/1957	24-03-1999
Weekly rest commerce Convention	28-01-1999
Discrimination(employment)	11-06-1966
Minimum age convention	27-05-1999
Occupational safety and health and working environment Convention	28-01-1991
Workers with family responsibilities /equal opportunity & treatment/ Convention No. 156/1981	28-01-1991
Termination of employment	28-01-1991
Vocational rehabilitation and employment	28-01-1991

Private employment agencies convention	24-03-1999
Forced labour convention No. 29/1990	02-09-2003
Worst forms of child labour No. 182/1999	02-09-2003

Source: (ILO Eth, 2008).

The implementation of these Conventions rides to a significant degree on the capacities of the labour inspection services. For example, the Discrimination (Employment and Occupation) Convention 1958 (No. 111), the Occupational Safety and Health Convention 1981 (No. 155) and the Worst Forms of Child Labour Convention 1999 (No. 182) all depend on the labour inspection services for their enforcement at the enterprise level (ILO Eth, 2008).

2.7 International Best Practices of Labor Inspection

The South African Labor Inspectorate is among the best labor inspectorate in Africa. The Inspectorate's a one-stop service is operated and managerial decisions are made at the provincial and local levels, where inspectors offer integrated services without being expected to be specialists but are knowledgeable on all general working conditions and occupational safety and health issues. This was achieved through consolidating a preventive culture, advocacy, and cooperation with the social partners and stakeholders who are responsible for monitoring compliance with national and international labor standards (Nyambari , 2005).

The Brazilian Labor Inspectorate's selection of inspectors puts a great emphasis on the skill and knowledge. The labor inspection system relies upon a cadre of specially trained labor inspectors in charge of verifying the compliance and enforcing labor law and safety and health norms in the work environment. As agents of the State, they are conferred with working conditions which ensure that they can carry out their activities independently, within legal boundaries. Entry to the labor inspection career is conditioned to approval in a public competitive examination. This examination is remarkably competitive and has therefore proven to select highly qualified inspectors. Upon entry, inspectors participate in a training course (ILO ,2010).

The United Kingdom's Health and Safety Executive HSE focuses its inspections nearly exclusively on the highest risk targets, with an emphasis on businesses with a clear record of hazardous non-compliance. It also focuses specifically on sectors, where the greatest numbers of

incidents leading to deaths and injuries are found and it focuses in this way not just to control, but to prevent, expanding for instance important efforts on prevention in the construction sector, including actions in foreign languages to make sure it reaches the actual workers and foremen. Though it does not specifically communicate on this, because of the conflictual nature of the topic, the HSE has gradually reduced the inspections numbers in the last decade, from over 50,000 a year to around 30,000 5 years ago, to a lower figure now (as part also of budgetary restrictions in the UK). At the same time, better targeting and prevention work mean that death and injuries rates have actually decreased (Blanc ,2013).

Netherlands – the Chief Inspectors report to the Minister (who appoints them), but also to Parliament (yearly), and inspectorates again have high visibility and clear and distinct institutional identity. While key appointments are made by politicians, and they also impulse main reforms and changes, the operational workings of inspectorates are, again, relatively shielded. Reporting to Parliament means that there is public scrutiny, which helps avoid undue political influence (Blanc ,2013).

2.8 Empirical Works

Some related researches are conducted by different researchers in different parts of the world. Unfortunately, there are limited numbers of studies conducted in Ethiopian on the issue of labor inspection . Specifically (Solomon, 2014) conducted a research on the practices and challenges of occupational health and safety in Ethiopia. The objective of the study was to assess health and safety issues in Akaki Textile and Garment Factory. The study indicated that work in the factory severely affected worker's health, as most activities are insecure, hazardous and take place in unhealthy and unsafe environment. In the study area the particular nature of work in the integrated textile manufacturing created various types of health hazards among the selected respondents such as headache, eye and skin infection, back and chest pain, asthma, loss of interest and mental fatigue.

Takele (2011) also studied occupational safety and health management system in some federal government organizations. The objective of the study was to assess the Occupational Safety and Health Management System (OSHMS) in fifty five Federal Government Organizations who higher Occupational Safety and Health experts. The study showed that lack of awareness of top

and middle level managements and civil servants, insufficient or lack of budgetary support; failure to customizes OSHMS to organizational needs; weak management commitment; lack of integration with general management functions and systems and restricting OSH functions to OSH experts are the major challenges .As a result the study described the Occupational Safety and Health Management System (OSHMS) in the surveyed organizations as an ineffective.

Nyambari (2005) conducted a study on labor inspection in Africa from the perspective of promoting worker rights. The study found out that African labor inspectorates are understaffed and under-resourced and often too compartmentalized. An integrated, holistic system, under one central authority in each country and social dialogue about labor inspection were recommended by the study.

Hoferlin (2005) conducted a study entitles “ Hard times for labor inspection”. The study found out that worldwide, labor inspection is under increasing pressure. The challenge is not so much to ratify the relevant ILO Conventions as to ensure that they are really implemented in practice. And the vast gap between the workers’ needs and the means available shows that the big challenge is to achieve concrete implementation in practice. The study also shades light on the problem of discordance between legislation and the Conventions on labor inspection.

CHAPTER THREE

RESEARCH METHODOLOGY

3.1 Methodology of the Study

3.1.1 Research Approach

The study adopts a descriptive cross sectional survey design. Both quantitative and qualitative research approaches employed to assess the practices, challenges and achievements of Labor Inspectorate with respect to the manufacturing and construction sectors in the case of Bole sub-city, Addis Ababa City Administration. A cross-sectional study is preferable for this study since a cross-sectional survey method is applied for studies which gather data from a relatively large number of cases at a particular time (Kothari,2004).

3.1.2 Population and Sample of the Study

3.1.2.1 Population of the Study

AASLAB 2016/2017 Annual Report defines a small enterprise as an enterprise whose employees are less than 16 in number, a medium enterprise as an enterprise whose employees are between 16 and 200 in number and a higher enterprise as an enterprise whose employees are above 200 in number. The 2013 BPR document of AASLAB allocates the responsibility of conducting labor inspection into the three tiers of the bureaucracy apparatus of the city ; namely woreda , sub-city and the central administration of the city established by the 2003 revised Charter Proclamation of the city. Small enterprises are under the labor inspection jurisdiction of woreda labor inspectorate, medium enterprises are under the labor inspection jurisdiction of Sub-city labor inspectorate and higher enterprises are under the labor inspection jurisdiction of

AASLAB central labor inspectorate .The number of employees employed by the manufacturing and construction medium level enterprises in Bole sub-city is displayed below by Table 3.1

Table 3.1: Number of employees in the manufacturing and construction medium level enterprises in Bole Sub-city

Enterprise Business Sector	Number of Enterprises	Number of Employees		
		Male	Female	Total
Manufacturing	85	2461	2103	4564
Construction	82	2927	990	3917
Total	167	5388	3093	8481

Source :BoSLAB 2016/2017 Annual Report

As it is displayed in Table 3.1 above, out of the 736 medium level enterprises in Bole sub-city , 167 (22.7%) of the are manufacturing and construction enterprises. In terms of the sector in which the 32,984 employees of the medium enterprises in Bole sub-city are working(Table 3.3) , 4564(13.8%) of the total medium enterprises employees in Bole sub-city are engaged in the manufacturing sector and 3917(11.9%) of the total medium enterprises employees in Bole sub-city are engaged in the construction sector. Accordingly, the population of the study will be those employees of medium enterprises which engaged in the construction and manufacturing sectors in Bole sub-city , which is 8,481 employees, and who are under the umbrella of labor inspection of Bole sub-city labor inspectorate.

3.1.2.2. Sample Size and Sampling Procedure of the Study

A)Sample Size

To calculate the sample size, simplified formula provided by Taro Yamane (1967) is used i.e

$$n = \frac{N}{1 + N(e^2)}$$

Where,

n = number of sample size,

N = Total number of study population

e = level of confidence to have in the data or degree of freedom which is set to be 90% for this study.

Using the above formula the sample size for the manufacturing sector ,**N= 4564** , and construction sector ,**N=3917** , number of sample size , **n**, calculated to be 98 for both sectors. The calculated **n** is increased to 110 to compensate for non-response. Below is Table 3.4 which shows the population and sample size of the study.

Table 3. 2 Population and Sample Size

Business Sector	Number of Employees in the medium enterprise	Sample Size
Manufacturing	4564	110
Construction	3917	110
Total	8,481	220

Source : Own survey ,2018

B) Sampling Procedure of the Study

This study employs multi-stage sampling method. The manufacturing and construction sectors are the two economic sectors which are the focus of this study . As it is displayed in Table 3.4 , there are 85 medium level enterprises engaged in the manufacturing sector and 82 of them engaged in the construction sector. Firstly , from the medium enterprises engaged in the manufacturing sector , 11 medium enterprises will selected by using simple random sampling .Another 11 medium enterprises will selected by using simple random sampling from the enterprises engaged in the construction sector. The total number of randomly selected enterprises will be 22 enterprises. The register of the enterprises will be used as a sampling frame. Secondly, 10 employees will be selected from the 22 enterprises selected .This will make the total number of employees selected by using simple random sampling 220.

3.1.3 Sources of Data and Collection Methods

All necessary primary data are collected from employees and employers of medium enterprises which engaged in manufacturing and construction sectors ,labor inspectors and officials of BoLSAB. The study also employed secondary data sources to substantiate and triangulate the primary data. Secondary data from annual reports of BoLSAB and AALSAB, journals, magazines and books are exploited . The following data collection instruments were deployed to secure the primary data.

A)Questionnaire

Primary data are collected from the220employees of the 22 medium enterprises by means of structured questionnaire. The questionnaire are distributed to 10 randomly selected employees from each enterprises. The questionnaires is translated into Amharic language to ease communication. To get a data with a high quality from the questionnaire ,the researcher had personally administer the questionnaires and provide explanation when the need arise. And also the quality of the data are ensured by employing the method of triangulation .

B) Interview

Key informant interviews are hold with 10 employers/managers of the selected enterprises, 10 labor inspectors and 3 higher officials within Bole Sub-city social and labor affairs bureau with the instrumentality of interview guide.

C)Observation

An observation was conducted for a period of a month on the 22 selected enterprises while they are performing their day to day activities.

D) Document Review and Analysis

A through and detailed document review and analysis were made to secure the secondary data from annual reports of BoLSAB and AALSAB , journals, magazines and books.

3.1.4 Data Analysis Methods

The primary datais analyzed quantitatively by using the latest version 24 of Statistical Package for Social Sciences (SPSS). And descriptive and inferential statistics generated. Descriptive

analysis done for each variable in the study by running frequencies, percentage and cross tabulation. Results are presented by using graphical techniques to depict the picture of magnitude and relationships of various study variables.

3.1.5 The Research's Ethical Consideration

The researcher informed the respondents about the purpose of the research and secure their consent prior to the collection of primary data. And all secondary data sources were consulted in the course of the research work are duly acknowledged. The researcher also took the outmost care and observes research ethics and principles in the analysis, interpretation and reporting the findings of this research.

CHAPTER FOUR

DATA PRESENTATION ,ANALYSIS AND DISCUSSION

This chapter deals with the presentation of data collected from employees of the manufacturing and construction sectors in Bole sub-city and who are under the protection of the sub-city's labor inspection. Data is gathered from primary and secondary sources. The primary data were collected through questionnaire and interview. The secondary sources of data include annual reports, relevant legislations and policies.

4.1 Quantitative Data Presentation, Analysis and Discussion

4.1.1 Demographic Characteristics of Respondents

Biographical characteristics of the respondent workers would help the reader to get a clear picture of the composition of the respondents. Thus, sex, age, marital status, education level, and disability are the basic characteristics considered in this study as respondent's demographic characteristics. These demographic characteristics of the respondents are displayed below by Table 4.1.

Table 4.1 Profiles of Respondents in terms of Sex, Age, Marital Status Educational Level, Disability and Sector of Employment

Variable		Frequency	Percent
Sex	Female	116	52.7
	Male	104	47.3
	Total	220	100.0
Age	14-17	41	18.6
	18-24	62	28.2
	25-35	103	46.8
	Above 35	14	6.4
	Total	220	100.0
Marital Status	Unmarried	96	43.6
	Married	102	46.4
	Divorced	17	7.7
	Widowed	5	2.3
	Total	220	100.0
Education Level	Read and Write	42	19.1
	Grade 1-6	17	7.7
	Grade 7-8	31	14.1
	Grade 9-10	83	37.7
	Level 1 -4	37	16.8
	Degree	10	4.5
	Total	220	220
Disability	No	220	100.0
	Yes	0	0

	Total	220	220
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Source : Own Survey ,2018

As it is displayed by Table 4.1 above, in terms of sex, the majority of the respondents, 52.7 % (116) are females and the rest 47.3 % (104) are males. The majority of the respondent workers, 46.8% (103) were in the age group of 25 to 35 years and followed by the age group of 18 to 24 years with 28.2% (62). Young workers in age group 14 to 17 years, as defined by the Labor Proclamation comprises of 18.6% (41). The age group above 35 years accounts only 6.4% (14) of the respondent workers. This means that 75% of the respondents workers were in the age range of 18 to 35 years age which is considered as a youth as per the Ethiopian Youth Policy.

In terms marital status, the majority of respondent workers, 46.4% (102) were married and followed by the unmarried once with 43.6% (96). Those who dissolved their marriage by divorce comprises of 7.7% (17) of the respondent workers. Those who were widowed accounts for 2.3% (5) of the total respondent workers.

Regarding the education level of the respondents, the majority of them 37.7% (83) were in grade 9 to 10 and followed by the read and write category with 19.1% (42) of the respondent workers. The category of level 1-4 comprises of 16.8% (37) of the respondent workers. The category grade 7 to 8 comprises of 14.1% (31), grade 1 to 6 comprises of 7.7% (17) and this means that the respondents who were in the primary level of education, from grade 1 to 8, accounts for 21.8% of the total number respondent workers. And degree and above category only comprises of 4.5% (10) of the respondent workers. Concerning the physical disability type of the respondent workers, all of them were able bodied and had no any physical disability.

4.1.2. Employment Characteristics

The nature of the employment helps to understand the working conditions in any organization. The employment characteristics of the respondent workers will be analyzed in terms of the standards established by the Labor Proclamation. The variables which were employed by this study to characterize employment of the respondent workers are: sector of employment, type of the enterprise, employment tenure, work position, monthly salary, work experience in current organization and total work experience.

Table 4.2 Employment Characteristics

Variable		Frequency	Percent
Sector of Employment	Manufacturing	110	50.00
	Construction	110	50.00
	Total	220	100.0
Employment Tenure	Permanent	94	42.7
	Temporary	107	48.6
	Daily Laborer	19	8.7
	Total	220	100.0
Work Position	An expert	22	10.0
	Skilled Worker	180	81.8
	Unskilled Worker	18	8.2
	Total	220	100.0
Monthly Salary in terms of Birr	Less than 1000 Birr	13	5.9
	From 1000 to 1500	45	20.5
	From 1501 to 2000	59	26.8
	From 2001 to 2500	31	14.1
	From 2501 to 3000	43	19.5
	Above 3000 Birr	29	13.2
	Total	220	100
Work Experience In The Current Organization	Less than 45 days	20	9.1
	45 days to Six Months	28	12.7
	Above six months but less than one year	57	25.9
	one year to two years	76	34.5
	Above two years but less than five years	22	10.0
	Above five years	17	7.7
	Total	220	100

Source : Own Survey , 2018

As it is displayed by Table 4.2 above ,in terms of sector of employment , 50% (110) ,of the respondent workers were from the manufacturing and another 50% (110) workers from the construction sector; equal number of respondent workers from each sector. With regard to the type of the enterprise in which the respondents were working , the majority of them , 138 (62%) , are working in privately owned enterprises and followed by those working in enterprises owned by the government ,52% (23.6).The rest 13.7 %(30) were working in enterprises owned by the public.

Regarding the employment tenure of the respondent workers , the majority of the respondents ,48.6% (107) were employed temporarily. Those who were employed indefinitely (Permanent) accounts for 48.6% (107). The rest 8.7 % (19) of the respondents were day laborers who were called in for a certain task and paid on daily basis.

Concerning the work positions held by the respondent workers, the majority 81.1% (180), were skilled workers who perform some kind of tasks which require a knowhow like driving, operating a machine, painting , installing pipes and electrical lines ,sewing and carpentry. Experts accounts for 10% (22) of the respondents. The rest 8.2% (18) of the respondents were unskilled workers who were performing manual works like loading, unloading and cleaning.

Regarding the monthly salary of the respondent workers , the majority of them 26.8% (59), were in the monthly salary range of 1500 Birr to 2000 Birr and followed by those in the salary range of 1000 Birr to 1500 Birr who accounts for 20.5% (45) of the respondents .The respondent workers in the range 2501 Birr to 3000 Birr comprises of 19.5 % (43) , those in the range 2001 Birr to 2500 Birr comprises of 14.1% (31) , those in the range above 3000Birr accounts for 13.2 (29) and the rest of the respondents ,5.9% (13) , were paid less than 1000 Birr per month.

Concerning the work experience of the respondent workers in their current organization , the majority of them , 34.5 % (76) , have been working in their current organization from one year to two years and followed by those with an experience of above six months but less than a year in their current organization who accounts for 25.9 % (57) of the respondent workers. Those with an experience of 45 days to six months accounts 12.7% (28) , those with above two years but less than five years of experience accounts for 10% (22), those who worked for less than 45 days accounts for 9.1% (20) and those with more than five years of experience in their current organization accounts for 7.7 (17) of the respondent workers.

4.1.3 Minimum Working Conditions

The working conditions in the organizations of the respondents would help to compare and contrast with those minimum working conditions established by the Labor Proclamation. The working conditions in an organization should be greater than equal to the minimum conditions set by the proclamation . If not the organization is in violation of the Labor Proclamation and in some cases it is in violation of the constitution and international labor standards. The variables which were employed by this study to analyze the minimum conditions to which the respondents were subjected to are : employment contract, timely payment of salary , equal payment , annual leave , working hours , overtime work , labor unions and general condition working condition.

4.1.3.1 Employment Contract

As per article 7 (1) of the Labor Proclamation ,where the contract of employment is not in written form ,the employer will be compelled to give the employee a written and signed statement which specify the type of employment and place of work the rate of wages, method of calculation thereof, manner and interval of payment and duration of the contract. The respondents were asked about whether they had a written contract of employment or they have received a statement from their employer as per article 7 (1) of the Labor Proclamation. Below is Table 4.3 which displays their response.

Table 4.3. Written employment contract / a written and signed statement by the employer

Variable	Yes/No	Freq.	Percent
A written employment contract with the employer	Yes	127	57.7
	No	93	42.3
	Total	220	100.0
If there is no a written employment contract, did you received a written and signed statement which specify the terms of employment	Yes	39	41.9
	No	54	58.1
	Total	93	100.0

Source : Own Survey ,2018

As it is depicted by Table 4.3 above , the majority of the respondent employees , 57.7% (127) had a written employment contract with their employer. However, a considerable portion of the respondents , 42% (93) , had no a written employment contract. Unfortunately, out of the respondent workers without a written employment contract, 93 respondents, 58.1% (54) , had not received a written and signed statement which specify the terms of employment. This is a serious problem for the workers who are without a written employment contract and a written and signed statement .Specifically, in the case disagreement with their employer this a serious challenge for them given a written contract undisputable evidence for the employee.

4.1.3.2. On Time Salary Payment

As per article 58 of the Labor Proclamation , salary shall be paid at such intervals as are provided for by law or collective agreement or work rules or contract of employment. The respondents were asked about whether they got paid on time or not within the time framework provided by law or collective agreement or work rules or contract of employment. Below is Table 4.4 which displays their response.

Table 4.4 On Time Salary Payment

		Freq.	Percent
Do you get your salary on time	Yes	126	57.3
	No	94	42.7
	Total	220	100.0
If you do not get paid on time, your salary is delayed for	Less than one week	16	17.0
	From one week to two weeks	64	68.1
	From two weeks to three weeks	14	14.9
	Total	94	100.0
If you do not get paid on time , how often is your salary is delayed	Every month	75	79.8
	Every two months	19	20.2
	Total	94	100.0

Source : Own Survey ,2018

As it is depicted by Table 4.4 above , the majority of the respondent employees , 57.3% (126) said that they got paid on time. However, a considerable portion of the respondents , 42.7% (94) , expressed that they do not get salary on time. Unfortunately, out of the respondent workers who did not get paid on time , 94 respondents , the majority of them, 68.1% (64) , their salary was delayed one week to two weeks. Out of these 94 respondents , 14.9% (14) of them complained that the payment often delayed for two to three weeks. This is a serious problem for the workers given the current economic hardship for the lower and middle class of the society.

4.1.3.3 Equal Payment for the same Kind of Job

Discrimination in employment in terms of payment, promotion or in any other form based on sex , religion ,race ,political affiliation or discrimination based on any other ground is unlawful . Specifically the Labor Proclamation at article 14 (1)(b) provides that discrimination against female workers, in matters of remuneration, on the ground of their sex is unlawful. Another provision of the proclamation, Art.87(1) , provides that women shall not be discriminated against as regards employment and payment, on the basis of their sex. The principle of equal remuneration for the same kind of job was adopted by the International Labor Conference ,72nd session(1986). Therefore, to assess the applicability of this principle , the respondents were asked whether they were paid equally for the same kind of job. Table 4.5 below displays their response.

Table 4.5 . Equal Payment for the Same Kind of Job

Variable		Freq.	Percent
You get paid equally for the same kind of job	Yes	62	28.2
	No	158	71.8
	Total	220	100.0
If you do not get paid equally for the same kind of job, it is because you are	A woman /girl	78	49.4
	A young worker	32	20.3
	From a different ethnicity group	25	15.8
	A migrant worker	11	7.0
	New to the organization	12	7.5
	Total	158	100.0

Source : Own survey ,2018

As it is displayed in Table 4.5 above , the majority of respondents ,71.8% (158) , did not get paid equally for the same kind of job. Out of the respondents who did not get paid equally for the same kind of job , 158 respondents , the majority of them, 49.4% (78) , complained that the bases of the discrimination is their gender; because they are woman /girl. The young workers who accounts for 20.3% (32) of the respondents who said they do not get paid equally , presented their young age as the basis of the discrimination. And 7% (11) of the respondents who said they do not get paid equally said that they were paid unequally because they are migrant workers. The rest 7.5% (12) of them complained that they got paid unequally because they were new to the organization. Which means that 158 employees , which accounts for 71.8% of the total number of the respondents, right to get equal payment for the same kind of job was violated. The more effective and efficient the labor inspectorate is , the better for the protection of labor rights. Therefore, this higher percentage of infringement is a manifestation of the ineffectiveness of the inspectorate.

4.1.3.4 Annual Leave

Employees have the right to uninterrupted annual leave with pay as per article 76 and Article 77 of the Labor Proclamation. The respondents were asked about whether they have been freely exercising this right .Below is Table 4.6 which displays their response.

Table 4.6. Annual Leave

Variable		Freq.	Percent
Have you taken your annual leave in the past two years?	Yes	78	35.5
	No	142	64.5
	Total	220	100.0
If you have not taken your annual leave in the past two years , it is because	My employer forced me to postpone	66	46.5
	My employer refused to give the annual leave	50	35.2
	I want the wage instead of annual leave	26	18.3
	Total	142	100.0

Source : Own survey ,2018

As it is displayed in Table 4.6 above , the majority of respondents ,64.5% (142) , have not taken their annual leave. Out of the respondents who have not taken their annual leave, 142 respondents , the majority of them, 46.5% (66) , complained that their employer forced them to postpone the leave and 35.2% (50) said that their employer refused to give an annual leave. This means that employees' right to uninterrupted annual leave with pay has not been respected with the employers of the majority of the respondents. The rest of the respondents ,18.3% (26), have not taken their annual with the expectation of getting the wage instead of the annual . This clearly shows the misunderstanding of the workers since it is prohibited to pay wages in lieu of the annual leave. This misconception clearly shows the Bole sub-city labor inspection has a shortcoming in providing training on the basics of labor legislations.

4.1.3.5 Normal Hours of Work , Overtime

As per the provision of Article 61 of the Labor Proclamation , normal hours of work shall not exceed eight hours(8) a day or forty-eight(48) hours a week. And Art. 66 and Art. 68 of the proclamation provides that work done in excess of the normal daily hours of work is considered as an overtime and the worker who work overtime is entitled to an overtime payment in addition to his wages. In order to assess the application of these provisions of the proclamation , the employees were asked about their working hours and overtime work. Their responses are displayed below in Table 4.7.

Regarding daily working hours ,it is displayed in Table 4.7 below that the majority of the respondent workers, 63.6% , work for 8 hours and similarly greater percentage ,71.4% (157), work for 48 hours per week. From this it can be concluded that the respondents have been working daily and weekly within the limits set by the labor proclamation.

Concerning overtime work, the majority of the respondents , 98.6% (217), replied that they got paid for their overtime work. The respondents were asked about whether their employers had been compelling them to do overtime work and the majority ,57.3% (126) , said no. Whereas the rest 42.7%(94) explained that their employers had been compelling them to do overtime work compelling them to do overtime work. Those respondents who said they were forced to do overtime work ,94 of the respondents , were asked why they had been compelled to do overtime .The majority of them , 46% (58), it was to substitute absent workers and 38.9% (49) of them said it was because of urgent work. Only 15.1% (19) of them said it was arbitrary. Article 67 (1)

of the labor proclamation gave employers to compel employees to do overtime work to Substitute absent workers, urgent work and in cases of force-majeure and accidents .Therefore , it be inferred from the above data that the respondents rights with regard to working hours are being respected by their employers.

Table 4.7. Normal Hours of Work and Overtime

		Fre.	Percent
How many hours you work per a day on average?	For 8:00 hours	140	63.6
	From 8:01 to 10:00 hours	55	25.0
	From 10:01 to 12:00 hours	15	6.8
	More than 12:01	10	4.5
	Total	220	100.0
How many hours you work per a week on average?	For 48 hours	157	71.4
	For more than 48hours	63	28.6
	Total	220	100.0
Do you get paid for your overtime work ?	Yes	217	98.6
	No	3	1.4
	Total	220	100.0
Are you being forced to do over time work ?	Yes	94	42.7
	No	126	57.3
	Total	220	100.0
If you answer yes ,why are you being forced to do over time work?	Substitution of absent workers	58	46.0
	Urgent work	49	38.9
	Arbitrarily	19	15.1
	Total	126	100

Source : Own Survey ,2018

4.1.3.6 Trade Unions

The right of employees to form and be a member of workers association is among the basic human rights included in the Constitution (FDRE Constitution ,1995).The Labor Proclamation also recognizes this fundamental right and provides the detail procedures of formation ,function and registration of trade unions . The respondents were asked about the fulfillment of their right to form an workers association and their responses are displayed below by Table 4.8.

Table 4.8 Trade Unions

		Freq.	Percent
Are there trade unions in your organization?	Yes	35	15.9
	No	185	84.1
	Total	220	100.0
If there are no trade unions in your organization,, it is because	Employees are not interested	49	26.5
	The employer always obstruct any attempt to form a trade union	96	51.9
	I do not know	40	21.6
	Total	185	100

Source : Own survey ,2018

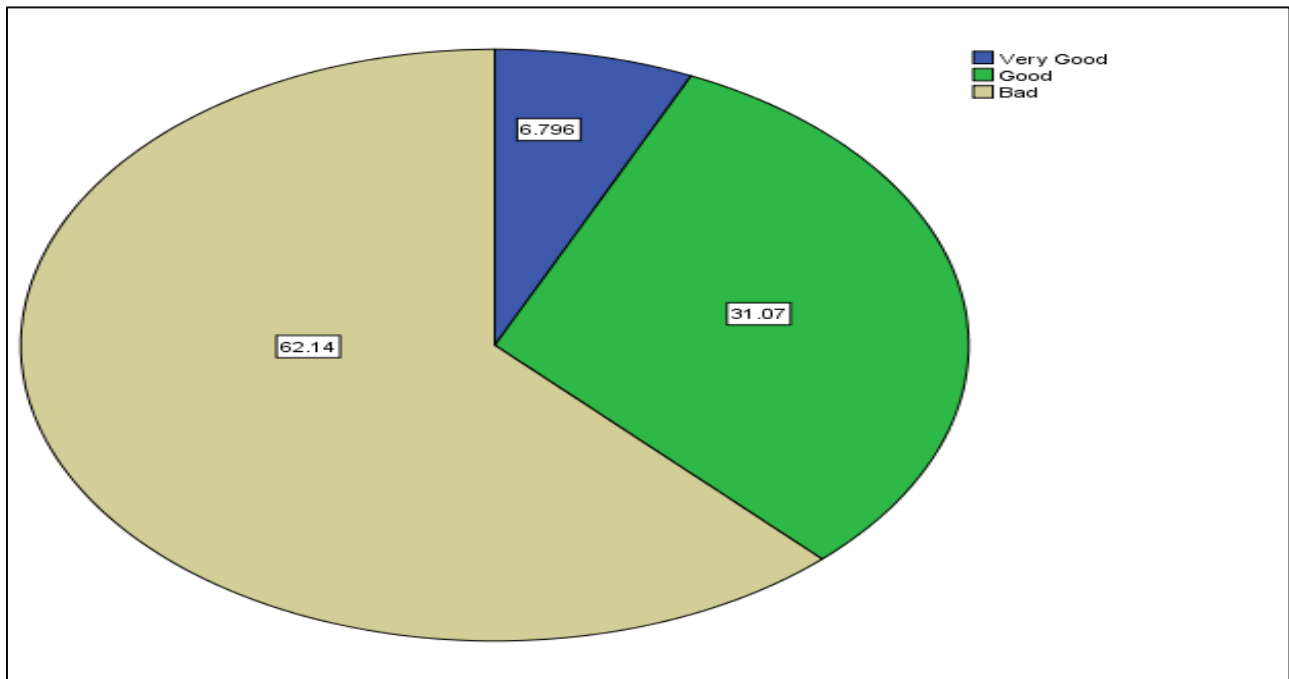
Despite the fact that the right to form and participate in a trade union is a grand constitutional right, it is displayed in Table 4.8 above that the majority of the respondent employees, 84.1% (185), disclosed that there were no trade unions in their organization and only the rest ,15.9% (35) , of them replied that there were trade unions in their organization. The respondent employees who replied no were asked the reason behind for the non- existence of trade union in their organization. The majority of them , 51.9% (96), explained that it was their employers who had been obstructing the formation of a trade union and 26.5 (49) of them said that employees were not interested .The rest of the respondents , 21.6% (40) , did not know the why there were no trade unions. The sub-city’s labor inspection service has a long way to go to make sure that workers organize in trade unions and protect their right collectively. The role of an independent trade union within any organization is irreplaceable in providing protection for employees’ right.

4.1.3.7 Working Condition

The respondent employees were asked to describe the working condition of their organization from the perspective of contract, salary, leave, equal treatment and working hours. Fig. 4.1 Below presents their description.

As it is depicted by Fig. 4.1, 31.07% of the respondents described the working condition as good and 6.79% of them described it as very good. Unfortunately, the majority of the respondent employees, 62.14%, described the working condition in their organization as bad. This result is the manifestation of the ineffectiveness of Bole sub-city labor inspectorate.

Fig. 4.1 Working Conditions



Source : Own survey ,2018

4.1.3.8 Occupational Accident and Disease

Employers have an obligation to make the working environment safe from injuries and accidents as much as possible by providing the necessary safety equipment, training the workers on safety procedures, conducting annual OSH checks, through safety officers, observing the implementation of the national laws and regulation on OSH, applying OSH policy of the organization all the time and other methods which are pertinent to their organization. The

respondent employees were asked about their organizations' OSH condition and their response is displayed below in Table 4.9.

As it is displayed in Table 4.9 below, the majority of the respondent employees, 53.2%(117), said that they had not sustained or witnessed any occupational accident or disease in the past 2 years in their current organization. The rest 46.8 (103) of the respondents sustained or witnessed occupational accident or disease. These respondents were asked what was the cause of the accident and the majority of them , 55.3% (57) , related the accident or disease to the unsafe and inconvenient working environment . Absence of safety equipment at the time of the accident or disease was considered as the cause of the accident by 30.1% of those employees who sustained or witnessed the accident or disease. This means that had the working environment been convenient and safe equipment was available, the accident or disease could have been prevented. From this it can be inferred that the sub-city's labor inspectorate has not been doing enough to make the working environment safe for the workers through continuous inspection.

Table 4.9 Occupational Accident and Disease

		Freq.	Perc.
Have you ever sustained or witnessed any occupational accident or disease in the past 2 years in your current organization	Yes	103	46.8
	No	117	53.2
	Total	220	100.0
If you have sustained or witnessed any occupational accident or disease, what was the cause ?	There was no a safety equipment at the time	31	30.1
	The victim's negligence	5	4.9
	The victim did not know the use of the safety equipment at the time	10	9.7
	Unsafe working environment	57	55.3
	Total	103	100.0

Source : Own Survey , 2018

4.1.3.9 Training on Working Conditions , Health & Safety

As per article 177(2) of the labor proclamation, the responsibility of labor inspection service includes educating and training employees on working conditions. Based on the rational that better informed employees in the economy are indispensable for the implementation of national and international labor laws, the labor proclamation intentionally obligates labor inspection services to provide training.

To assess whether Bole Sub-city labor inspectorate had been delivering trainings on working conditions , health & safety, the respondent employees were asked about the trainings which had been delivered by the inspectorate ,if any. Their response is displayed below by Table 4.10.

Table 4.10 Training on Working Conditions , Health & Safety

Variable		Freq.	Perc.
Have you had any training on working conditions , health & safety training in the 2 years months given by Bole Sub-city labor inspectorate ?	Yes	69	31.4
	No	151	68.6
	Total	220	100.0
If you had a training , how many trainings did you got in the past 2 years ?	Just one	53	76.8
	Two trainings	11	15.9
	Three trainings	5	7.2
	Total	69	100.0

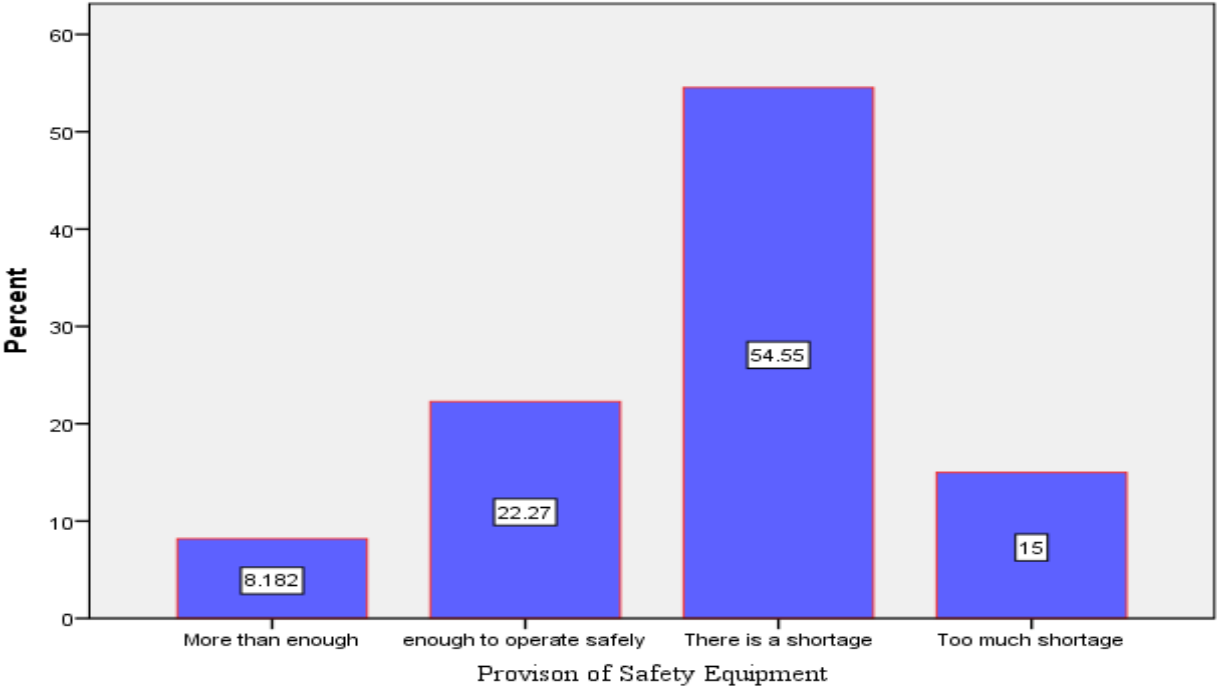
Source : Own Survey ,2018

As it is displayed in Table 4.10 above, the majority of the respondent employees , 68.6% (151), had not trained by the labor inspectorate on working conditions , health & safety and only 31.4% (69) of them got trained in the past two years. Unfortunately , among those respondent employees who got training , 69, the majority, 76.8 %(53) , got trained only once. From this is quite obvious that Bole sub-city has not conducted enough trainings on working conditions, health & safety in the past two years .

4.1.4.0 Safety Equipment

Employers have an obligation to make the working environment safe and convenient. The provision of necessary and sufficient safety equipment is one way of making a work place safe. And it is the responsibility of the labor inspection services to supervise the availability of necessary and sufficient safety equipment at a work place . And hence the respondent employees were asked about the availability of necessary and sufficient safety equipment in their work place and their replies are displayed by Figure 4.2 below.

Fig. 4.2 Provison of Safety Equipment



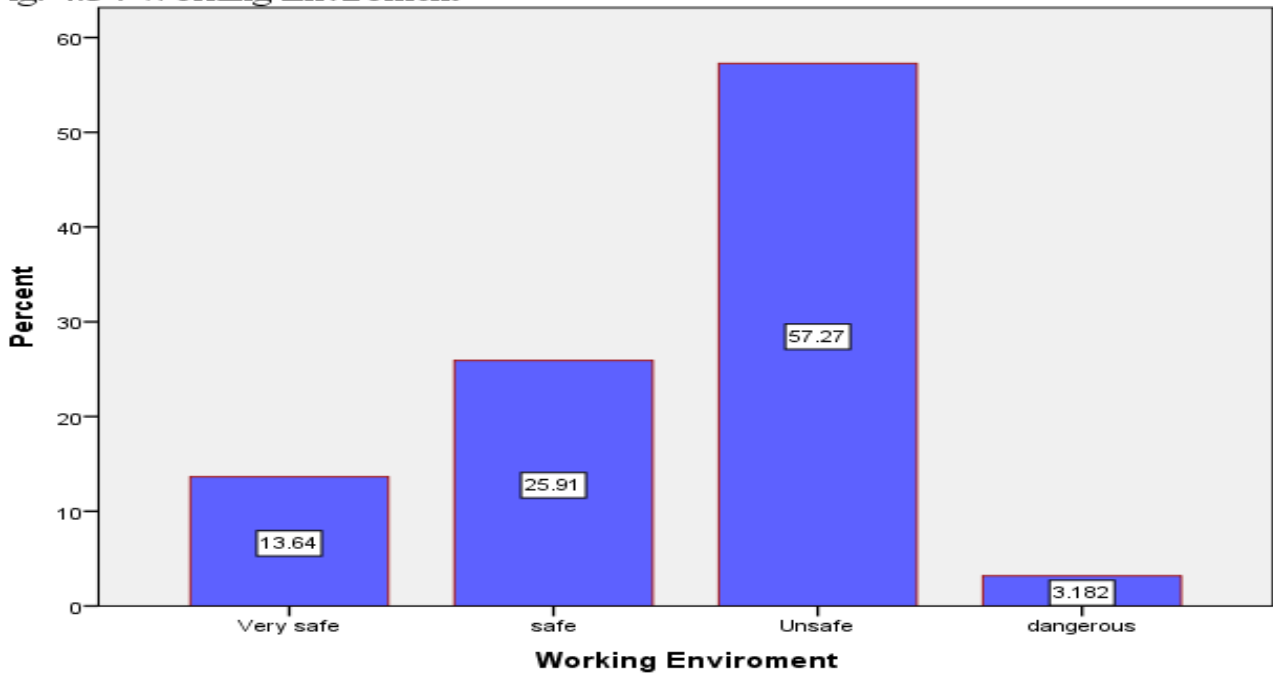
Source : Own Survey ,2018

As it is displayed above in Figure 4.2, the majority of the respondent employees, 54.55%, explained that there was a shortage of safety equipment and 15% of them complained that there was there was too much shortage of safety equipment. On the other hand 22.27 % of the respondents said that there was enough safety equipment to operate safely and the rest 8.18% explained that there was more than enough safety equipment. This means 69.55% of the respondents complained that there was a shortage of safety equipment; those respondents who replied there was a shortage and those who replied too much shortage of safety equipment taken in aggregate. This high percentage, 69.55% of employees with a shortage of safety equipment, is a clear manifestation of the shortcoming of Bole sub-city labor inspectorate since it has not done enough to supervise and follow up the provision of safety equipment by employers.

4.1.4.1 Description of Working Environment by Employees

To assess the opinion of the workers about their working environment, they were asked to describe their working environment as very safe , safe , unsafe or dangerous . As it is depicted by Figure 4.3 below, the majority, 57.27 % , described their working environment as unsafe and for 3.18% of the respondents , their working environment was dangerous. Whereas, the working environment was described as safe by 25.91% of the respondents and for 13.64% of the respondents, their working environment was very safe. Unfortunately, the working environment was described as unsafe by 60.45 % of the respondents ; those respondents who described their working environment as unsafe and those who described it as dangerous taken in aggregate. This is another shortcoming of Bole sub-city labor inspectorate and proves that it was ineffective and it has not done enough to make the working environment safer for employees by conducting continuous supervision and inspection of the industries within Bole sub-city.

Fig. 4.3 : Working Enviroment



Source: Own Survey ,2018

4.2 Bivariate Analysis

The researcher conducted various bivariate analyses of dependent and independent variables. The bivariate analysis serves for understanding and identifying factors which have statistical significant effect on the violation of workers labor rights and help the labor inspectorate to supervise surgically . Chi square (x^2) tests were used to examine the statistical significance of association between the dependent and selected independent variables at the 95% CI.

4.2.1 Demographic Characteristics and Equal Payment

As it is displayed in Table 4.11, the chi-square test has found that equal payment significantly associated with respondents' Sex, Age ,Marital Status and Education.

As it displayed in Table 4.11 below ,Equal Payment has a statistically significant association with Sex of the respondents ($X^2= 6.805$, $P=0.009$ and Contingency Coefficient $=0.173$). The proportions of respondents who are female and who said they were not paid equally for the same kind of job accounts 79.3% (92) of female respondents. Whereas ,male respondents 63.5%(66) of the male respondents .This means that male employees are more likely to get paid equally than female employees. In other words, female employees in Bole sub-city who are employed in medium level enterprises are paid less than male employees because they are just a woman. This against the constitution , international legal instruments to which Ethiopia is a party and the labor proclamation. And this suggests that the labor inspectorate of Bole sub-city should work to eliminate this discrimination against women and should focus on those enterprises in which women employees are greater in number to address the inequality .

Table 4.11 Demographic Characteristics * Equal Payment

Crosstab

Variables		Equal Payment		Chi square (x ²)	Contingency Coeff.	P-value
		Yes	No			
Sex	Female	24(20.7%)	92(79.3%)	6.805	.173	.009
	Male	38(36.5%)	66(63.5%)			
Age	14-17	0	41(100.0%)	75.329	.505	.000
	18-24	2(3.2%)	60(96.8%)			
	25-35	48(46.6%)	55(53.4%)			
	Above 35	12(85.7%)	2(14.3%)			
Marital Status	Unmarried	1(1%)	95(99%)	96.096	.551	.000
	Married	39(38.2%)	63(61.8%)			
	Divorced	17(100%)	0			
	Widowed	5(100%)	0			
Education Level	Read and Write	0	42(100%)	158.48	.647	.000
	Grade 1-6	0	17(100%)			
	Grade 7-8	16(51.6%)	15(48.4%)			
	Grade 9-10	2(2.4%)	81(97.6%)			
	Level 1 -4	34(91.9%)	3(8.1%)			
	Degree	10(100%)	0			

Source : Own Survey , 2018

As it displayed in Table 4.11 above , Equal Payment has also a statistically significant association with Age of the respondents ($X^2= 75.329$, $P=000$ and Contingency Coefficient =0.505). The proportions of respondents who are in the age group 14 to 17 and who said they were not paid equally for the same kind of job accounts 41(100%) of respondents who are in the age group 14 to 17 (Young workers) .And those respondents who are in the age group 18 to 24 and who said they were not paid equally for the same kind of job accounts 60(96.8%) of

respondents who are in the age group 18 to 24. Similarly , among those respondents in the age group 25 to 35, replied no accounts 55 (53.4%) of the respondents the group 35 age group , only 2 (14%) of them said they were paid unequally. Similar to discrimination based on sex, there was discrimination based on age .Though senior workers got paid more than junior workers ,it is against the principle of equal payment for the same job provided that other factors like experience and expertise remain constant. In case of the respondents , more or less they had the same expertise and experience .However , they were not paid equally simply because they were young workers, from 14 to 17 age group and the sub-city’s labor inspectorate should work on to reduce and eliminate the inequality.

As it displayed in Table 4.11 above ,Equal Payment has also a statistically significant association with Marital Status of the respondents ($X^2= 96.096$, $P=000$ and Contingency Coefficient =0.551). The proportions of respondents who were unmarried and who said they were not paid equally for the same kind of job accounts 95(99%) of respondents who were unmarried . This is because most of the unmarried respondents were in the age group 14 to 17 and 18 to 24. They were paid less because they were unmarried but because of their young age .

As it displayed in Table 4.11 above ,Equal Payment has also a statistically significant association with the level of education of the respondents ($X^2= 158.48$, $P=000$ and Contingency Coefficient =0.647). The proportions of respondents who were in the read and write group and who said they were not paid equally for the same kind of job accounts 42(100%) of respondents who were in the read and write group .Whereas , the proportions of respondents of degree holders who were said they were paid equally for the same kind job accounts for 10(100%) of the group. This suggested that employees get paid equally as they got educated more.

4.2.2 Employment Characteristics and Equal Payment

As it is displayed in Table 4.12 below, the chi-square test has found that equal payment significantly associated with respondents’ Work Position and there is no statistically significant association with Employment Sector and Tenure.

Table 4.12 Employment Characteristics * Equal Payment

Crosstab

Variables		Equal Payment		Chi square (x ²)	Contingency Coeff.	P-value
		Yes	No			
Work Position	An expert	21(95.5%)	1(4.5%)	58.853	.459	.000
	Skilled Worker	41(22.8%)	139(77.2%)			
	Unskilled Worker	0	18(100%)			
Sector of Employment	Manufacturing	30(27.3%)	80(72.7%)	.090	.020	.764
	Construction	32(29.1%)	78(70.0%)			
Employment Tenure	Permanent	31(33%)	63(67%)	2.725	.111	.256
	Temporary	28(26.2%)	79(73.8%)			
	Daily Laborer	3(15.8%)	16(84.2%)			

Source : Own survey ,2018

As it displayed in Table 4.12 above , Equal Payment has a statistically significant association with Work Position of the respondents ($X^2= 58.853$, $P=000$ and Contingency Coefficient =0.459). The proportions of respondents who are in the work position of unskilled worker and who said they were not paid equally for the same kind of job accounts 18(100%) of respondents who are the work position of unskilled worker .Similarly , the proportions of respondents who are in the work position of skilled worker and who said they were not paid equally for the same kind of job accounts 139(77.2%) of respondents who are the work position of skilled worker .Whereas, the proportions of respondents who are in the work position of an expert and who said they were paid equally for the same kind of job accounts 21(95.5%) of respondents who are the work position of an expert worker .From this result it can inferred that employees get paid more equally as they get better in their expertise. This association is similar to the statistical significance between education level and equal payment since employees get better in their expertise as they go up in the ladder of education. However , there should be no discrimination

in payment among skilled workers who have the same skill and expertise. Therefore , the labor inspectorate of the sub-city should focus on skilled workers to tackle the discrimination.

4.2.3 Minimum Working Conditions and Employment Sector

As it is displayed in Table 4.13, the chi-square test has found that employment sector significantly associated with respondents’ employment contract, timely payment of salary , forced overtime work and condition in an organization.

Table 4.13 Minimum working conditions * Employment Sector

Crosstab

Variables		Employment Sector		Chi square (x ²)	Contingency Coef	P-value
		Manufacturing	Construction			
A written employment Contract	Yes	65(62.5%)	39(37.5%)	12.328	.230	.000
	No	45(38.8%)	71(61.2%)			
Payment of Salary on Time	Yes	88(69.8%)	38(30.2%)	46.437	.417	.000
	No	22(23.4%)	72(76.6%)			
Forced Overtime work	Yes	39(31%)	87(69%)	42.796	.404	.000
	No	71(75.5%)	23(24.5%)			
Conditions in an Org.	Very Good	17(85%)	3(15%)			
	Good	56(62.9%)	33(37.1%)			
	Bad	37(33.3%)	74(66.7%)			

Source : Own Survey ,2018

It is displayed in Table 4.13 above that employment sector has a statistically significant association with employment contract of the respondents ($X^2= 12.328$, $P=000$ and Contingency Coefficient =0.230). The proportions of respondents who are working in the construction sector and who said they did not have a written employment contract accounts 71(61.20%) of respondents who are working in the construction sector. Whereas, the proportions of respondents who are working in the manufacturing sector and who said they did not have a written

employment contract accounts 45(38.8%) of respondents who are working in the manufacturing sector. From this result it can be inferred that employees of the construction sector are more likely not to have written employment contract. Therefore, the labor inspectorate of the sub-city should focus on construction workers to deal with employment contract.

With regard to timely payment of salary, it is displayed by Table 4.13 below that employment sector has a statistically significant association with timely payment of salary($X^2= 46.437$, $P=0.000$ and Contingency Coefficient $=0.417$). The proportions of respondents who are working in the construction sector and who said they did not get paid on time accounts 72(76.6%) of respondents who are working in the construction sector. Whereas, the proportions of respondents who are working in the manufacturing sector and who said they did not get paid on time accounts only 22(23.4%) of respondents who are working in the manufacturing sector. From this result it can be concluded that construction workers in the sub-city who are working on medium level enterprises are more likely to get paid late. Therefore, the labor inspectorate of the sub-city should focus on construction workers to deal with delayed payment of salary.

Concerning forced overtime work, it is displayed by Table 4.13 below that employment sector has a statistically significant association with timely payment of salary($X^2= 42.796$, $P=0.000$ and Contingency Coefficient $=0.404$). The proportions of respondents who are working in the construction sector and who said they were forced to do overtime work accounts 87(69%) of respondents who are working in the construction sector. Whereas, the proportions of respondents who are working in the manufacturing sector and who said they were forced to do overtime work accounts only 23(24.5%) of respondents who are working in the manufacturing sector. From this result it can be concluded that construction workers in the sub-city who are working on medium level enterprises are more likely to be forced to work overtime. Therefore, the labor inspectorate of the sub-city should focus on construction workers to deal with forced overtime work.

With regard to working conditions in an organization, it is displayed in Table 4.13 below that employment sector has a statistically significant association with timely payment of salary($X^2= 28.077$, $P=0.000$ and Contingency Coefficient $=0.336$). The proportions of respondents who are working in the construction sector and who described their organization's working condition as bad accounts 74(66.7%) of respondents who are working in the construction sector. Whereas, the proportions of respondents who are working in the manufacturing sector and who described

their organization's working condition as bad accounts only 37(33.3%) of respondents who are working in the manufacturing sector. From this result it can be concluded that construction workers in the sub-city who are working on medium level enterprises are more likely to describe their working condition as bad and hence feel unsafe. Therefore, the labor inspectorate of the sub-city should focus on construction workers to supervise the general working conditions in enterprises in the sub-city.

4.3 Qualitative Data Presentation and Analysis

To substantiate the quantitative results, key informant interviews were held with 8 employers/managers of the selected enterprises, and 5 labor inspectors and an official of Bole sub-city Labor and Social Affairs Bureau with the instrumentality of interview guide. The result of observations which had been conducted by the researcher made on the working premises of the 22 sampled organizations will also be presented in this section.

4.3.1. Compliance with the Legally Stipulated Minimum Conditions

Supervising businesses to ensure their compliance with of the provisions of national and international labor law instruments is at the heart of the responsibility of labor inspection services. And a higher or lower compliance depends highly on the supervision of labor inspectorate.

Key informant interviews and observations which had been conducted on sampled businesses revealed that compliance of businesses with legally stipulated minimum conditions varies among enterprise based which sector they are engaged in.

It was observed that employees in the construction sector have longer working hours than those in the manufacturing sector in most of the cases. Two sight engineers explained that this is because of the specific nature of the construction sector. Construction workers stay at construction sites to complete the construction on time, salaries may not be paid on time since clients most often do not release the money on agreed time, women got less payment based on the assumption that men are stronger and most often all necessary safety equipment are not provided for daily laborers (Sight Engineers, personal communication, April 17, 2018). From this it can be inferred that most of construction enterprises within Bole sub-city are not complying with

normal working hours , timely payment of salary , equal payment for the same kind of job ; men get paid more for the same kind of job .

One construction manager told me that concerning annual leave, most of the workers , specifically that of the construction sector , most often do not take their annual leave with the hope of getting payment for the unutilized annual and with fear of their losing their job since most of them are employed for a definite time which is limited by the contract. And he insisted that the contract of employment is for definite time and permanent contract of employment could not be concluded with the construction workers (Construction Manager, personal communication, April 24, 2018). However , the Labor Proclamation clearly stipulated that workers are entitled to take annual leave provided that they have at least one year of service.

Observations conducted on manufacturing enterprises in Bole sub-city revealed that these enterprises' occupational safety and health condition was more hazardous and unsafe for the workers than those enterprises in the construction sector. And workers were not supplied with enough safety equipment. Two managers the manufacturing sector told me that the working environment in the manufacturing sector is full of chemicals , ergonomic hazards and physical hazards and if not managed by OHS policy, the probability of occupational accidents and diseases becomes higher (Manufacturing Managers , personal communication, April 30, 2018). The workers in the construction sector were better equipped with safety equipment than those in the manufacturing sector .

Therefore , with regard to compliance with the legally stipulated minimum conditions, most of construction enterprises within Bole sub-city are not complying with normal working hours , timely payment of salary , equal payment for the same kind of job ; men get paid more for the same kind of job , occupational safety and health condition of manufacturing enterprises in Bole sub-city was hazardous for workers. This is a clear violation of the national and international labor law instruments. This is a manifestation of Bole sub-city's labor inspection service failure to supervise and its inability to guard the labor rights of employees who under the labor inspection jurisdiction of the sub-city .

4.3.2. Major Achievements of Bole Sub-City Labor Inspectorate

An official from Bole Sub-City Labor and Social Affairs Bureau explained that , through labor inspections conducted by the inspectorate over the years , potentially greater level of labor rights violations have been deterred. He also added that given the greater number of enterprises and employees , without his inspectorate, it would have been much difficult for the workers to work safely (Bole Sub-city Official , personal communication ,April 02, 2018).

4.3.3. Major Challenges Facing Bole Sub-City Labor Inspectorate

Key informant interviews and observations which had been conducted on sampled businesses revealed that there are a number of challenges faced by the inspectorate .In this section only the major challenges will be discussed.

The first challenge , an official from Bole Sub-City Labor Inspectorate explanation, is the skill and knowledge of the labor inspectors is one of the major challenges. He explained that there are two sub-work processes; sub-work process for working condition inspection and sub-work process for OHS inspection. And he was bold enough to say OSH inspection requires a deeper knowledge in physical sciences in which most of the inspectors are deficient. And he finally complained that the salary scale prevents to hire the best in the market (Inspector Official , personal communication ,April 02, 2018).

The second challenge of the inspectorate according to an official from the inspectorate is manpower; shortage labor inspectors. The current number of labor inspectors doesn't much with the number identified by the business reengineering process (BPR) study of the inspectorate (inspector , April 02, 2018).A labor inspector within Bole Sub-City Labor Inspectorate added to what the official said that given the higher number , dispersed location of the enterprises within the sub-city , with a few number of inspectors and lack of separate transport service for the inspectors , it has been impossible to conduct inspection at least 50% of businesses in the sub-city per year. As a result, preventable accidents and diseases happens in businesses including the manufacturing and construction sector (Labor Inspector , personal communication ,April 17, 2018).According to nine month performance report of the inspectorate it has conduct inspection only on 27.9%(205) of the total business in the sub-city which is 736 (BoLSA, 2018).

The third challenge which has been affecting the inspectorate negatively is that rent seeking. The observations conducted on the sampled enterprise revealed that a single inspector could conduct an inspection and if he founds out violation of any labor standards , there is a high probability

that he could abuse his power by letting the employer go by accepting unjust benefit. Two legal inspectors conducting an inspection was also observed which has lesser risk of rent seeking than one labor inspector .

The four challenge revealed by the observations conducted and an interview with two senior labor inspectors from the Bole Sub-City Labor Inspectorate is that authenticity of the report. According to their explanation, after the inspector conducts the inspection the organization stamps its seal on the report as a proof of the inspection was conducted; and it is final. There is no a procedure that could check the authenticity of the report. Lack of a system of checking the inspectors' report has been barring the inspectorate from appreciating the truth on the ground and to take corrective measures(Senior inspectors , personal communication , April 02, 2018).

The fifth challenge which has been seriously affecting the enforcement of the labor standards is the nominal penalty the Labor Proclamation imposes on those employers who violate the rights of their employees. According to the two senior labor inspectors of Bole Sub-City labor inspectorate ,being cognizant of the leniency the proclamation with regard to penalty ,many employers infringes labor standards. Since the proclamation was adopted 15 years ago in 2003 , and the amend proclamaition number 494/2006 it is incompatible with the current inflation rate since the purchasing power of Birr has been in free fall and as a result the penalty imposed by the proclamation has no deterrence effect on potential infringers of the proclamation (Senior inspectors , personal communication, April 02, 2018).The amended Labor Proclamation imposes Birr 1200 penalty on employers who violate the provisions on working hours and those employers who provide authorities with false information penalized with Birr 10,000 penalty which is a maximum penalty the proclamation imposes.

4.3.4. Available mechanisms

Improvement in the performance of the labor inspectorate could not be achieved and the respondents were asked what should be done in order to address the major challenges which has been holding the inspectorate back.

In order to address the first challenge which is the deficiency of the labor inspectors in the skill and knowledge of the labor inspection , an official from Bole Sub-City Labor and Social Affairs Bureau suggested a comprehensive and continuous on job training . And he emphasized on

OSH training which focus on physical sciences. And he finally recommend attractive salary arrangement to hire and hold on the best labor inspectors who are well versed in physical sciences and well experienced (Bole Sub-city Official , personal communication ,April 02, 2018).

Concerning the second challenge of the inspectorate which is shortage of manpower in the inspectorate , an official from Bole Sub-City Labor and Social Affairs Bureau suggested to hire new graduate with little or no experience of work by giving them pre-job training and delegating certain percentage of the inspection the 14 *woreda* labor inspectorates (Bole Sub-city Official , personal communication ,April 02, 2018).

Regarding the third challenge which rent seeking, managers of manufacturing enterprise recommend three labor inspectors at a time (Managers of Manufacturing Enterprise , personal communication , March 23, 2018). An official from Bole Sub-City Labor and Social Affairs Bureau suggested a strong follow up system of the inspection by working in collaboration with businesses (Bole Sub-city Official , personal communication ,April 02, 2018).

With regard to the challenge of misleading report of inspection , creating a system of checking the inspectors' report was suggested by the two senior inspectors of the inspectorate (Senior inspectors, personal communication, April 02,2018). Interestingly a junior labor inspector within Bole sub-city labor inspection recommend auditing of the inspection .By auditing the inspection to re-inspect a business and compare the second inspection report with that of the first inspection report which was reported by the inspectors (junior inspector,personal communication , April 4,2018).

Regarding the gaps with the labor proclamation which is outdated penalties for an infringement of the proclamation , an official from Bole Sub-City Labor and Social Affairs Bureau calls for amendment of the labor proclamation's provisions on penalty (Bole Sub-city Official , personal communication ,April 02, 2018).

CHAPTER FIVE

SUMMERY OF FINDINGS, CONCLUTION AND RECOMMENDATION

5.1. Summary of Findings

The objective of the research was to assess the practices, challenges and achievements of Labor inspection with respect to the manufacturing and construction sectors in Bole sub-city, Addis Ababa City Administration. To achieve this objective ,the research has employed a descriptive cross sectional survey design. Both quantitative and qualitative research approaches were applied. Primary data were collected from employees and key informant interviewees. The main findings of the study are summarized as follows:

5.1.1 Demographic characteristics of the respondent employees

- ❖ The largest proportion of the respondent employees were female (52.7%) , married (46.4%) and between the age of 25 and 35 years.
- ❖ The largest proportion of the respondent employees(37.7%) had an educational level of grade 9 to 10.
- ❖ All of the respondent employees were not disable physically .
- ❖ Equal Payment has a statistically significant association with Sex of the respondents. This suggests that the labor inspectorate of Bole sub-city should work to eliminate this discrimination against women and should focus on those enterprises in which women employees are greater in number to address the inequality .
- ❖ Equal Payment has also a statistically significant association with Age of the respondents. This suggests that the labor inspectorate of Bole sub-city should work to eliminate this discrimination against young workers and should focus on those enterprises in which young workers are greater in number to address the inequality .
- ❖ Equal Payment has a statistically significant association with Work Position of the respondents .
- ❖ Equal Payment has a statistically significant association with Work Position of the respondents. The labor inspectorate of the sub-city should focus on skilled workers to tackle the discrimination.

5.1.2. Employment Characteristics of the respondent employees

- ❖ Half of the respondent employees were from the manufacturing sector and the other half of them were from construction sector.
- ❖ The employment tenure of the majority of the respondent offenders was temporary workers.
- ❖ The largest proportion of the employees were skilled workers.
- ❖ The largest proportion of the respondent employees were paid from Birr 1501 to Birr 2000 monthly salary.
- ❖ The largest proportion of the respondents work has work experience was from 1 year to 2 years.

5.1.3 Minimum Working Conditions

- ❖ The largest proportion of the respondent employees, 57.7% (127) had a written employment contract with their employer. However, a considerable portion of the respondents, 42% (93), had no a written employment contract. Unfortunately, out of the respondent workers without a written employment contract, 93 respondents, nearly half of them, 47.8% (54), had not received a written and signed statement which specify the terms of employment. This indicates that 54 employees, which accounts for 24.5% of the total number of respondents' employees' labor rights violated by their employers.
- ❖ Employment sector has a statistically significant association with employment contract of the respondents ($X^2= 12.328$, $P=000$ and Contingency Coefficient $=0.230$). And the labor inspectorate of the sub-city should focus on construction workers to deal with employment contract.
- ❖ Employment sector has a statistically significant association with timely payment of salary ($X^2= 46.437$, $P=000$ and Contingency Coefficient $=0.417$). And the labor inspectorate of the sub-city should focus on construction workers to deal with delayed payment of salary.
- ❖ The largest proportion of the respondent employees, 57.3% (126) said that they got paid on time. However, a considerable portion of the respondents, 42.7% (94), expressed that

they do not get salary on time. Unfortunately, out of the respondent workers who did not get paid on time , 94 respondents , the largest proportion of them, 68.1% (64) , their salary was delayed one week to two weeks. Out of these 94 respondents , 14.9% (14) of them complained that the payment often delayed for two to three weeks. This is a serious problem for the workers given the current economic hardship for the lower and middle class of the society. This a violation of article 58 of the Labor Proclamation which provides that salary shall be paid at such intervals as are provided for by law or collective agreement or work rules or contract of employment.

- ❖ The largest proportion of respondents ,71.8% (158) , did not get paid equally for the same kind of job. Among the respondents who did not get paid equally for the same kind of job , 158 respondents , the largest proportion of them, 49.4% (78) , complained that the bases of the discrimination is their gender; because they are woman /girl. The young workers who accounts for 20.3% (32) of the respondents who said they do not get paid equally , presented their young age as the basis of the discrimination. Which means that 158 employees , which accounts for 71.8% of the total number of the respondents, right to get equal payment for the same kind of job was violated. The more effective and efficient the labor inspectorate is , the better for the protection of labor rights. Therefore, this higher percentage of infringement of labor rights, 71.8% of the total number of the respondents, is a manifestation of the ineffectiveness of the inspectorate.
- ❖ The largest proportion of respondents ,64.5% (142) , have not taken their annual leave. Out of the respondents who have not taken their annual leave, 142 respondents , the largest proportion of them, 46.5% (66) , forced by their employer to postpone the leave and 35.2% (50) said that their employer refused to give an annual leave. This means that employees' right to uninterrupted annual leave with pay has not been respected with the employers of the majority of the respondents which is a manifestation of the weakness of the labor inspectorate .
- ❖ The largest proportion of the respondent workers, 63.6% , work for 8 hours and similarly greater percentage ,71.4% (157), work for 48 hours per week. The respondents have been working daily and weekly within the limits set by the labor proclamation.

- ❖ The largest proportion of the respondents , 98.6% (217), replied that they got paid for their overtime work
- ❖ The largest proportion of the respondents ,57.3% (126) , had not compelled by their employers to do overtime work . And employment sector has a statistically significant association with timely payment of salary($X^2= 42.796$, $P=000$ and Contingency Coefficient =0.404).
- ❖ The largest proportion of the respondent employees, 84.1% (185), disclosed that there were no trade unions in their organization and the majority of them , among employees who replied there were no trade unions , 51.9% (96), explained that it was their employers who had been obstructing the formation of a trade union the reason behind for the non- existence of trade union in their organization. The sub-city's labor inspection service has a long way to go to make sure that workers organize in trade unions and protect their right collectively. The role of an independent trade union within any organization is irreplaceable in providing protection for employees' right.
- ❖ The largest proportion of the respondent employees,62.14%, described the working condition in their organization as bad. This result is the manifestation of the ineffectiveness of Bole sub-city labor inspectorate.
- ❖ Employment sector has a statistically significant association with timely payment of salary($X^2= 28.077$, $P=000$ and Contingency Coefficient =0.336).Therefore, the labor inspectorate of the sub-city should focus on construction workers to supervise the general working conditions in enterprises in the sub-city.

5.1.4 Occupational Accident and Disease

- ❖ 46.8 (103) of the respondents sustained or witnessed occupational accident or disease. The largest proportion , 55.3% (57) , related the accident or disease to the unsafe and inconvenient working environment . Absence of safety equipment at the time of the accident or disease was considered as the cause of the accident by 30.1% of those employees who sustained or witnessed the accident or disease. This means that had the working environment been convenient and safe equipment was available, the accident or disease could have been prevented. From this it can be inferred that the sub-city's labor inspectorate has not been doing enough to make the working environment safe for the workers through continuous inspection.

- ❖ The largest proportion of the respondent employees , 68.6% (151), had not trained by the labor inspectorate on working conditions , health & safety and only 31.4% (69) of them got trained in the past two years. Unfortunately , among those respondent employees who got training , 69, the majority, 76.8 %(53) , got trained only once. From this is quite obvious that Bole sub-city has not conducted enough trainings on working conditions, health & safety in the past two years .
- ❖ The largest proportion of the respondent employees, 69.55%, explained that there was a shortage of safety equipment This high percentage of employees with a shortage of safety equipment, is a clear manifestation of the shortcoming of Bole sub-city labor inspectorate since it has not done enough to supervise and follow up the provision of safety equipment by employers.
- ❖ the working environment was described as unsafe by 60.45 % of the respondents ; those respondents who described their working environment as unsafe and those who described it as dangerous taken in aggregate. This is another shortcoming of Bole sub-city labor inspectorate and proves that it was ineffective and it has not done enough to make the working environment safer for employees by conducting continuous supervision and inspection of the industries within Bole sub-city.
- ❖ Limited inspection capacity.
- ❖ Weak coordination among stakeholders.
- ❖ Lack of capacity and awareness at all level.
- ❖ Limited implementation and institutional capacity

5.2. Conclusion

This study has attempted to assess the practices, challenges and achievements of labor inspection with respect to the manufacturing and construction sectors in Bole sub-city, Addis Ababa City Administration .To assess the practices, challenges and achievements of labor inspection,demographic characteristics of the respondents,employment characteristics , minimum working conditions and occupational safety and diseases occurred were analyzed .The findings

of this study demonstrate that the labor inspectorate of Bole sub-city was not effective and most of national labor standards were present in many of the sampled originations.

Working condition in medium level enterprises of manufacturing and construction in the sub-city can be described as unequal payment for the same kind of job, denial of annual leave, higher rate of occupational accident or disease, unsafe and inconvenient working environment, absence of safety equipment, untrained employees on the issue of occupational safety and accident. And this is the reflection of the sub-city's labor inspectorate which is has not been equipped with sufficient, skilled and competent labor inspectors and which has been struggling with unmatched responsibilities and logistics to conduct labor inspection.

5.3. Recommendations

Based on the above findings of the study, the following recommendations were forwarded:

Pre and on Job Training: The labor inspectors should undergo pre-inspection intensive training. A curriculum for a training of 3 to 6 months should be developed. And anyone who wants to be a labor inspector should go through the training and get certified. In addition to the pre job training, there should be a continuous on job training to fill knowledge and skill gap of the inspectors.

Well Organized Inspectorate: In consultation with the Addis Ababa City Administration Labor and Social Affairs Bureau, Addis Ababa City Administration Civil Service Bureau and Addis Ababa City Administration Finance and Economic Development Bureau the necessary number of manpower, transport service and budget should be allocated for sub-city's labor inspectorates in general and for Bole Sub-city labor inspectorate in particular.

Emphasis on Prevention : Labor inspection should focus on prevention than prosecution of violators. This could be done through administration of continuous training to employees and working closely with the employers.

Risk Based Inspection: Rather than conducting inspection on randomly selected enterprises, it is better to conduct inspection on those enterprises which has a higher risk of occupational safety and disease, as it is revealed by this study on construction enterprise, enterprises with higher number of women workers, enterprises with higher number of young workers and on those enterprises with poor record of observing labor standards.

Delegating Inspection : given the higher number of inspection that the labor inspectorate of Bole sub-city has to conducted , it is better to delegate those enterprise with lower number of employees and risk to woreda level labor inspectorate without being limited by the jurisdiction set by the BPR. This would help to achieve principle of labor inspection for all workers in all working places which is incorporated in all most all of ILO conventions and recommendations.

Inspection based on wider Participation: Rather than isolated effort by the inspectorate to conduct inspection, it is much better to create avenue for the public, civic societies and others to participate in the inspection process in the form of periodic consultation and by being information source for the inspectorate, improve co-ordination mechanism, creating awareness about the law build institutional capacity at all levels and improving law enforcement. This will help to consolidating a preventive culture, advocacy and cooperation on the issue of labor inspection

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ANNEX 1

ADDIS ABABA UNIVERSITY
SCHOOL OF GRADUATE STUDIES
FACULTY OF BUSINESS AND ECONOMICS
DEPARTMENT OF PUBLIC ADMINISTRATION AND DEVELOPMENT
MANAGEMENT

This questionnaire is prepared for employees of medium manufacturing and construction enterprises in Bole sub-city.

Dear respected respondents,

The main purpose of this questionnaire is to collect the indispensable information on the Practices, Challenges and Achievements of Labor Inspection with respect to Manufacturing and Construction Sectors in Bole Sub City, Addis Ababa City Administration for the partial fulfillment of master's degree in Public management and policy. Dear respondents, the information you will provide is very important for successful accomplishment of this research. Furthermore, the information you give will be used for only academic purpose.

Therefore, you are kindly requested to read all the questions and fill honestly without any hesitation. If there is any issue which is not clear while you are filling this questionnaire, you can ask the researcher for clarification. And you could stop filling the questionnaire at any time and you are not forced to complete it if you do not want to.

Thankyou very much inadvance!

Biruk Matebe

Instruction:

1. Please do not write your name
2. Please Read the question carefully before providing your response
3. Please circle your appropriate response and kindly write your opinion briefly for the short answer questions on the space provided.

I . Demographic Characteristics of the Respondents

1. Sex: **A.** Male **B.** Female

2. Age in years:
A. Less than 14 **B.** 14 to 17 **C.** 18-24 **D.** 25- 35 **E.** above 35
3. Marital Status: **A.** Unmarried **B.** Married **C.** Divorced **C.** Widowed
4. What is your education level?
A. Read and Write **B.** From Grade 1-6 **C.** From Grade 7-8

D. Grade 9-10

E. Level 1 -4

F. Degree and above

5. Do you have any kind of disability ?

A. No I have no disability of any kind

B. Hearing

C. Seeing

D. Walking

E. Other (Please specify) _____

II Employment Characteristics

1. Your Work Experience in your current organization:

A. less than 45 days

B. From 45 days to six month

C. Above six months but less than one year

D. From one year to two years

E. Above two years but less than five years

F. Above five years

2. Your total work experience

A. less than 45 days

B. From 45 days to six month

C. Above six months but less than one year

D. From one year to two years

E. Above two years but less tha

F. Above five years but less tha

G. Above ten years

3. What is your position in your current organization ?

A. An expert B. unskilled worker C. Any other (please specify) _____

4. Your employment tenure is

- A Permanent B Temporary C. Day laborer

5 Your monthly salary is

- A. Less than 1000 Birr((please specify the amount) _____
B. From 1000 Birr to 1500 Birr
C. From 1501 to 2000 Birr
D. From 2001 Birr to 2500 Birr
E. From 2501 Birr to 3000 Birr
F. Above 3000Birr

6. You are working in

- A. Manufacturing Enterprise B. Construction Enterprise

III. Minimum Working Conditions

1 .Do you have a written employment contract with your employer ?

- A . Yes B. No

2 .If your answer is **No** to **Question number 1** above, did you received a written and signed statement from your employer which specify the type of employment and place of work the rate of wages, method of calculation thereof, manner and interval of payment and duration of the contract.

- A .Yes B. No

3. Do you get your salary on time ?

4. If your answer is “**NO** ” to **Question number 3** above, your salary is delayed for ?

- A. less than one week

- B. from one week to two weeks
- C. from two weeks to three weeks
- D. from three weeks to a month
- E. from a month to a month and half
- F. Up to two months

5 .If your answer is **NO** to Question number 3 above, how often is your salary is delayed :

- A. Every month
- B. Every two month
- C. Every three month
- D. It is exceptionally delayed

6. Do you get paid equally for the same kind of job ?

- A .Yes B. No

7. If your answer is **NO** to Question number 6 above, What is the most crucial reason in your opinion ? it is because

- A. I am a woman /girl
- B. I am a child worker
- C. I am a disabled worker
- D. I am not from a similar ethnicity group of the employer /manager
- E. I am a migrant worker
- F. I am from a minor ethnicity group
- G. I am from a different religious group to the employer /manager
- H. I am from a different political group to the employer /manager

I. I am new to the organization

J. Other reason (Please specify)

8. Have you taken your annual leave in the past two years?

A. Yes B. No

9. If you have not taken your annual leave in the past two years , it is because

A. My employer forced me to postpone

B. My employer refused to give the annual leave

C. I want the wage instead of annual leave

D. Other

10. How many hours you work per day on average?

A. For 8:00 hours

B. from 8:01 to 10:00 hours

C. from 10:00 to 12:00 hours

D. more than 12:00 hours

11. How many hours you work per a week on average?

A. For less than 48 hours

B. for 48hours

C. More than 48

12. Do you get paid for your overtime work ?

A . Yes B. No

13. Are you being forced to do over time work ?

A . Yes B. No

14. If you answered **yes** to Question 12 above ,why are you being forced to do over time work?

A. Substitution of absent workers

B. Urgent work

C. Arbitrarily

D. other (Please explain) _____

15. Are there trade unions in your organization ?

A. Yes B. No C. I do not Know

16. If you No to Question 13 above , there no trade unions in your organization because ,

A. Employees are not interested

B. The employer always obstruct any attempt to form a trade union

C. I do not know

D. Other (Please explain) _____

17. How do you describe the working condition of your organization from the perspective of contract , salary , leave , equal treatment , working hours ?

A . Very good B. good C. bad D. worse

IV. Occupational Accident and Disease

1. Have you ever sustained or witnessed occupational accident or disease in the past 2 years in your current organization ?

A . Yes B. No

2. If your answer for **Question 1** above is **yes**, what caused the injury or disease ?

A. There was no a safety equipment at the time to be used by the victim

B. The victim's negligence to put on safety equipment at the time

C. The victim did not know the use of the safety equipment at the time

D. The working environment was not convenient and safe

E. Other

3. Have you had any training on working conditions, health & safety training in the past 2 years given by Bole Sub-city labor inspectorate ?

A . Yes B. No

4. If your answer for **Question 4** above is yes, how many trainings did you get in the past 2 years months ?

A. Just one B. Two trainings C. Three trainings D. More than three

5. Did you get occupational health & safety orientation before you start operating in your current organization ?

A . Yes B. No

6. The provision of necessary safety equipment for your job by your organization is ?

A . More than enough in number and kind B. enough to operate safely

C. There is a shortage in number and kind D. There is no any safety equipment

7. How do you describe the working environment of your organization from the perspective of occupational safety and health generally?

A . Very safe B. safe C. unsafe D. dangerous

Annex 2

Key Informants Interview guide for employers/managers

Dear respected respondents,

The main purpose of this interview is to collect the indispensable information on the Practices, Challenges and Achievements of Labor Inspection with respect to Manufacturing and Construction Sectors in Bole Sub City, Addis Ababa City Administration for the partial fulfillment of master's degree in Public management and policy. Dear interviewees, the information you will provide is very important for successful accomplishment of this research. Furthermore, the information you give will be used for only academic purpose.

I. Identification

1. Position _____

2. Sector _____

3. Number of employees _____

II. Questions

1. Does your organization adopt and implement Occupational Safety and Health Policy?
2. Does the policy lay out the responsibility and accountability of supervisors and workers?
3. Does your organization record , analyze and report occupational injuries and diseases ?
4. Does your organization has a strategy to implement the organization's Occupational Safety and Health Policy
5. How do you describe the effective organization's Occupational Safety and Health Policy in preventing occupational injuries and diseases ?
6. Is there a regular training program on occupational safety and health for supervisors and employees
7. Was there any occupational injuries and diseases in the past 12 months ? If yes , what are the causes ?
8. How often do the labor inspectors of Bole Sub-City Labor Inspectorate conduct investigation on your organization? And how do you describe the skill and knowledge of the labor inspectors?

9. How do you describe the effectiveness of the Bole labor inspectorate in general?
10. What are the main challenges in fulfilling the basic occupational safety and health obligations of your organization which arises from the labor law ?
11. How do you describe the working environment of your organization from the perspective of occupational safety and health generally ?
12. Are there any issues, questions or comments that you would like to raise or points that you want to add?

Annex 3

Key Informants Interview guide for labor inspectors/ officials

Dear respected respondents,

The main purpose of this interview is to collect the indispensable information on the Practices, Challenges and Achievements of Labor Inspection with respect to Manufacturing and Construction Sectors in Bole Sub City, Addis Ababa City Administration for the partial fulfillment of master's degree in Public management and policy. Dear interviewees, the

information you will provide is very important for successful accomplishment of this research. Furthermore, the information you give will be used for only academic purpose.

I. Identification

1. Position_____

II. Questions

1. How often do you conduct labor inspection?
2. How do you identify business organizations for labor inspection?
3. Is there any special procedure in the recruitment of labor inspectors?
4. Do labor inspectors receive a training on labor inspection before they start their career as a labor inspector? Is there a continuous system of training to improve the performance of labor inspectors?
5. What are the most notable achievements of the labor inspectorate of Bole Sub-City?
6. What are the major challenges of the labor inspectorate of Bole Sub-City?
7. What are the prospects and challenges for the labor inspectorate to conduct labor inspection?
8. Are there any gaps in the national labor policy and legal frameworks which affects labor inspection negatively ?
9. Are there any issues, questions or comments that you would like to raise or points that you want to add?