



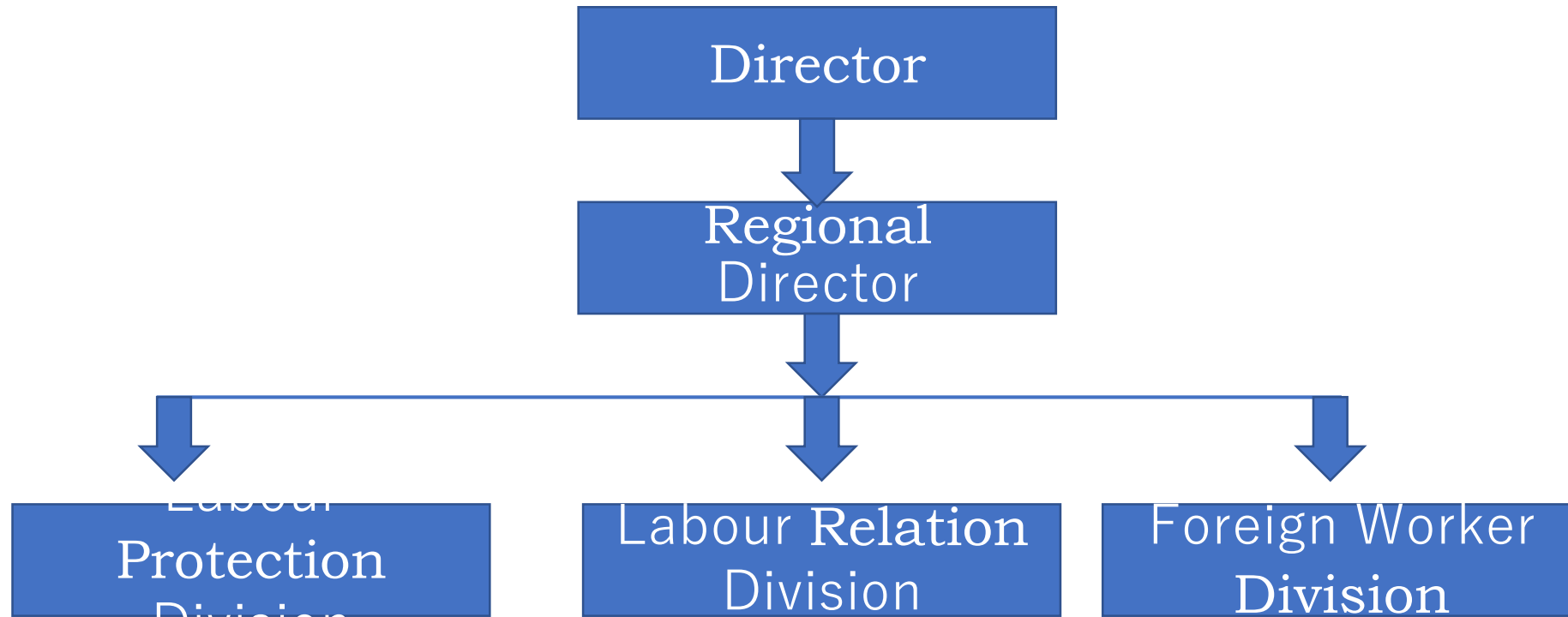
Country Report Karma Lodroe

Knowledge Co-Creation Program, 202208288J001

Self Introduction

- ✓ Name: **Karma Lodroe**
- ✓ Title/Designation: **Deputy Chief Labour Officer**
- ✓ Division: **Labour Protection, Relation and Foreign Worker Division.**
- ✓ Department: **Regional Office of Industry, Commerce and Employment**
- ✓ Organization: **Ministry of Industry, Commerce and Employment (MoICE)**
- ✓ Country: **Bhutan**
- ✓ Work Experience: 13 years
- ✓ Current Task:
 - Inspecting enterprise (enforcement of Laws and regulations), provide education and awareness, dispute mediation and approval of foreign workers.

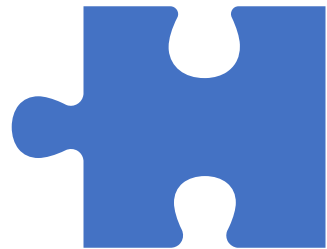
Organisation Chart



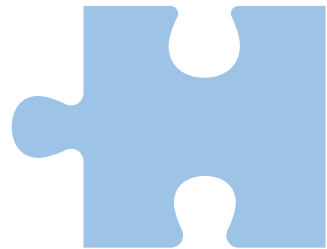
Brief introduction of my Department



The Department of Labour serves as both a regulatory body and an educational institution.



Implementing Labour and Employment Act of Bhutan, 2007 and its regulations (Custodian)



Service is limited to approval of Foreign Workers

Mandate

Labour
Protection
Division

To Protect, Prevent and Improve the working conditions and environment.

Labour
Relation
Division

Promoting and ensuring harmony at the work place and promote social protection of the employees

Foreign
Worker
Division

Assessing the need of Foreign Workers and providing the approval accordingly.

Principles of Labour Protection Division

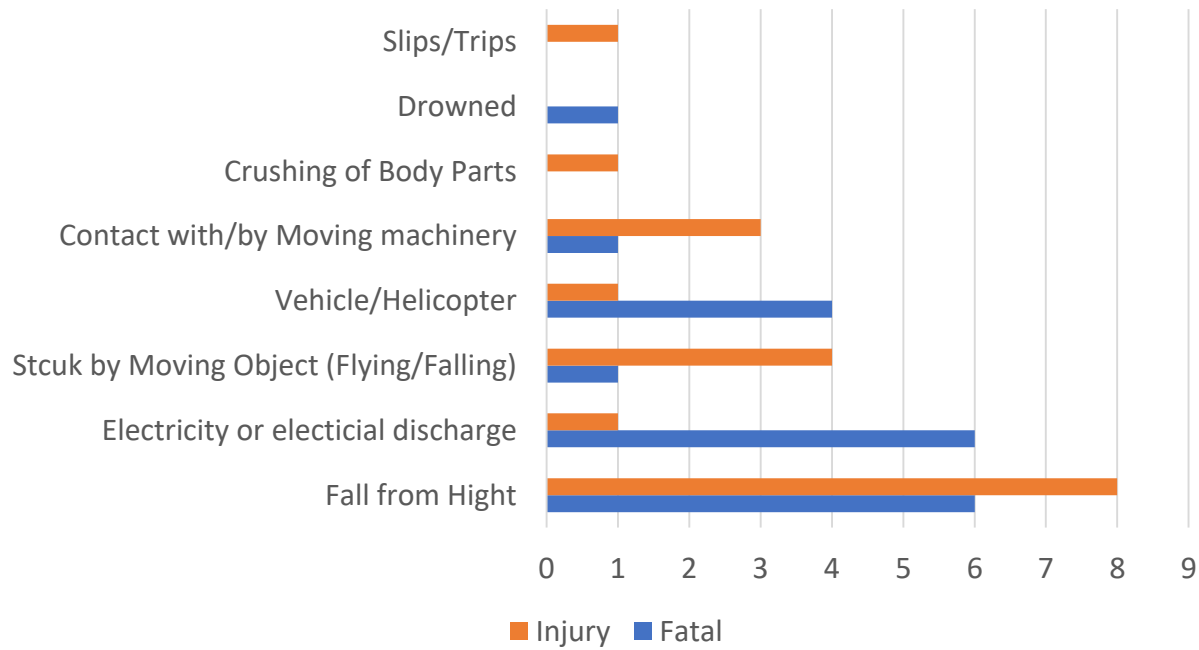
**We stand for both
the employer and
employees.**

**We avoid over
regulation and
under regulation
(middle path)**

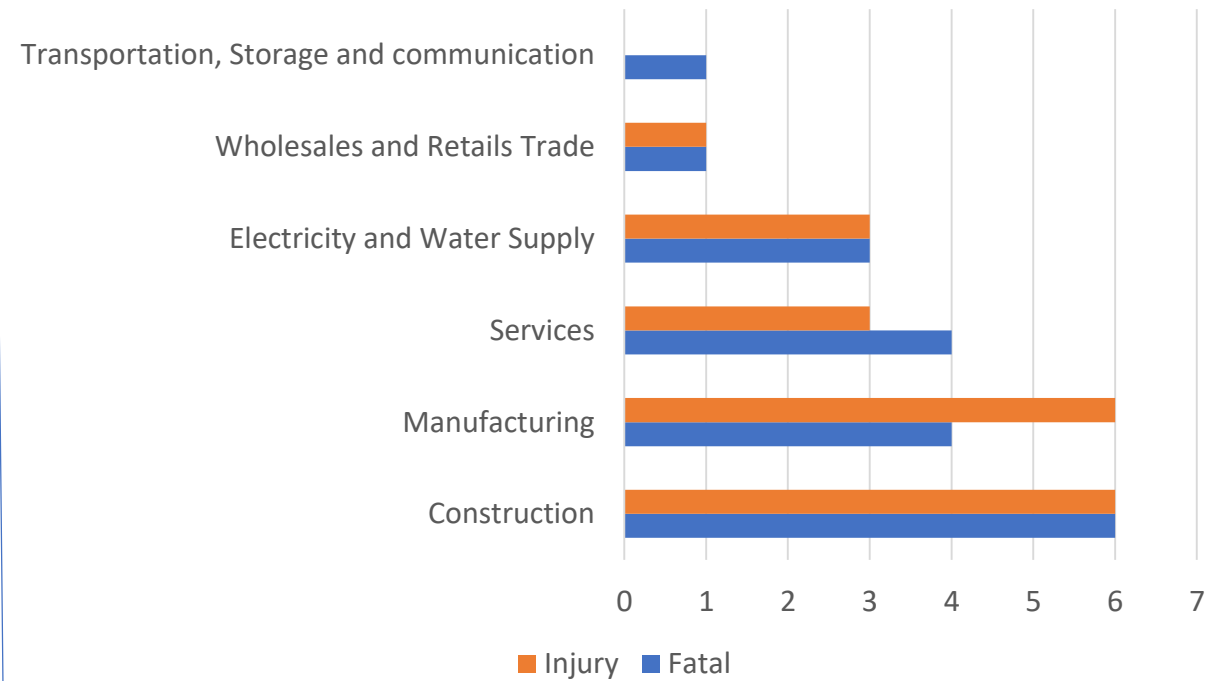
**We focus on both
the enforcement
and education.**

Accident Statics

Types of Accidents



Accident by Sector

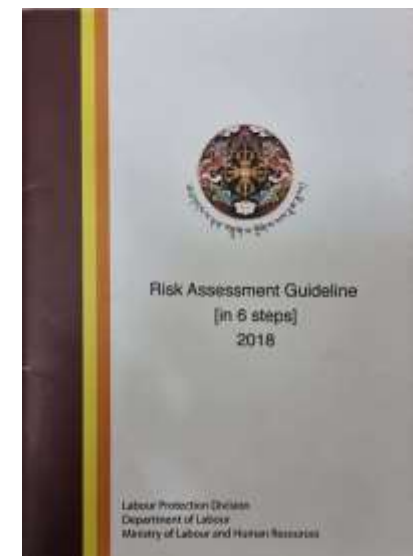
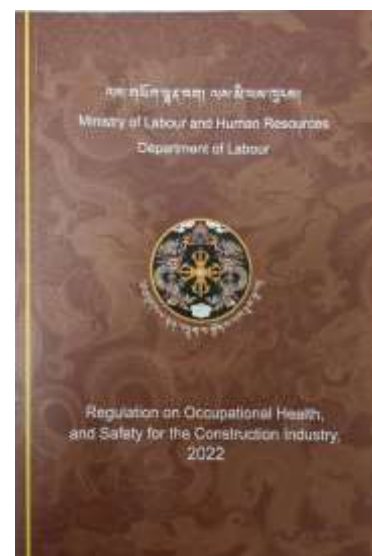
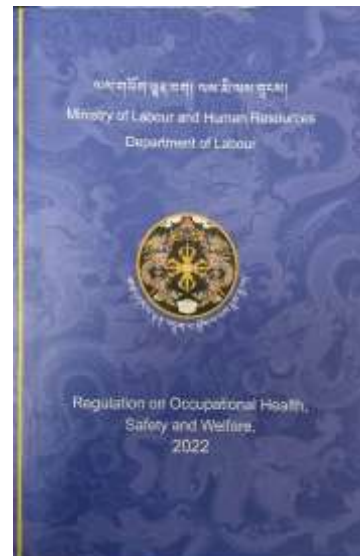


Data collection methods for statistics

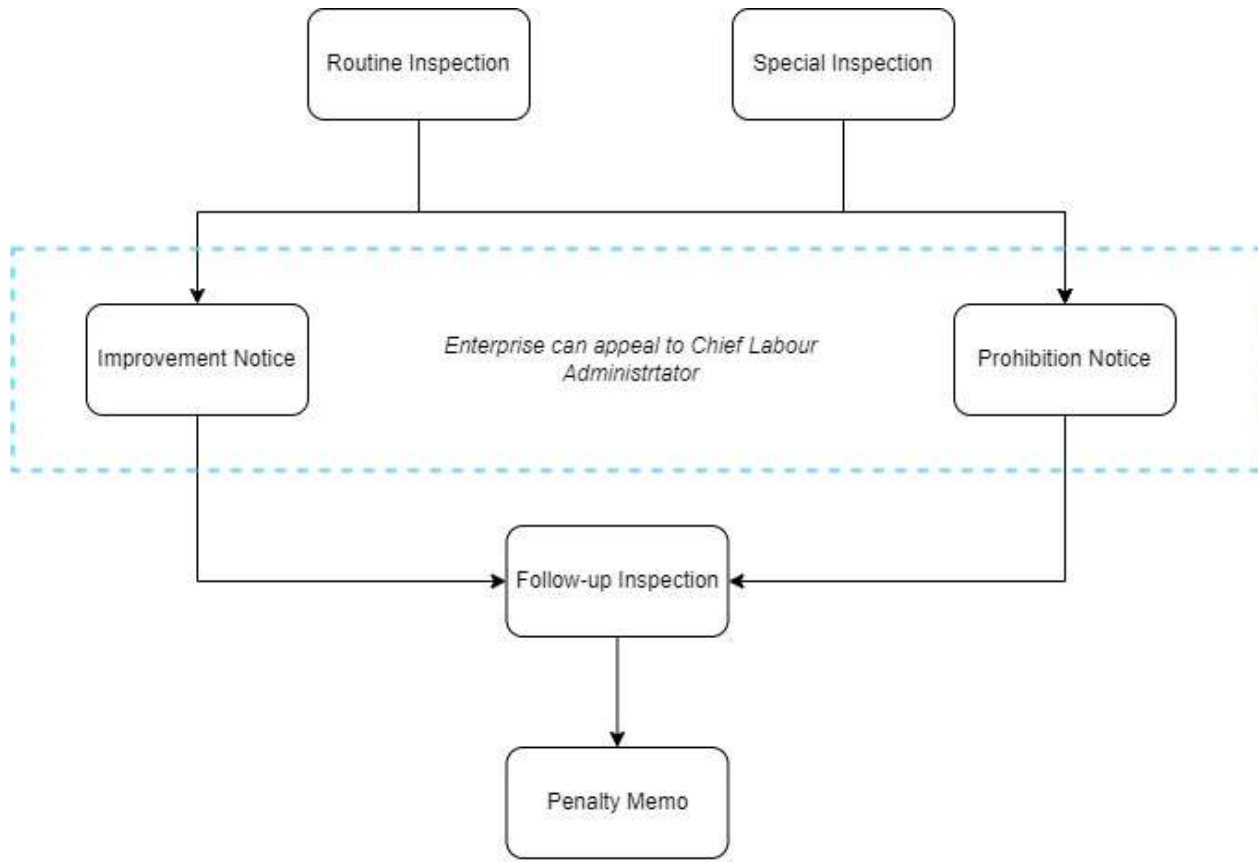
- We collect the data from our direct observation and personal interviews (employees and employers) and also through emails and Labour Administration System (LAS).
- We get data by way of reporting accidents (mandatory) cases.
- Earlier we use a hard copy data and now we record in the system (Labour Administration System) since 2022.

Safety and Health related Laws and Regulations

1. Chapter IX of Labour and Employment Act of Bhutan, 2007;
2. Regulation on Occupational Health and Safety for Construction Industry, 2022 [2nd Edition];
3. Regulation on Occupational Health, Safety and Welfare, 2022 [2nd Edition];
4. Guidelines on Assessment and Evaluation on Occupational Health and Safety Practice at Workplace, 2017
5. Risk Assessment Guidelines 2018



Labour Inspection System



Routine Inspection: The purpose of Routine Inspection is to proactively identify and prevent issues by educating both employees and employers about legal requirements, offering guidance on how to adhere to these regulations, and, when needed, ensuring compliance with the Act and its associated Regulations through enforcement measures. Routine visits typically encompass a comprehensive assessment of all relevant areas subject to inspection..

Special Inspection is unplanned and is based on complaints and specific issues constituting a priority matter as determined by the Department of Labour.

Follow-up Inspection: This stage concentrates on addressing issues and violations of the Act and its Regulations that were identified during prior routine inspections. It aims to assess how the enterprise has addressed the findings from the previous routine visit.

Workers' accident compensation & insurance

Medical leave and expenses

- Where the employee is not able to return to work due to incapacity whether total or partial permanent results from the injury, the employee shall be entitled to **full earnings for a period of 90 days**, and thereafter to a further periodical payment of an amount equal to **75 percent of employee's last basic** wage earnings during the incapacity or during a period of one years.
- The employer or the insurer shall compensate an injured employee or one suffering from an occupational disease for **all expenses related to emergency care, medical and nursing care**, including ambulance and related expenses surgery, hospital fees, medication, X-rays, diagnostic testing, and all other forms of treatment, to the extent such services are not provided free of charge by the Royal Government's health services.

Compensation

1. Permanent and partial disablement

✓The compensation shall be a lump sum payment which shall be obtained by multiplying 30 days of the National Minimum Wage by appropriate age factors according to the age on the next birthday of the employees at the time of the accident times the percentage of incapacity.

For example, let the age of disabled (loss two limbs) workers is 20.

$$30 \times 125 \times 174 \times 100\% = 652500/-$$

Sl. No.	Injury	Percentage of loss of earning Capacity
Total Permanent disablement		
1	Loss of 2 limbs	100
2	Loss of both hands or of all fingers and both thumbs	100
3	Loss of both feet	100
4	Total loss of sight, including the loss of sight to such extent as to render the claimant unable to perform any work for which eyesight is essential	100
5	Total paralysis	100
6	Injuries resulting in being permanently bedridden	100
7	Any other injury causing permanent total incapacity	100
Partial Permanent Disablement		
8	Loss of arm at shoulder	75
9	Loss of arm between elbow and shoulder	75
10	Loss of arm at elbow	75
11	Loss of arm between wrist and elbow	70

**The authorized medical practitioner shall determine the percent of permanent and partial disablement*

Age	Age multiplying factor
19	176
20	175
21	174
22	173
23	172
19	176

Compensation

2. Death

✓The compensation shall be a lump sum payment which shall be obtained by multiplying 30 days of the National Minimum Wage by appropriate age factors according to the age on the next birthday of the employees.

Age	Age multiplying factor
18 and below	134
19	133
20	132
21	132
22	131
23	130
24	129

For example, let the age of employee who died be 20.

$$30 \times 125 \times 132 = 495000/-$$

Insurance

- ✓ An employer shall insure all employees with an authorized financial institution to ensure that all types and level of compensation prescribed in the regulations are covered by an insurance policy. (This does not apply to those employers holding Micro Trade business licenses.)
- ✓ The agreed premium shall be paid by the employer and shall not be deducted from the employee's wage/salary.

Safety Equipment and Facilities

- ✓ During routine and special inspection in those hazardous sites or dangerous machinery or plants are involved, Labour Inspectors are mandated to carry required devices like Decibel Meter, luxmeter, PCE instrument, etc., to test the permissible levels.
- ✓ In addition to that, Labour Inspectors are required to wear personal protective equipment and inspection uniform while visiting a site.



Activities of Industrial/Occupational Safety and Health Organizations other than government.

- ✓ The enterprise with 20 or more employees are required to have OHS committee and every OHS committee should have one trained Safety Officer for the following purposes:
 - Assist management in terms of OHS;
 - Prepare and implement OHS programs;
 - Advise & carry out risk management in the workplace;
 - Deal with all other matters concerning Health, Safety & Environment.

Campaign/ Event/ National Convention/ Exhibition

- ✓ The department has come up with the initiative of OHS Auditing System in 2015 where all enterprises with registered OHS committee are assessed annually and rewarded for their efforts in maintaining good OHS practices at workplace.
- ✓ Coinciding with World Safety Day (28th April), all assessed enterprises are call for day long celebration where enterprise scoring 70% and above in OHS assessment are rewarded with certificate of appreciation and medal for top three enterprises.

Issues and Challenges in Implementing OHS in Bhutan

- ✓ The division(Regional Office) at present has only one Labour Inspectors guided by above laws and regulation in implementing the OHS.
- ✓ The followings are some challenges:
 - Lack of trained officials in OHS field and also no separate unit or division
 - Resistant from the employer and employees (old mindset)
 - Lack of full-time safety officer in the company
 - Lack of awareness and trainings
 - Workplace accidents are not reported to the Department.

Kadrinchoe (Thank you)