



International
Labour
Organization

GROWING UP PROTECTED

A HANDBOOK FOR THE PROTECTION
OF ADOLESCENT WORKERS



bureau for
employers'
activities



International
Programme
on the
Elimination of
Child Labour
(IPEC)

Subregional Office for the South Cone of Latin America



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First published, June 2011

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IPEC

Growing up protected: a Handbook for the Protection of Adolescent Workers. International Labour Office, International Programme on the Elimination of Child Labour (IPEC) - Santiago: ILO, 2011 – vol. 1

ISBN: 978-92-2-123825-6 (print); 978-92-2-123826-3 (web pdf)
International Labour Office; ILO International Programme on the Elimination of Child Labour
Child labour/small businesses/safety at work/work conditions/child worker/child rights/handbook 13.01.2

Also available in Spanish: *Crecer protegido: Manual para la protección del adolescente trabajador*, ISBN 978-92-2-323825-4 (print); 978-92-2-323826-1 (Web PDF), Santiago, 2010.

ILO Cataloguing in Publication Data

NOTE

This publication was prepared by the PielBrading Business, under the guidance of the Corporate Affairs Management Office of the Chilean Safety Association (ACHS), María Jesús Silva (IPEC Chile) and Andrés Yurén (ACT/EMP Chile).

This ILO publication was made possible thanks to financing from the Government of Norway (Project INT/09/50/NOR).

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Visit our websites: www.oit.prg.pe/ipec and www.ilo.org/ipec

| | |
|----------------------|---------------------------------|
| Printed in | Chile |
| Illustrations by | Alberto Montt |
| Design and Layout by | Innovacom (Santiago, Chile) |
| Photos by | Alfredo León Bulling |
| Production: | Buller Comunicación Fotográfica |

education

Safety

FAMILY



Goals

HELP

SUPPORT



Open Letter from the Chilean Safety Association

For over 50 years, the Chilean Safety Association (Asociación Chilena de Seguridad–ACHS) has been committed to the occupational safety and health of Chilean workers. As a leader in the labour accident insurance industry, and in its role as an administrator of labour accident insurance in the country, it has continually promoted initiatives associated with corporate social responsibility and the improvement of labour conditions for its more than 37,000 affiliated businesses, which are located everywhere in the country.

Today we renew our commitment. And we do so with the conviction that we can continue to advance in our work to promote safer, healthier workplaces and environments, not only for today's workers, but also for future generations.

Eliminating child labour and promoting safe working conditions for adolescents (aged 15 to 17 years) are paramount to this task. Therefore, we encourage you to get down to business using a new, broader perspective, where all people—adults and adolescents alike—enjoy the same rights. We know it is a difficult task. But we also firmly believe that we can do much with effort and determination.

To this end, every phrase and proposal in this handbook seeks to become a source of inspiration so that both business owners and youth— the future workers—can benefit from and place high value on dignified work.

Our commitment and our incentive: Make Chilean businesses better places to work.

Eugenio Heiremans D.
President,
Chilean Safety Association

PROTECTING ADOLESCENT WORKERS

In the framework of technical cooperation provided by the International Labour Organization's (ILO) Bureau for Employers' Activities (ACT/EMP) and its International Programme for the Elimination of Child Labour (IPEC), the ILO and the Chilean Safety Association (ACHS) signed a Letter of Intent in which the two organizations agreed to collaborate for the prevention and elimination of child labour and the promotion of safe working conditions for adolescents aged 15 to 17 years.

Their first joint activity is the preparation of this handbook on protecting adolescent workers.

Adolescent work refers to work carried out by youth, aged 15 to 17 years. It is protected to the extent that it complies with the standards established in the Labour Code, ILO conventions, the Convention on the Rights of the Child and other international agreements.

This handbook is designed for microenterprises in the country and seeks to promote compliance with labour law with respect to adolescents, as well as to prevent work accidents and occupational illnesses to which they are exposed. More than 100,000 adolescent workers in Chile could potentially benefit from this initiative, especially the 39% who work in unacceptable labour conditions.

Through reader-friendly texts, proposals for action and clear definitions regarding adolescent work, this handbook seeks to inform small business owners on various aspects involved in hiring adolescent workers, while guiding them towards good practices associated with their protection.

We are proud of this handbook as we know that with this initiative, the ILO and ACHS are promoting a work culture in which the top priority is the life of individuals, especially that of adolescents, who are in the process of developing their physical, intellectual and emotional capacities.

Guillermo Miranda R.
Director,
Subregional Office for the South Cone of
Latin America

Eduardo Undurraga U.
General Manager,
Chilean Safety Association

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ADOLESCENT
WORK_
A REALITY WE
SHOULD LEARN
ABOUT

WE ENCOURAGE YOU TO LEARN ABOUT THE
CONDITIONS IN WHICH THOUSANDS OF
ADOLESCENTS WORK IN OUR COUNTRY. WE FIRMLY
BELIEVE THAT KNOWLEDGE ALLOWS YOU TO DO
THE RIGHT THING WHILE PROVIDING YOU WITH
THE CAPABILITY TO ASSESS THE SITUATION IN YOUR
ORGANIZATION IN ORDER TO MAKE CONCRETE
IMPROVEMENTS TO ENSURE THE PROTECTION OF
ADOLESCENT WORKERS.



CONTEXT

ACTIONS

MORE INFORMATION

A SNAPSHOT OF ADOLESCENT WORK IN CHILE

How did adolescent work begin in our country? Since ancient times, children and adolescents have worked to help with the family business or for their own survival. Often, their rights as growing individuals were ignored: education, rest, recreation, physical and psychological integrity were not considered vital for the full development of their potential.

Only fairly recently did Chilean society began to reject child labour and recognize the need to regulate adolescent work. Until the 19th century, children and adolescents worked as servants in exchange for shelter, clothes and food.

Since these children did not have a family that could support them, society approved of this work opportunity since it enabled children first to survive and then to integrate socially and acquire skills that would allow them to contribute to the community.

It was not until the early 20th century that Chilean society started to condemn the work activities that most threatened the psychosocial and physical development of children. In general, work on the street, in factories and in mines was viewed as hazardous to children, but other work areas were largely tolerated.

In the mid- 20th century, attitudes in Chilean society changed when childhood and adolescence began to be viewed as a formative period that required protection.

IN THE EARLY 20TH CENTURY, SOCIETY BEGAN TO REJECT THE IDEA OF CHILDREN WORKING ON THE STREETS, IN FACTORIES AND IN MINES, BUT PEOPLE STILL HAD A TOLERANT ATTITUDE TOWARD OTHER AREAS OF CHILD LABOUR.

215
MILLION

CHILDREN AND ADOLESCENTS AGED 5 TO 17 WORLDWIDE ARE VICTIMS OF CHILD LABOUR.

115
MILLION

OF THEM ARE SUBJECT TO THE WORST FORMS OF WORK.

WE ADULTS AND SOCIETY IN GENERAL
MUST GUARANTEE A SUITABLE
ENVIRONMENT FOR THE DEVELOPMENT
OF THE ADOLESCENT WORKER.



This new attitude originated from the successive laws on mandatory basic education enacted during the first years of the last century.

After a number of years, there was a shift from accepting child labour as a normal social behaviour to rejecting the practice in general, not only its worst forms.

Today, from the perspective of the rights of the child and international ILO standards, the goal is to protect children from all work related activities that threaten their physical, intellectual and emotional development. In the world of work, the aim is to eliminate child labour, particularly its worst forms, and at the same time protect adolescent workers. Working gives adolescents the opportunity to learn a trade and contribute to the family income. However, they should do light work that does not harm their health and should not work long hours so as not to interfere with education. Also, they should avoid work-related hazardous activities.

**TODAY WE ATTEMPT
TO PROTECT CHILDREN
FROM ALL ACTIVITIES
THAT JEOPARDIZE THEIR
PHYSICAL, INTELLECTUAL
AND EMOTIONAL
DEVELOPMENT.**

Adults and society as a whole should guarantee an environment suitable for the development of children and adolescents. For this reason, 15 is the minimum working age in Chile. These adolescents may be employed in jobs that do not threaten their health or personal development and that do not interfere with their schooling.



SOME FIGURES ON THE ADOLESCENT WORK REALITY



WORK IN THE MARKET

An adolescent is in the labour market (is employed) when he or she carries out any work or activity for a wage or salary in cash or in kind or for family gain as an unpaid worker. This work is performed during one hour or more, any day of the week.

GEOGRAPHICAL DATA



81 %

LIVE IN URBAN AREAS



19 %

LIVE IN RURAL AREAS

GENDER DATA

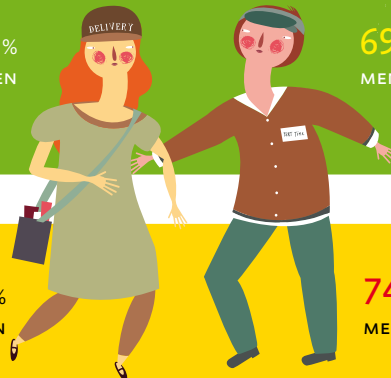
EN PROMEDIO TRABAJAN 26,9 HORAS SEMANALES

30,3 %

WOMEN

69,7 %

MEN



UNACCEPTABLE JOBS

According to the 2003 survey of ILO-Ministry of Labour-INE,* these jobs include those that take place on the street, at night, that are more than part-time, that keep children from attending school or that have longer hours than the maximum work week for all workers established by law.

25,8 %

WOMEN

74,2 %

MEN

AVERAGE WORK WEEK IS 39.3 HOURS

These are long days considering that by law, adolescents are only allowed to work a maximum of 30 hours per week. The work limit for adults is 45 hours.

GEOGRAPHICAL DATA



78,4 %

URBAN AREAS



21,6 %

RURAL AREAS

Adolescents who work in rural areas do so in more precarious conditions than those who work in cities.

SOURCE: NATIONAL SURVEY OF CHILD AND ADOLESCENT ACTIVITIES. ILO-INE-MINISTRY OF LABOUR, 2003

EDUCATION



76,7 %

GO TO SCHOOL

23,3 %

DO NOT GO TO SCHOOL

↑
IN THIS GROUP, 35,5 % ARE BEHIND OR NOT PERFORMING SATISFACTORILY IN SCHOOL

LABOUR CONTRACT

Just 15% of adolescents who work in these conditions have a labour contract

MOST ADOLESCENT WORKERS HAVE NO SOCIAL PROTECTION



LABOUR CONTRACT

Just 9% of adolescents who work in these conditions have a labour contract.

EDUCATION

52 %

ATTEND SCHOOL

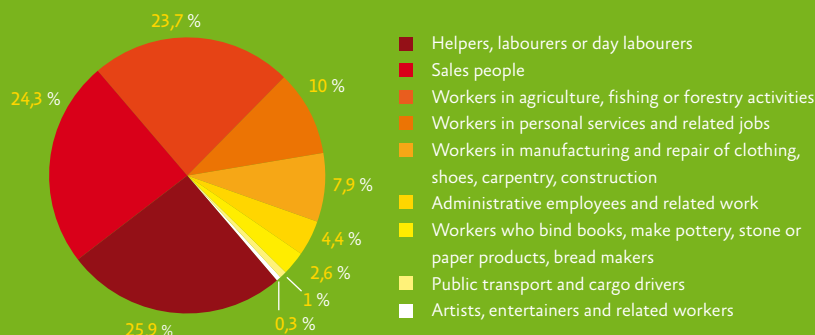
48 %

DO NOT ATTEND SCHOOL

↑
IN THIS GROUP, 40,2% ARE BEHIND OR NOT PERFORMING SATISFACTORILY IN SCHOOL



EMPLOYED GROUP AGED 15 TO 17 YEARS



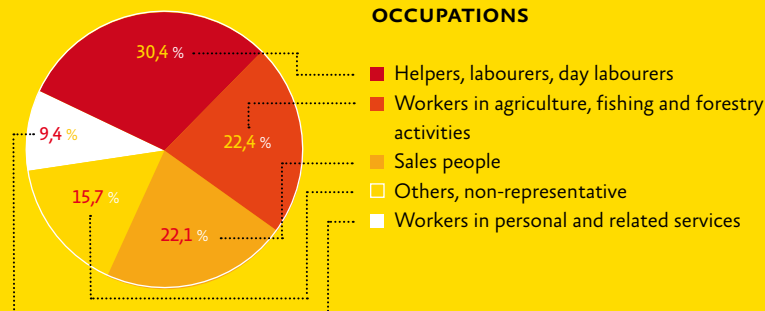
40,1 %

WORK IN AREAS ASSOCIATED WITH WHOLESALE AND RETAIL TRADE

24,3 %

WORK AS SALES PEOPLE

OCCUPATIONS



39,4 %

WORK IN AREAS ASSOCIATED WITH WHOLESALE AND RETAIL TRADE

24,7 %

WORK IN AGRICULTURE, HUNTING AND FISHING



TYPES OF HEALTH PROBLEMS IN ADOLESCENT WORKERS

SOURCE: CHILEAN SAFETY ASSOCIATION



THE SITUATION FROM AN OCCUPATIONAL SAFETY AND HEALTH PERSPECTIVE

In 2009, 642 workers aged 15 to 17 visited a health centre of the Chilean Safety Association for treatment of a work-related health problem. This group represents 0.03% of the 1,923,305 affiliated workers of that year.

This group was made up of 70.1% men and 29.9% women, whose average age was 16.6 years. With respect to age distribution, 39 workers were 15 years old, 156 were 16 years old and 447 were 17 years old.

For 549 workers, it was the first time they had gone to the ACHS for a work-related accident. Sixty-eight had visited on at least one previous occasion whereas just 25 had gone there three or more times for a work-related problem.

A work-related health problem accounted for 93.2% of the cases, while accidents made up 5.9% and work-related illnesses represented 0.9%.

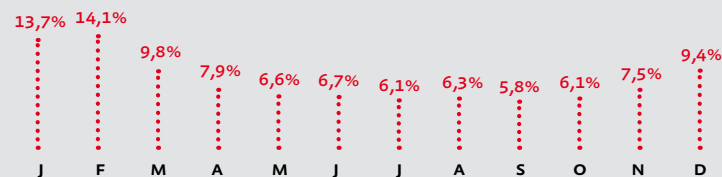
In total, these workers took 4,150 days of sick leave, with an average of 6.46 days of treatment—5.39 for women and 6.92 for men. Work-related accidents caused the greatest number of days lost: 12.65 days, on average. Eighty-three percent of the cases required at least nine days of sick leave whereas 27% did not require any.

With respect to distribution by economic activity in these cases, 32% of employment earnings came from agriculture, 22% from hotels and restaurants and 12% from trade.

Seasonal distribution figures show that more work-related accidents occur between December and March, with February being the month with the most cases.

In 2008, 1,124 workers in this age group sought medical attention for work-

SEASONAL DISTRIBUTION OF WORK-RELATED ACCIDENTS AMONG ADOLESCENTS 2009



SOURCE: CHILEAN SAFETY ASSOCIATION

related accidents or work-related illnesses, more than sought medical attention for work-related accidents in 2009.

Workers in this age group who have labour contracts and who therefore have work accident and health insurance are in a much better situation than adolescent workers who are informally employed. This is because insurance coverage gives them access to the health, safety and economic benefits that the law guarantees to workers.

While adolescent workers account for only a small percentage of total workers covered by insurance, the fact that adolescents may experience work-related accidents/health problems/illnesses underscores the need to provide information on safety at work from a young age and to promote adequate self-health care in the community and at work beginning in primary school.

This situation has led us at ACHS to expand our Preventive Programme of the Education Sector (PRIES) as it is a direct way to introduce the themes of occupational safety and health to students before they become workers. This also requires businesses to make a commitment to maintain safe, healthy conditions for all workers, in addition to providing good orientation programmes, especially for young workers who are beginning their first job.

CURRENT LEGAL FRAMEWORK IN CHILE

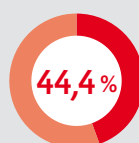
Chile has progressively regulated adolescent labour and worked to eradicate child labour. These efforts were strengthened with the signing of the main ILO International Conventions on the issue as well as the United Nations Convention on the Rights of the Child (1990).

In 1999, Chile ratified ILO Convention N.138 concerning the minimum age for admission to employment. This led the country to raise the minimum working age from 14 to 15 years in 2000. That same year, Chile assumed its commitment to eliminate the worst forms of child labour stipulated in ILO Convention N. 182. This includes work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children. It also encompasses all forms of slavery or practices similar to slavery, such as the sale and trafficking of children for the purpose of exploitation; prostitution; and the use of children for illicit activities, in particular for

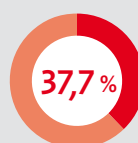
**REGULATION NO. 50
ESPECIFIES THE
HAZARDOUS WORK LIST**

What is the situation of adolescent workers aged 15 to 17 who work in unacceptable conditions?

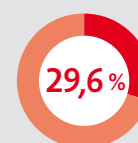
MANY ADOLESCENTS ARE FOUND IN MORE THAN ONE CATEGORY: FOR EXAMPLE, THEY WORK ON THE STREET FOR MORE THAN 21 HOURS PER WEEK AND DO NOT ATTEND SCHOOL.



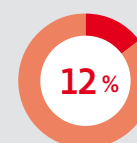
**WORK 21 OR
MORE HOURS AND
DO NOT GO TO
SCHOOL**



**WORK 49 OR
MORE HOURS**



**WORK AT
NIGHT**



**WORK ON THE
STREET**

SOURCE: NATIONAL SURVEY OF CHILD AND ADOLESCENT ACTIVITIES. ILO-INE-MINISTRY OF LABOUR, 2003.

TAKE NOTE

Learn the details of the new provisions of Law N° 20.189. See page 58 in the Annex section.



the production and trafficking of drugs.

There were important legal advances in subsequent years: **Law N° 20.189 was passed, which modified the provisions of the Labour Code** in accordance with the constitutional reform on mandatory secondary school education. This law also permitted the definitive incorporation of the list of hazardous jobs (Regulation N°50 of 2007), which details the activities that are considered to be a risk to the health and development of children under the age of 18. The government, employers and workers approved this list in 2009.

In accordance with the new provisions, the Labour Code establishes that in order to sign a labour contract, all adolescent workers must certify that they have completed secondary school or are currently enrolled in primary or secondary school. To comply with this regulation, only labour contracts whose tasks do not interfere with workers' regular school attendance and their participation in educational or training programmes may be concluded.

In addition, for the first time, the law specifies that adolescents aged 15 to 17 may not work more than 30 hours weekly during the school year. Moreover, they must have the express authorization of a responsible adult: of their father or mother, or in their absence, of a grandfather or grandmother. In the case the adolescent has no immediate relatives, the authorization may be granted by guardians, individuals or institutions that are responsible for the child. If none of the aforementioned options are available, the respective labour inspector must give permission. The law also mandates the registration of all labour contracts of individuals under the age of 18 with the Community Labour Inspection Office.

These requirements are based on the assumption that the child signed a contract which specified that he or she will carry out light work that does not threaten his or her health and development. These are the areas where businesses and their managers have the mission to protect adolescent workers to uphold the law by establishing labour contracts and ensuring protected, healthy workplaces.

With respect to Regulation N°50, the **27 activities (23 due to their nature and four due to the circumstances in which they are carried out) defined as hazardous for children and adolescents** include: forestry work at heights above two metres, in extreme temperature conditions, where dangerous substances are handled, work carried out in conditions of isolation and labour which poses a risk to mental health, among others.

TAKE NOTE

Learn about the list of activities considered hazardous for adolescents. See pages 59 and 60 of the More Information section.



SEVEN OUT OF EVERY 10 CHILDREN WHO
WORK REPORT THAT THEY HOPE TO
EVENTUALLY BECOME UNIVERSITY STUDENTS
AND PROFESSIONALS. HOWEVER, MOST
ADOLESCENTS END UP IN MORE PRECARIOUS
OR UNACCEPTABLE JOBS. THEY WORK IN
AREAS THAT REQUIRE FEW SKILLS. THEY MAY
BE WAITERS, PACKERS, STREET VENDORS OR
OTHER TYPES OF WORKERS. IN AGRICULTURAL
WORK, THEY MAY BE RESPONSIBLE FOR
HARVESTING, SOWING, SELLING PRODUCE AND
TAKING CARE OF ANIMALS. THIS DIRECTLY
DETERMINES THE POSSIBILITIES THEY HAVE
FOR ACCESSING BETTER OPPORTUNITIES AS
ADULTS, FOR EXAMPLE, TO CHOOSE “DECENT
WORK.”



CONFRONTED
WITH THIS
REALITY_
WE ALL HAVE
SOMETHING TO
SAY AND DO_

A MOTHER, A FOOTBALL PLAYER, A PHILOSOPHER,
A MINISTER, A UNION LEADER, A JOURNALIST, A
DOCTOR, A YOUNG WOMAN, A NURSE'S AIDE, AN
ARTIST AND A SPECIALIST. WE ASKED DIFFERENT
MEMBERS OF SOCIETY ABOUT THEIR VIEWS ON
ADOLESCENT WORK AND WHAT MEASURES
THEY THINK BUSINESSES SHOULD TAKE.
THEIR RESPONSES ARE SURPRISING, MOVING,
THOUGHT-PROVOKING AND INSPIRING.

CAMILA MERINO

LABOUR MINISTER

“I believe that adolescents who want to work should be able to, not only because it gives them a chance to earn their own money, but also because they can help their families and gradually save money to pay for their higher education in the future. Working during adolescence also helps them develop. It requires discipline and a sense of responsibility, steering them away from bad habits such as drug use and alcohol consumption.

All work activities should be in compliance with current law regulating adolescent work in Chile. For example, we have a Regulation on Hazardous Labour, which lists a series of jobs and work-related activities that should not be undertaken by adolescents to prevent harm to their morals, physical or psychological health.

Fulfilment of adolescents’ school obligations must be confirmed. Prior to their hiring, the employer must ask for their enrolment or regular student certificate. This certificate should indicate school hours to ensure compatibility with the work day.

Another essential measure is to evaluate the risks the adolescent may be exposed to and subsequently take corrective and preventative measures and strictly monitor compliance with safe work”.



"FULFILMENT OF ADOLESCENTS’ SCHOOL OBLIGATIONS MUST BE CONFIRMED IN ORDER TO ENSURE THAT THEY ARE COMPATIBLE WITH WORKING HOURS".

MARÍA JESÚS SILVA

IPEC COORDINATOR FOR CHILE AND URUGUAY - ILO



CHRISTOPHER TOSELLI

PROFESSIONAL FOOTBALL PLAYER
UNIVERSIDAD CATÓLICA



“In our country, there are still many adolescents who work in unfavourable, hazardous environments, most in an informal manner without social protection. They may even work in conditions of exploitation: long days doing dangerous tasks that have physical (fatigue, pain, disfigurement) and psychological consequences. In addition, they have no time to study, rest and engage in recreational activities. For many adolescents, to become employed at this stage of life means that they will work in jobs requiring few skills. This will limit their possibilities for continuing their education as well as their options for decent work as adults. Therefore, efforts should be made to ensure compliance with the 12 years of mandatory education and to promote adolescents’ permanence in school.

I recommend becoming familiar with the law, disseminating it and taking the measures necessary to ensure its compliance. Special care should also be taken to keep adolescents away from hazardous activities. In addition, risks should be reduced by improving safety and health conditions and monitoring businesses’ compliance. Businesses should inform and educate adolescents on labour risks and provide adolescents with adequate training for their age”.

"SPECIAL CARE SHOULD BE TAKEN TO KEEP ADOLESCENTS AWAY FROM HAZARDOUS JOBS. IN ADDITION, RISKS SHOULD BE REDUCED BY IMPROVING SAFETY AND HEALTH CONDITIONS AND MONITORING BUSINESSES' COMPLIANCE. BUSINESSES SHOULD INFORM AND EDUCATE ADOLESCENTS ON LABOUR RISKS AND PROVIDE ADOLESCENTS WITH ADEQUATE TRAINING FOR THEIR AGE".

“I don’t think adolescents should work because I’d like everyone to experience the things of their age: going to school, studying, having friends, going out. I know many have to work, which is okay if there are restrictions. In that case, I would tell businesses not to exploit adolescents, that they should be responsible and to remember that if they work it is because they have to. I would tell adolescents who have to work that it is important to take advantage of the opportunity to become more independent and mature.

Concrete actions businesses that hire adolescents can take include paying them more than the minimum wage and limiting the amount of hours they work; that way, they can rest and study. Also, families should be included in the decisions they make since sometimes making them alone can be a bit stressful. In my case, I was 17 years old when I signed with the Universidad Católica and my dad always came along with me to negotiate, to the meetings, to review the contract, to review the conditions. It is not that he made the decision; I was the one who studied every detail, but he did advise me and that made me feel confident”.

"BUSINESSES THAT HIRE ADOLESCENTS SHOULD PAY THEM MORE THAN THE MINIMUM WAGE AND LIMIT THE AMOUNT OF HOURS THEY WORK; THAT WAY, THEY CAN REST AND STUDY".

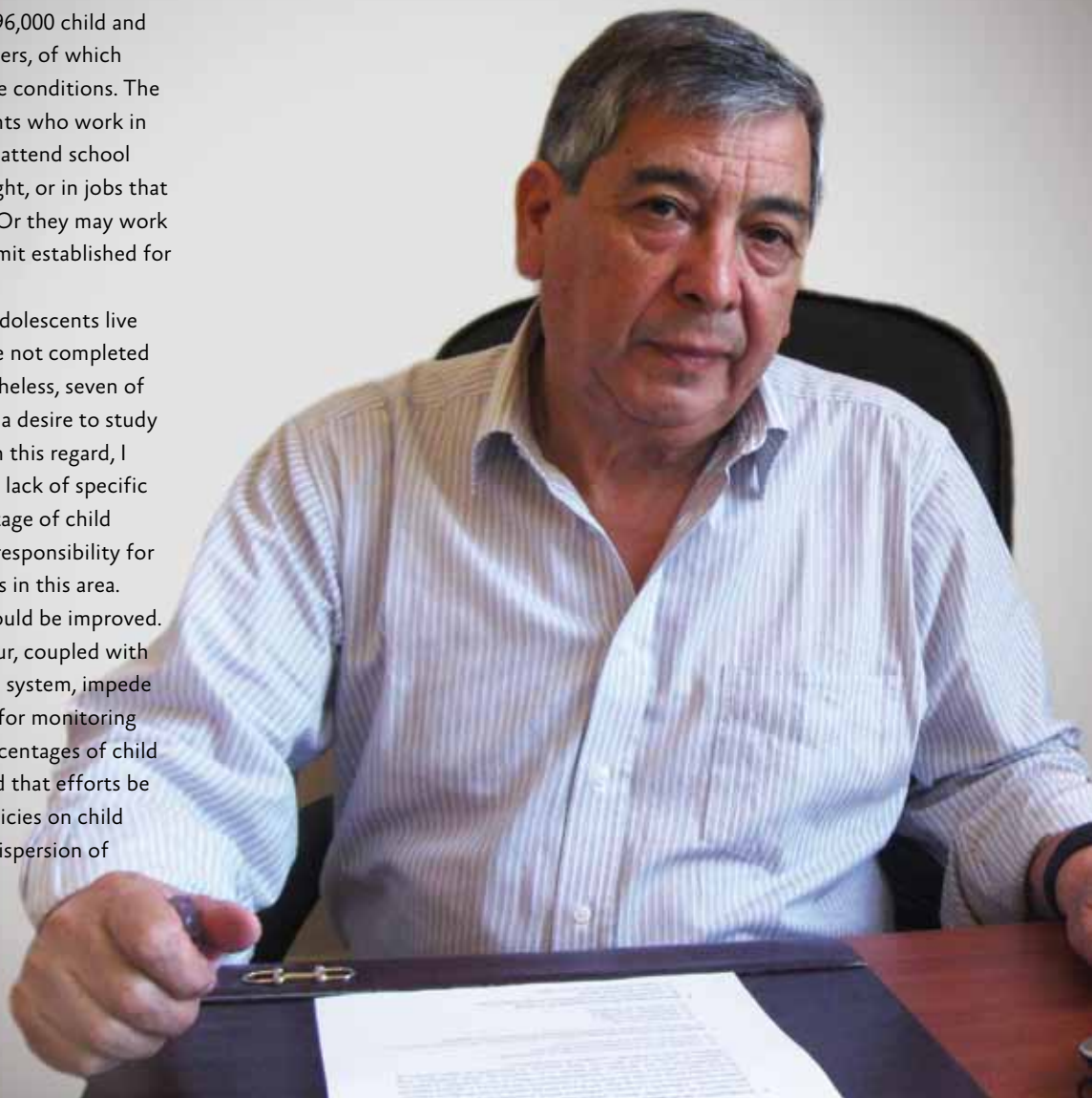
ARTURO MARTÍNEZ

PRESIDENT, WORKER'S UNITED CENTRE OF CHILE (CUT)

“The reality in Chile is that there are more than 196,000 child and adolescent workers, of which 107,000 work in unacceptable conditions. The problem is that the adolescents who work in hazardous conditions do not attend school and work on the street, at night, or in jobs that threaten their development. Or they may work longer hours than the legal limit established for all workers.

More than half of these adolescents live in poverty. Their parents have not completed their basic education. Nevertheless, seven of every 10 adolescents express a desire to study and become a professional. In this regard, I believe goals are needed. The lack of specific targets to reduce the percentage of child labour conditions and limits responsibility for developing concrete activities in this area.

In addition, inspection should be improved. The informality of child labour, coupled with deficiencies in the inspection system, impede the development of systems for monitoring hazardous jobs with high percentages of child workers. Finally, I recommend that efforts be centralized since national policies on child labour face the problem of dispersion of capacities.”



"INSPECTION SHOULD BE IMPROVED. THE INFORMALITY OF CHILD LABOUR, COUPLED WITH DEFICIENCIES IN THE INSPECTION SYSTEM, IMPEDES THE DEVELOPMENT OF SYSTEMS FOR MONITORING HAZARDOUS JOBS WITH HIGH PERCENTAGES OF CHILD WORKERS".

CAROLINA URREJOLA

JOURNALIST, CHANNEL 13



ALEJANDRO FERNÁNDEZ

NURSE
COQUIMBO HOSPITAL



“We are still a poor country, which became clear after the earthquake on February 27th last year. I think adolescent work responds to a real need of families to increase their income. It is closely associated with complex social problems such as alcoholism or drug addiction of the parents, which forces adolescents to take responsibility. In other cases, it responds to cultural norms. Fathers and mothers who have worked in the field since they were children wait until their children are just old enough to work in the field and thereby increase their earnings.

I think there are some areas where adolescents should be allowed to participate, safeguarding –strictly— that the work does not interfere with their studies. They should never be allowed to perform jobs that affect their normal physical and psychological development. I recommend establishing a special status for adolescent workers so that demands and schedules will be compatible with their age and needs. Also, an office should be established that is familiar with adolescents’ family and educational realities to support and monitor adolescent workers. Finally, an economic stimulus should be offered for adolescents who do well at school. These can be bonuses that encourage them not only to continue their basic schooling, but also to obtain scholarships so that they can enrol in courses in areas associated with the business they work for”.

"I RECOMMEND AN ECONOMIC STIMULUS FOR ADOLESCENTS WHO DO WELL AT SCHOOL".

“At 17, I began working at a business that organized events. I worked as a waiter and a bartender at weddings and cocktail parties, and I occasionally helped sent up marquees. In my third year of high school, I applied for a Pro Niño scholarship, offered through a Telefónica social programme, which paid my enrolment and tuition, in addition to the entrance exam fee. Later, they offered me a two-year scholarship for higher education, so I enrolled in a technical school. I earned a degree from an institute and began to work in 2008. One of the most valuable lessons I learned at that time is that at work, people should be judged for what they do rather than for what they look like. I think businesses should offer more flexible hours so that adolescents can make work and school obligations more compatible. Regulation of working conditions is also essential, for example: the contract. I never had a contract and if I had an accident or got sick, I didn’t have any support. Often you see adolescents working as cheap manual labour, they earn less than adults, they are given too much work and the excuse is always the same: they need to learn. Just because they don’t have as much experience is not a reason to pay them less, demand more or take advantage of their youth to produce more”.

"I THINK BUSINESSES SHOULD OFFER MORE FLEXIBLE HOURS SO THAT ADOLESCENTS CAN MAKE WORK AND SCHOOL OBLIGATIONS MORE COMPATIBLE."

RAFAEL GUILISASTI

PRESIDENTE
PRODUCTION AND TRADE CONFEDERATION (CPC)

“**A**dolescent work is a reality that originates from economic, social and cultural factors. From the perspective of businesses, it is important to know that adolescent work is legal as long as the requirements of the Labour Code are met, as well as the provisions of current laws. In that context, I believe it is essential to develop public policies that promote the formalization of businesses and compliance with labour law. Coverage and quality of education and vocational training should be increased so that adolescents can have concrete opportunities to study, and once they complete their studies, to find jobs that are compatible with their physical and intellectual conditions. Finally, businesses should define internal standards for treatment and protection of adolescent workers to ensure that they are duly protected when performing their job duties.

I would tell business owners that the first obligation of an employer with his or her workers is to ensure their adequate protection in order to guarantee their physical and psychological integrity. Moreover, non-compliance with labour law threatens the basic rights of workers, violates the rules of healthy, loyal competition and discredits business and free enterprise as a whole”.



"IT IS ESSENTIAL FOR BUSINESSES TO DEFINE STANDARDS FOR DEALING AND PROTECTING ADOLESCENT WORKERS TO ENSURE THAT IN FACT THEY ARE DULY PROTECTED."

GLORIA CANO

PROJECT COORDINATOR,
MATRÍZTICA SCHOOL, SANTIAGO

HUMBERTO MATURANA

BIOLOGIST,
MATRÍZTICA SCHOOL, SANTIAGO



“**A**dolescents who work have some reasons to do so. These are because of need, to help their families. They grow up contributing to the family” says Humberto Maturana. For him, “adolescents are not only good, but also respectable. Having respect and dignity for adolescents is everything, because when there is no respect, there is a possibility of a lack of protection.”

When talking about work, we are first talking about a contract. It is not a question of whether adolescents should or should not work, but rather that the economic situation of the family is such that they must work. Second, if they do work, it is the employer’s responsibility to know if he or she has employed adolescents. The employer should not be surprised when he or she confirms it, since there should be a contract. The adolescent and the employer should read the contract. They both should know what the other knows. If I know what the other knows, I know what the commitment to me is. A true commitment is established.

Therefore, when the contract is being prepared and the work conditions are written, the employer should first visit the work place. The employer should be familiar with and show the conditions in which the adolescent will work. If the adolescent asks *is there a bathroom?* there may be one, but it may not be a good one; it may be in poor condition. In that case, the adolescent should decide whether he or she wants to accept the job, and can complain to the employer if he or she does not comply, and vice versa.

Moreover, contract details should not be written in small type. Today they are prepared to not be read; to not

be known. And excuses begin when one has not seen the details of the contract. If everything is written in large type, the person has the possibility of knowing and being informed. For this reason, the contract should be treated as a social agreement. This means that I am aware that I have a relationship with that person. However, it is not one of authority and subordination; that is where the dignity of the contract lies.”

For her part, Gloria Cano believes that “anyone who hires an adolescent should be present at the signing of the contract. The adolescent may have questions since he or she has never been in a work environment before and is unfamiliar with it. He or she is there to learn, for which reason there should be coaching, where he or she can talk to the employer about how the work is going.”

If that happens, both people feel personally committed because there is a relationship of mutual respect in which the individuals take their roles seriously,” says Maturana. “One should not say that the employer should respect the adolescent and vice versa. That is useless; rather, the conditions must be established for that to occur. It should not be an external responsibility; rather, it should be a space for agreement and the parties should be willing to uphold them.”

"CONTRACT DETAILS SHOULD NOT BE IN SMALL TYPE. TODAY THEY ARE MADE TO NOT BE READ, TO NOT BE KNOWN. IF EVERYTHING IS IN LARGE TYPE, THE PERSON HAS THE POSSIBILITY OF KNOWING AND BEING INFORMED."

ANA MARÍA TORO RUIZ-TAGLE

PAEDIATRICIAN
MOTHER OF 10 CHILDREN

HUGO MARÍN

VISUAL ARTIST



“It is essential to recognize that adolescent work is a reality today and will continue to be so for a long time. I think it’s important to regulate it. This occurs for a variety of reasons. For example, poverty; families without a household head or where he or she is unable to economically support the family; or the lack of culture and opportunities, where children and/or their parents do not believe that studying is a way to get ahead or that the longer a young person studies, the better he or she will be prepared for life and will be able to contribute a certain amount of money to the family. I also think that money is overrated today; it is considered a supreme value, above personal and intellectual growth.

For these reasons, I propose some measures with a view to the future: first, that adolescent work must be supervised by a qualified adult to ensure that the work experience is both enriching and educational. Second, part of the adolescent’s wages should be set aside for secondary school studies, vocational training or another area of the adolescent’s interest. Finally, adolescent workers should have access to programmes for the prevention of drug and alcohol abuse and anti-social behaviours such as delinquency”.

**"ADOLESCENT
WORK SHOULD BE
SUPERVISED BY A
QUALIFIED ADULT TO
ENSURE THAT THE
WORK EXPERIENCE
IS BOTH ENRICHING
AND EDUCATIONAL".**

“Currently, adolescents live in an environment of violence, which comes mainly from television or from models that are not worthy of imitating.

This affects their development. They begin working at a frantic pace that does not contribute to their human, intellectual and emotional development since there are few moments of silence at work. If the worker had a moment of silence, he or she would find a way to view his or her life differently, in a way that is more enriching for the worker and those surrounding him or her.

I understand that some must work; however, it is also indispensable for them to experience profound silence. Practising it enables more creative work, a different perspective. It produces stability, harmony and protection. Thus, the adolescent will learn to look inward before going to work, before living the experience.

For this reason, I propose that businesses establish a room for silence and for practices promoting it. In this way, the adolescent can learn more about him or herself and engage in work in a more thoughtful way. This should not only apply to adolescents, but rather include all members of the organization through introductory talks. This will enable the creation of an integrated business that instils respect for others and that creates an environment conducive to the development of its members.”

**"BUSINESSES SHOULD
ESTABLISH A ROOM
FOR SILENCE, WHERE
THE ADOLESCENT CAN
LEARN MORE ABOUT
HIMSELF OR HERSELF".**

SEGUNDO STEINLEN

PRESIDENT
NATIONAL FARMERS' FEDERATION



VERÓNICA HERRERA

DIRECTOR,
PREVENTIVE AND CURATIVE HEALTH ACHS



“Many adolescents work in the agricultural sector that I represent. They get used to earning money and drop out of school. They also begin to assume adult economic responsibilities in their families. And they're adolescents! If they don't study, what happens? They reduce their employability since without an education, their work future is not bright. Even worse, they cannot develop their full potential as human beings.

I was also an adolescent worker but I always went to school. Now I am earning a degree in administration, which makes me realize that it was the right option to continue with my education.

I think government agencies should step up their monitoring of compliance with laws and guarantee that the rights of adolescent workers are being respected. I think it is vital for employers to provide adolescent workers with vocational training with a view toward their improved employability to give added value to the labour market. This training should focus on producing excellent professionals, particularly technicians. It is not feasible for all workers to be university students. Chile needs many technicians to move forward.”

"GOVERNMENT AGENCIES SHOULD STEP UP THEIR MONITORING OF COMPLIANCE WITH THE LAW."

“The situation of adolescent work in the country is changing toward a more protected one for formal work. However, we don't know what is occurring in the informal sector, where adolescents may be employed in undesirable jobs. Overall, I think that when adolescents perform paid work, it helps them learn responsibility and self-discipline, as long as it is protected work that does not interfere with the main activity in that stage of their lives, which is to adequately prepare for adulthood, developing both their body and mind for future challenges. We have the duty as a society to offer learning opportunities and to create environments for adolescents' development that do not have avoidable risks and where they can grow as individuals.

I propose the following actions: clear regulations on the type of work and working hours for adolescents. Once they are working, they should be informed on the risks their job entails, on how to protect themselves and the rights they have as workers—coverage of Law 16.744, for example—and access to job training, among others.”

"WE HAVE THE DUTY AS A SOCIETY TO OFFER LEARNING OPPORTUNITIES AND TO CREATE ENVIRONMENTS FOR ADOLESCENTS' DEVELOPMENT WHERE THEY CAN GROW AS INDIVIDUALS".

IT IS TIME
TO MAKE A
COMMITMENT
AND TAKE
ACTION _

THE FOLLOWING PAGES PRESENT 10 ACTIONS THAT CAN BE CARRIED OUT BY ORGANIZATIONS. SIMPLE ACTIONS THAT ARE DOABLE IN YOUR WORKPLACE. ACTIONS THAT NEED CLOSER AND MORE HUMANE LEADERSHIP. ACTIONS THAT REQUIRE YOUR WILLINGNESS TO INSPIRE YOUR WORK TEAMS AND TO IMPLEMENT SMALL CHANGES THAT MAKE BIG DIFFERENCES.

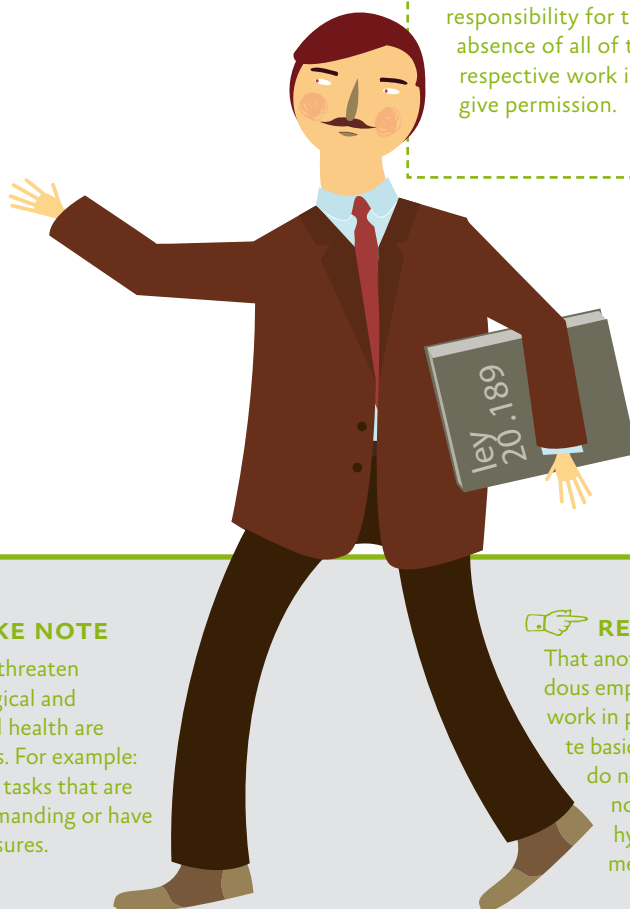
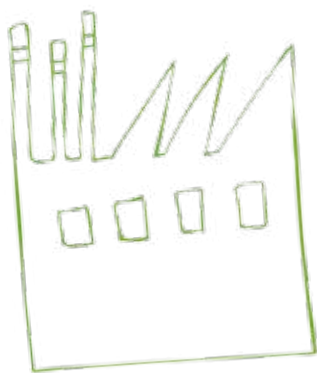
BECOME FAMILIAR WITH LAW N° 20.189

Abiding by the law requires the integrity and commitment of business people with the work they develop. It also means respect for each and every adolescent worker, who because of special circumstances, have begun to work early. Abiding by the law includes understanding that it is not simply another obligation, but rather that it is necessary, right and fair to comply with each article of the law. We encourage you to become familiar with the law.



TAKE NOTE

To be able to work, people aged 15 to 17 years old must have the express authorization of their father or mother, or of their paternal or maternal grandfather or grandmother; or, if they have none, of guardians, individuals or institutions that have assumed responsibility for the child. In the absence of all of the above, the respective work inspector must give permission.



LEARN

That jobs in isolated conditions and those carried out outdoors without due protections are considered hazardous for adolescents.



TAKE NOTE

Jobs that threaten psychological and emotional health are dangerous. For example: repetitive tasks that are highly demanding or have time pressures.



REMEMBER

That another form of hazardous employment includes work in places where adequate basic sanitary conditions do not exist, or which do not have the necessary hygiene and safety measures in place.

SOME THINGS YOU SHOULD KNOW:

BECOME FAMILIAR WITH THE KEY PARTS OF NEW LAW NO. 20.189 ON EMPLOYMENT OF PEOPLE AGED 15 TO 17.

WITH RESPECT TO THE LABOUR CONTRACT

- » Adolescents under 18 and over 15 can be employed under labour contracts to carry out light work that does not threaten their health and development.
- » Individuals over 15 and under 18 may be employed under labour contracts after prior certification of current enrolment in primary or secondary school or completion of secondary school.
- » Adolescents over the age of 15 up to 18 may be employed under labour contracts whose tasks do not interfere with their regular school attendance and their participation in educational or training programmes.
- » Labour contracts of individuals under the age of 18 must be registered with the respective Community Labour Inspection Office.
- » All of the aforementioned limitations also apply to the special circumstances under which individuals under the age of 15 can be hired and which are set forth in Article 15, paragraph 2, and Article 16 of the Labour Code with respect to employment in shows and artistic activities.
- » With respect to labour contracts for adolescents under the age of 15, individuals or entities devoted to the theatre, film, radio, television, the circus or similar activities may hire these workers, as long as they comply with the provisions on mandatory education and the maximum work day during the school year.

WITH RESPECT TO WORKING HOURS

- » The workers mentioned may not carry out work activities for more than 30 hours per week during the school year. This limitation is to ensure that adolescents under the age of 18 do not work more than eight hours per day.
- » In the case of adolescents under the age of 18 who work at night in establishments where only members of their families work, as well as in the case of male workers aged 16 or older who are employed in industries and trades which due to their nature must continue both day and night, employers must comply with the provisions on mandatory education and the maximum length of the work day during the school year.

REGULATION N° 50, WHICH APPLIES ARTICLE 13 OF THE LABOUR CODE, SPECIFIES THE ACTIVITIES CONSIDERED HAZARDOUS TO THE HEALTH AND DEVELOPMENT OF INDIVIDUALS UNDER 18 YEARS OF AGE.

ASSESS THE REALITY OF YOUR BUSINESS

The numbers speak for themselves: in Chile, there are more than 196,000 children and adolescents who work. Of these, 102,000 are between the ages of 15 and 17, 63,000 work in acceptable conditions whereas 39,000 do so in unacceptable conditions. Have you asked yourself if your business employs adolescents, what jobs they do, how they do them, under what circumstances?

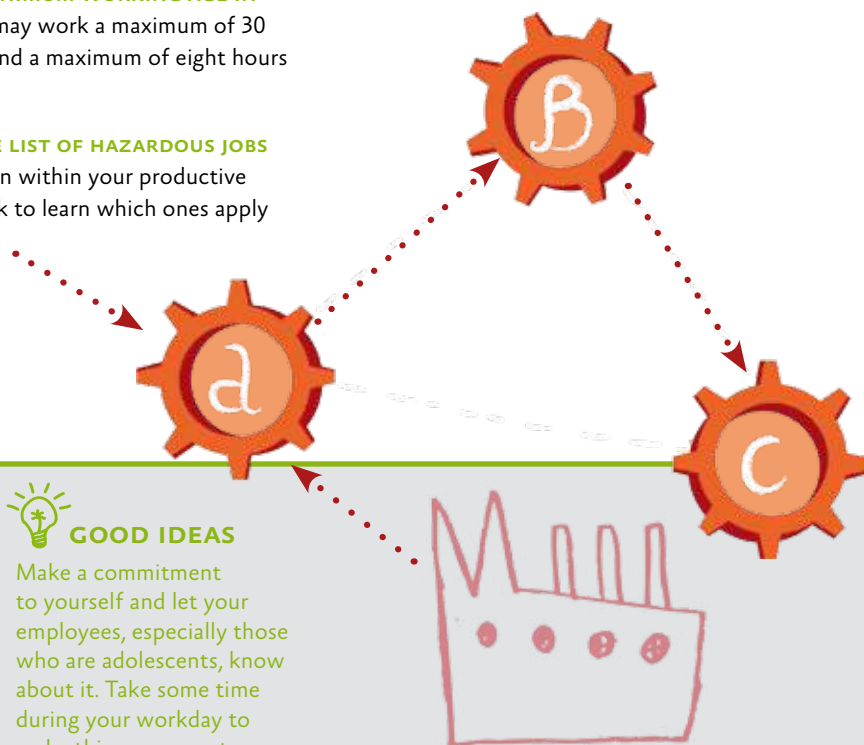
THINGS YOU SHOULD KNOW AND VERIFY:

- 1** IT IS IMPORTANT TO BE FAMILIAR WITH YOUR LEGAL responsibilities in Chile.
- 2** YOU SHOULD KNOW THAT THE MINIMUM WORKING AGE IN Chile is 15 years old. Adolescents may work a maximum of 30 hours per week during the school year and a maximum of eight hours daily.
- 3** FAMILIARIZE YOURSELF WITH THE LIST OF HAZARDOUS JOBS that adolescents may not engage in within your productive sector. See the annexes of this handbook to learn which ones apply to your business.



REMEMBER

That as a member of your organization, you should make sure that you know the situations and conditions in which your employees and colleagues work.



REMEMBER

By taking action, you can participate in the creation of a more socially responsible business. It is a very simple action that requires very little of your time. Go ahead.



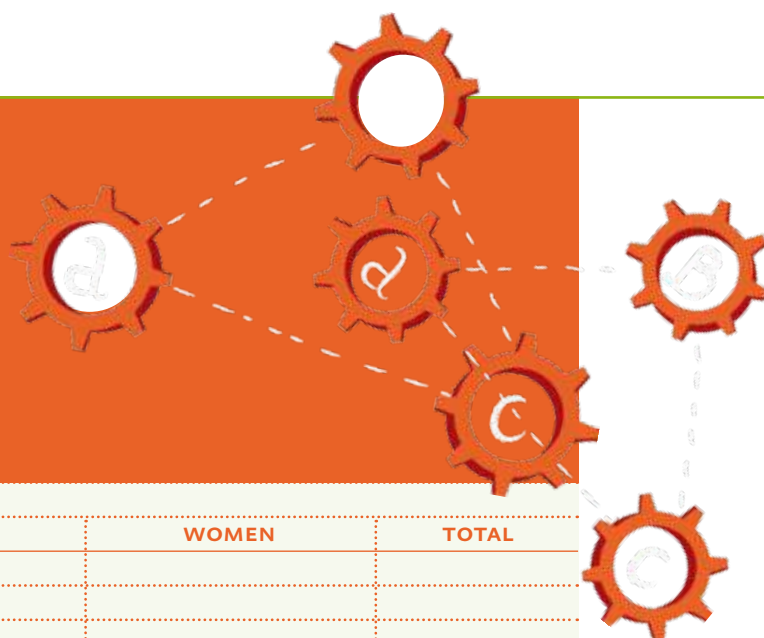
GOOD IDEAS

Make a commitment to yourself and let your employees, especially those who are adolescents, know about it. Take some time during your workday to make this assessment.



TAKE NOTE

Fill out this form about your business. This will give you information at a glance so that you can take the necessary actions to ensure adequate labour conditions for adolescents.



| INDICATOR | MEN | WOMEN | TOTAL |
|--|-----|-------|-------|
| Number of adolescents under the age of 15 that work at my business | | | |
| Number of adolescents aged 15 to 17 that work at my business | | | |
| How many adolescents are contract employees? | | | |
| How many work more than 30 hours? | | | |
| How many attend school? | | | |
| Number of adolescents who carry out "hazardous labour" | | | |
| How many adolescents work nights? | | | |
| | | | |
| | | | |
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PRACTISE LEADERSHIP BY EXAMPLE, NOT JUST BY GOOD INTENTIONS. WE SUGGEST THAT YOU ENCOURAGE YOUR CLOSEST TEAM AT WORK, AS WELL AS YOUR FRIENDS, TO CONDUCT THIS ASSESSMENT ON THEIR BUSINESSES.

PROMOTE SCHOOL ATTENDANCE

One noteworthy precedent is that adolescents have not lost hope, as reflected by the fact that seven of every 10 children and adolescents who work in unacceptable conditions still hope to pursue higher education and to become professionals. That is why you should help them achieve these dreams and implement concrete actions.

WHAT YOU CAN DO:

While the law requires that all adolescent workers be enrolled in school, you as an employer can set up a system of incentives that facilitates their school enrolment and attendance, respecting the maximum work week of 30 hours.

- 1** **PROVIDE ECONOMIC SUPPORT** to cover associated costs until the adolescent completes school. For example: enrolment costs, school supplies, school uniforms.
- 2** **BE FLEXIBLE** with respect to work schedules and workload during exam periods, offering the possibility of space and time at work to study for their tests.
- 3** **OFFER A BETTER JOB** to the worker once he or she completes school.



GOOD IDEAS

Here's another way to help adolescents: transportation vouchers for travel between school, work and home. But take care: you should ask the adolescent to give you a certificate of school attendance to ensure that he or she also has a commitment to fulfil.



REMEMBER

Ask the adolescent "What did you learn at school?" Provide positive reinforcement and congratulate him or her every time you observe positive behaviour associated with his or her education.



TAKE NOTE

Allow the adolescent to apply what he or she has learned at work, especially if he or she attends a vocational school.



SHARE YOUR EXPERIENCES AS A STUDENT WITH ADOLESCENTS. TALK TO THEM ABOUT THE EFFORT AND DIFFICULTIES ENTAILED AND HOW TO OVERCOME OBSTACLES AND MOVE FORWARD.

PROMOTE AN ENVIRONMENT OF DEVELOPMENT

Enjoy work, in a pleasant environment, with good relations among colleagues, with more humane leadership and with social support networks. Adolescents who work need these conditions and you are in a position to contribute to creating environments for their healthy and safe psychological and emotional development, and consequently, for that of all workers.

WHAT YOU CAN DO:

To create in your workplace environments of growth, understanding and development, the following actions are recommended:

- 1 | **ADEQUATE WORKING CONDITIONS:** adolescents should have a clean, pleasant place to eat meals, clean bathrooms in good condition, time and space to take work breaks, etc.
- 2 | **ESTABLISH COMMUNICATION** and dialogue systems between management and workers, with a view to giving adolescents the opportunity to learn healthy co-existence.
- 3 | **ENCOURAGE TRAINING** of adolescents and the attainment of new skills that can contribute to their future development.
- 4 | **ENCOURAGE CONTINUING STUDY:** adolescents should understand that the world of work requires preparation. They need perseverance to improve and not to abandon their education plans, especially higher education.



CONSIDER

That all human beings need to build relationships within an organization based on dignity and respect. Especially if you employ adolescents, not only should you determine whether a job is suitable, but also if there are respectful employee-employer relations, and whether everyone can express his or her opinions without fear of punishment. Concretely, you can analyze and observe the type of relationships that have been formed in your business and take action to improve them.



REMEMBER

To generate environments for development, the adult should listen to adolescents and give them opportunities to express their opinions.



GOOD IDEAS

Teaching adolescents about nutrition is essential for their development. Give them information on healthy eating and promote healthy habits among your work team.



TALK TO ADOLESCENTS AND HELP THEM DISCOVER WHAT THEY ARE INTERESTED IN. DURING THIS PHASE THEY NEED VOCATIONAL GUIDANCE SINCE THEY ARE NOT ALWAYS SURE WHICH ROAD TO CHOOSE.

COACHING

This activity goes beyond the law since it requires your commitment. If the goal is to create environments of respect and development for adolescent workers, it is necessary to eliminate relations of authority and subordination and begin to put into practise social agreements based on respect for and dignity of individuals. Coaching from an adult throughout the process of joining the labour force requires special tact in the relationship, physical presence, timely advice and the technical support so necessary for adolescents.

WHAT YOU CAN DO:

If you want to coach your adolescent workers, consider doing the following:

- 1** **INTRODUCE ADOLESCENTS TO ALL PEOPLE WHO WORK FOR THE BUSINESS** one by one, briefly explaining what the area does and giving them an overview of the tasks each worker performs.
- 2** **PROMOTE AN OPEN-DOOR POLICY** to encourage adolescents to visit you to offer observations, suggestions, new ideas.
- 3** **SUPPORT ADOLESCENTS' DEVELOPMENT PROCESSES** within the organization, guiding them when they need help and offering them continual training.



REMEMBER

To motivate an individual is to “move” them to do something. It is to generate in another person the motivation to take action. If you are going to coach adolescents who are beginning to work, remember that it is important to motivate them. How? Talk to them, listen to them, get to know them. Each human being is a world of his/her own and it is important to understand that not everyone is motivated by the same thing. To motivate others, you must be aware of their needs and preferences.



SOMETHING TO THINK ABOUT

Listening to those you are coaching means letting them express themselves. A relationship of trust must be created to enable dialogue and the possibility of asking questions and sharing opinions.



TAKE NOTE

Effective supervision requires planning, organizing, directing, implementing and providing continual feedback. The person who fulfils this mission should be reliable, dedicated, perseverant, warm and flexible.



SOMETHING TO THINK ABOUT

Ask yourself what type of leadership exists in your organization. Is it authoritative? Participatory? The second type of leadership directly influences relationships between managers, supervisors and workers.



IF THE EMPLOYER IS WILLING TO HIRE ADOLESCENT WORKERS, HE OR SHE SHOULD ALSO BE WILLING TO COACH THEM IN THE PROCESS OF JOINING THE LABOUR FORCE.

SPECIAL SUPPORT

To support the adolescents working in your organization, it is necessary to use some social skills, such as empathy with the situation in which others live, and to have the capacity to exert a positive influence. In this way, you can identify with their family and social environment and offer symbolic gestures or small amounts of money to support the development and growth of these adolescent workers.

WHAT YOU CAN DO:

- 1 | PROMOTE THE DEVELOPMENT OF ADOLESCENTS' FAMILIES:** The family situation is one factor that motivates adolescents to work given that parents may be unemployed. For this reason, hiring adolescents' family members is a concrete way for your business to help.
- 2 | PROVIDE BALANCED MEALS:** It is essential for adolescents to eat well given that they are still growing. You can provide them with a balanced daily meal.
- 3 | OFFER SPECIAL VOUCHERS:** Adolescents require economic support for work clothes or textbooks, for example.



REMEMBER

It is important for adolescents who work to engage in recreational activities, such as a sport that your business can sponsor. This provides multiple health benefits, especially because it helps people feel more positive and energetic, improves sleep quality and physical capacity and strengthens the immune system.



GOOD IDEAS

In the winter, give employees scarves, hats and gloves as gifts, and consider giving them directly to adolescents. This will encourage them to take care of themselves and dress warmly.



TAKE NOTE

Organize a cultural talk or a concert at your work, or visit museums. Contact with art permits adolescents to open up to new learning experiences.



GOOD IDEAS

At business events, encourage the giving of gifts that are useful for adolescents, such as books or school supplies.



BE CREATIVE AND DETERMINE IN WHICH AREAS YOU AND OTHERS CAN POSITIVELY INFLUENCE THE DEVELOPMENT OF YOUR ADOLESCENT WORKERS.

INVOLVE THE FAMILY

The family plays a key role in adolescents' decisions and development. Growing up with their parents, siblings and close relatives, adolescents have learned lessons and had experiences that will mark them for life. For this reason, when adolescents join the workforce, they should maintain ties with their family environment. This will help them adapt to the world of work more easily.

WHAT YOU CAN DO:

1 | WRITE A LETTER TO THE FAMILY: When an adolescent is hired at your business, send a personalized note to the family of the new worker explaining your area of business and expressing your respect for and commitment to all your employees. Clearly inform family members on working conditions, hours and responsibilities of both parties.

2 | ORGANIZE A FAMILY VISIT TO THE BUSINESS: This is one way to incorporate the adolescent's family. Take this opportunity to show them around the workplace and explain that the adolescent will not engage in hazardous work and that your business complies with the law.

SOMETHING TO THINK ABOUT

Decision-making can be stressful for adolescents. For this reason, support from parents, siblings and other relatives is essential. They can guide them in this process by sharing their own experiences. If the adolescent has to make a choice, give him or her time to discuss it with the family..



TAKE NOTE

Find out about the adolescent's family situation. Provide support if you discover an unfavourable, dysfunctional family environment.



SOMETHING TO THINK ABOUT

The influence of the family on the adolescent's development is vital; if the family structure is adequate, it will facilitate his or her interpersonal relations and subsequent integration into adult society.



REMEMBER

Adolescents need autonomy and to resolve some problems on their own. Allow them to make some decisions or give suggestions, but do not forget that they are adolescents, not adults.



FOR MANY ADOLESCENTS, THE FAMILY PLAYS A KEY ROLE. ALLOW THEM TO BE PRESENT AND TO BE A PART OF THEIR EMPLOYMENT PROCESS.

OCCUPATIONAL SAFETY AND HEALTH

Providing what is needed so that adolescents can perform their duties safely in the workplace is a priority mission for all businesses. This is not only a question of providing protection or telling them what not to do. It also requires close leadership, showing them by example, positive reinforcement, coordinating among business teams so that they understand the importance of informing and including adolescents in the occupational safety and health policies that are implemented, and strictly complying with the law with respect to work accidents and illnesses.

WHAT YOU CAN DO:

1 | DRAW UP A LABOUR CONTRACT: Adolescent workers must first have a labour contract in order to protect them in the case of an accident. Once they are working, they should be informed on job risks, on the ways to protect themselves and on their rights as workers, for example, coverage of Law 19.744.

2 | PROVIDE PERSONAL PROTECTION MATERIALS: Give them equipment and verify that it is appropriate for their size and the job for which they were hired. At the time they receive the protective equipment, they should be told how and when to use it, preferably on the job site. Clearly identify the areas where they should not work or the machines they should not operate.

3 | ESTABLISH CLEAR REGULATIONS: Confirm that the work team and supervisors are aware of the type of work and maximum work hours permitted for adolescents aged 15 to 17 years.



TAKE NOTE

Inform adolescents that they should not perform work for which they have not been trained. Adolescents may not ask for help when they need it because they want to be accepted in the organization.



REMEMBER

If adolescents work at your business, be sure that they have supervisors with the capacity to guide and coach them. Do not allow adolescents to work alone.



TAKE NOTE

Strongly recommend that supervisors serve as a good example in terms of attitudes towards safety and safe work habits. Adolescents learn by following adults' example.



SOMETHING TO THINK ABOUT

You should know that adolescents who work are more vulnerable than adults to the risks and hazards of the workplace since they have never worked before. Therefore, they do not have the experience of adults to resolve problems or make decisions. For this reason, it is essential to train and support them in these areas.

OCCUPATIONAL SAFETY TRAINING IS ESSENTIAL FOR ADOLESCENTS SINCE THEY ARE NOT FAMILIAR WITH WORK REQUIREMENTS AND OPERATIONAL PROCEDURES FOR CERTAIN TASKS.

COMMITMENT TO ETHICAL CONDUCT

A code is a voluntary initiative by the business, which can focus solely on the commitment to ensure adequate conditions for adolescent workers. A code may also address broader labour, social and environmental concerns. In the case of adolescent workers, the business's code should describe the basic rights and minimum standards that the business agrees to respect with regard to these workers.

ASPECTS TO CONSIDER IN THE CODE OF CONDUCT:

If you want to coach your adolescent workers, consider implementing the following:

- 1 | ACTIONS SPEAK LOUDER THAN WORDS:** While a code can promote proper behaviour, the important thing is the behaviour and not the code itself. Consequently, businesses that have a code of conduct are not necessarily better than those that do not have one.
- 2 | RESOLVE THE PROBLEM BEFORE ESTABLISHING THE CODE.** Failing to respect the commitments assumed in a code of conduct will generally have a more negative effect than not establishing this code in the first place.
- 3 | INTERNAL DISSEMINATION:** It is often a mistake to publish a declaration of principles without having effectively disseminated it among executives and workers of the business and without having informed them on its implications.
- 4 | WRITE THE CODE AS IF IT WERE FOR THE PUBLIC DOMAIN.** Why? Although the code is not designed as a public document, it can easily become one, especially through the media and non-governmental organizations.



DID YOU KNOW?

Ikea, a retail furniture business, based its code of conduct on ILO Convention N. 138 concerning the minimum working age and on Convention N.182 concerning the worst forms of child labour.



TOME NOTA

The code serves as a reminder for all employees that the business respects and protects adolescents and provides them with adequate conditions. This promotes pride in the institution.



REMEMBER

The code eliminates ambiguities and facilitates the identification of business offences. Employees report cases of non-compliance.



REMEMBER

When a business adopts a code, it imposes certain rules of behaviour on itself which it considers essential to guarantee. This demonstrates its responsibility to society. These rules of conduct are not only mandatory for current business employees; they also attempt to become guiding principles for the future.

A CODE OF CONDUCT DESIGNED TO PROTECT ADOLESCENT WORKERS IN YOUR BUSINESS IS A REMINDER TO MAINTAIN COHERENCE AND COMMITMENT IN THIS AREA, ESPECIALLY AMONG THOSE WHO HIRE EMPLOYEES.

SHARE THIS HANDBOOK

Sharing this handbook is another concrete action you can take. One of the easiest ways to motivate others is by giving them the detachable poster included in the handbook, which summarizes all the actions that small and medium-sized businesses can implement. These range from simple measures to activities that require greater commitment on the part of the business.

WITH WHOM SHOULD YOU SHARE THIS HANDBOOK?

- 1** | **WITH THE MANAGEMENT TEAM:** Talk with team members about the different ways to carry out some of the activities described and you will see how you can become an active agent in transforming society.
- 2** | **WITH SUPPLIERS:** Often these are small organizations, but that does not mean they are less interested in learning about this reality and what they can do. Give them a poster.
- 3** | **WITH STAFF:** Inform your workers on the activities to be implemented. Use newspaper murals, the intranet and other methods to inform them on the commitments the business has made.
- 4** | **WITH FRIENDS OR COLLEAGUES FROM OTHER BUSINESSES:** Motivate others, especially those that manage or work in positions where they make decisions regarding the hiring of adolescents. Encourage them to learn about the subject and thus create more humane, responsible businesses.

SOMETHING TO THINK ABOUT

Language is a powerful tool that can stimulate action through conversation. Thus, one possibility is simply to mention this handbook to others, share what had the most impact on you and all that they can begin to do to protect the adolescent worker. Start now!



REMEMBER

Hang the map of action in your workplace as a reminder that this is a key area in which you should start working.



TAKE NOTE

List the actions that seem easiest to implement. Develop them with your team; establish deadlines and methods for implementing the ideas on the list.



GOOD IDEAS

You can also come up with new proposals. The activities mentioned in this handbook are just the beginning. You as an organization can adapt or modify them or develop new ones.

**AQUÍ VA UNA DE
LAS CARAS DEL
MAPA DE ACCIONES**

OTHER INFORMATION_ TO KEEP IN MIND_

SUBJECTS ADDRESSED: THE FIGHT TO
ELIMINATE CHILD LABOUR AND THE REALITY
OF ADOLESCENT WORK IN CHILE. WHAT HAS
CHILE DONE TO END CHILD LABOUR? CURRENT
CHILEAN LAW. JOBS CONSIDERED HAZARDOUS
DUE TO THEIR NATURE AND CIRCUMSTANCES.
SAFETY AND HEALTH OF ADOLESCENT WORKERS.
RECOMMENDED RESOURCES AND WEBSITES.



THE FIGHT TO ELIMINATE CHILD LABOUR AND THE REALITY OF ADOLESCENT WORK IN CHILE

Since its founding in 1919, the ILO has worked to make the elimination of child labour a universal cause. To that end, in 1973, the ILO adopted Convention N. 138 concerning the minimum age for admission to employment. This became one of the first instruments developed to combat this problem. Subsequently, in 1999, it adopted Convention N. 182 concerning the worst forms of child labour.

The Conventions require the states that ratify them to adopt a national policy for the progressive elimination of child labour as well as to establish urgent measures to eradicate its worst forms within a specified period.

In 1992, the ILO created the International Programme on the Elimination of Child Labour (IPEC) to support countries in the application and effective compliance of the aforementioned Conventions, guided by Recommendations 146 and 190. Another goal of IPEC is to promote the elimination of child labour through joint actions of governments, employers' and workers' organizations, non-governmental organizations and other civil society organizations.

IPEC IN CHILE

In June 1996, IPEC formally began work in Chile with the signing of the first Memorandum of Understanding between the Government of Chile and the ILO. Through this instrument, the parties agreed to work together in the following activities:

- » Analysis of the child labour situation.
- » Development of a national plan.
- » Development of policies for the prevention and protection of adolescent workers.
- » Implementation of national programmes.
- » Focus on individuals under the age of 18 who work in unacceptable conditions or in hazardous activities or conditions.



HANDBOOKS FOR EMPLOYERS

ELIMINATING CHILD LABOUR

In 2008, the ILO's Bureau for Employers' Activities Office published a set of documents in Spanish designed to help businesses and their organizations understand the phenomenon of child labour and to adopt measures to eradicate it. These three practical handbooks offer reflections, advice and examples on how to prevent child labour, how to remove children from the workplace and how to protect adolescent workers from hazardous conditions. Focusing on developing countries, the handbooks offer examples of businesses and employers' organizations that have adopted concrete measures, whether by themselves, in collaboration with the ILO, or with the support of donors and other local, national and international organizations.

CURRENT LEGAL FRAMEWORK IN CHILE

THE MODIFICATIONS TO THE LABOUR CODE ASSOCIATED WITH LABOUR ACTIVITY OF INDIVIDUALS AGED 15 TO 17 ARE LISTED BELOW. THESE ARE TAKEN FROM LABOUR AGENDA NO. 30 OF THE MINISTRY OF LABOUR.

WHAT SHOULD AN EMPLOYER DO WHO HIRES AN ADOLESCENT BETWEEN THE AGES OF 15 AND 18 YEARS?

- The employer who hires a person between the ages of 15 and 18 should inform the employee on labour risks and provide the necessary training in accordance with the employee's age.
- The employer should also closely monitor compliance with safe work with respect to the tasks carried out by the adolescent.
- Before hiring the adolescent, and each time his or her work conditions change, the employer should evaluate the adolescent's job to determine the potential risks and take corrective and preventive measures.
- To verify compliance with the adolescent's school obli-

gations, prior to his/her hiring, the employer should request the corresponding certificate of enrolment, certificate as a regular student or secondary school diploma.

- The certificate should indicate school hours to facilitate compatibility with working hours.
- Businesses that hire an individual under 18 should register the labour contracts signed with the Labour Inspection Office within 15 days from the date the child is hired. Moreover, the business should inform the respective Labour Inspection Office within 15 days after the labour relationship is terminated.
- The Labour Directorate should implement and update this registry.
- Adolescents may not engage in internships in activities prohibited in the Regulations (work considered hazardous) if their safety and health is not guaranteed and if there is no direct supervision of the work to be performed.

HOW IS THE REGULATIONS' COMPLIANCE MONITORED?

This work corresponds to the Labour Directorate and other oversight entities, in accordance with their area of responsibility.

Employers who hire individuals between the ages of 15 and 18 in violation of the Regulations on Hazardous Work will be required to fulfil all obligations set forth in the la-

WHAT IS THE LAW ON HAZARDOUS JOBS?

Law N° 20.189 called for the establishment of a Regulation listing the hazardous jobs adolescents should not undertake. Thus, in 2007, the Ministry of Labour and Social Protection implemented Regulation No. 50, which applies Article 13 of the Labour Code and defines the activities considered hazardous to the health and development of individuals under the age of 18, and for which labour contracts cannot be established.

⦿ HAZARDOUS WORK

All activities or forms of work in which job tasks can interfere or compromise the normal physical, psychological or moral development of adolescents, or where risk factors are present that may harm the physical and mental integrity of children, given their increased vulnerability, lack of training, education and/or experience.

⦿ WORK THAT IS HAZARDOUS DUE TO ITS NATURE

All activities or forms of work which have an intrinsic characteristic that represents a risk to the health and development of the adolescent who performs them.

⦿ WORK THAT IS HAZARDOUS DUE TO THE CIRCUMSTANCES IN WHICH IT IS CARRIED OUT

Refers to all activities or forms of work in which, due to the environmental and/or organizational context in which it is carried out, may harm the health and development of adolescents.

bour contract. Notwithstanding, the Labour Inspection Office should order the immediate cessation of the labour relationship and impose the sanctions stipulated by law on the employer. Every two years, the Ministry of Labour and Social Protection will update this law.

WHAT WORK IS CONSIDERED HAZARDOUS BECAUSE OF ITS CIRCUMSTANCES?



The Regulation prohibits the participation of individuals under the age of 18 in the following work defined as hazardous due to the circumstances in which it is carried out:

1. Work performed outdoors without due protection.
2. Work in conditions of isolation.
3. Work that implies risks to the mental health of the child, such as highly-demanding repetitive tasks with time pressures, among others.
4. Work where adequate basic sanitary conditions do not exist or the necessary safety and health measures to perform the activity in a way that will not harm the child are lacking.

WORK THAT IS CONSIDERED DANGEROUS DUE TO ITS NATURE

INDIVIDUALS UNDER THE AGE OF 18 ARE PROHIBITED FROM THE FOLLOWING:

- | CONTEXT | ACTIONS | MORE INFORMATION |
|---------|--|---|
| | <ol style="list-style-type: none">1. Work in establishments that sell weapons.2. Work in the manufacturing, storage, distribution and sale of explosives and products that contain them.3. Forestry work. This includes activities developed in sawmills, during the felling of trees and others.4. Work performed on the high seas. This includes all activities performed for industrial, semi-industrial and small-scale fishing, among others.5. Work performed in areas which due to their conformation or topography may present risks of landslides or falling materials.6. Work developed at heights of more than two metres above the ground. This includes activities performed in the construction of high-rise buildings, on scaffolding or roofs, among others.7. Work that requires travel to areas over 2,000 metres above sea level.8. Underground work. This includes activities such as excavations, installation or cleaning of chambers or distribution pipes: water, electric energy, telephone, gas and waste disposal, among others.9. Mining activities.10. Work that is performed underwater. This includes professional or small-scale diving, among others.11. Work in extreme temperature conditions. This includes work in coolers or freezers and in foundries, among others.12. Work which requires handling or working with dangerous substances or that involve exposure of the child to these substances.13. Work that poses ergonomic risks, including activities that involve repetitive movements, with time pressures, in inadequate postures or that involve the handling or manual manipulation of loads that violate current legislation.14. Work that implies the handling, application or storage of agrochemicals. This includes activities developed in fumigation chambers during its application or in periods of non-use. | <ol style="list-style-type: none">15. Work that implies the handling or use of sharp objects for clinical use; care of ill animals or individuals and in general, any other activity that may expose children to biological risks, such as viruses, bacteria, fungi or parasites.16. Work performed with machinery, equipment or tools that require training and experience for their safe use and whose inadequate operation or use by untrained individuals can produce permanent disability or death, such as guillotines, grinders, laminators, cauldrons, autoclaves, presses, circular saws, air guns, kneading machines, metal-cutting machines and ovens, among others.17. Work in establishments or in specific areas of these that are for alcohol consumption and/or its exclusive sale. This includes serving customers in bars, cantinas and similar locations.18. Work in establishments or in specific areas of these where tobacco consumption is permitted.19. Work that threatens the normal psychological and moral development of the child, whether due to the location where it is carried out or due to the tasks that must be performed, or in those that do not permit children's access. These include work performed in cabarets, nightclubs, cinemas and establishments showing material of highly violent, erotic and/or sexually explicit content, adult shows and massage parlours, among others.20. Work carried out in passenger transport or cargo vehicles.21. Work that involves periodic travel across national borders.22. Work that involves the transfer of money or other objects of value.23. Work where the safety of other individuals and/or goods is the responsibility of the child. This includes caring for children and sick people, security patrol activities and guard work, among others. |

WHAT HAS CHILE DONE TO PREVENT AND ELIMINATE CHILD LABOUR?

- 1990** Adopted the United Nations Convention on the Rights of the Child.
- 1996** Established the National Advisory Committee for the Prevention and Progressive Elimination of Child Labour. The committee is composed of representatives of more than 20 government institutions, the business community, employees' organizations and two advisory organizations: the ILO and UNICEF. The Ministry of Labour and Social Protection (MINTRAB) coordinates the committee. Regional committees have been established throughout the country.
- 1999** Ratified ILO Convention N. 138 on the minimum age for admission to employment.
- 2000** Committed to the elimination of the worst forms of child labour (ILO Convention N.182).
Increased the minimum legal working age from 14 to 15.
- 2001** Implemented the 2001-2010 Plan to Prevent and Progressively Eliminate Child and Adolescent Work in Chile.
- 2003** Implemented the constitutional guarantee of 12 years of mandatory education.
Implemented the System for the Registration of the Worst Forms of Child Labour, managed by the National Service for Children.
- 2004** Conducted a national assessment of child and adolescent work.
- 2005** Issued a presidential decree marking June 12 as "Against Child Labour Day."
Issued a presidential decree declaring May 18 as the "National Day against the Sexual Exploitation of Children and Adolescents."
- 2007** Enacted Law N° 20.189, which adapts the provisions of the Labour Code to the constitutional reform on making secondary school mandatory.
- 2008** Developed the List of Hazardous Jobs (Supreme Decree N°50), which details the activities considered hazardous to the health and development of individuals under the age of 18. To this end, the government, the Worker's United Centre of Chile (CUT) and the Production and Trade Confederation (CPC) signed a tripartite agreement in 2009, with support from the ILO, to address as a political and social priority the challenge of decent work in the country. Its thematic areas include the prevention and elimination of child labour.
- 2009** The MINTRAB and the CPC signed an agreement to promote public-private partnerships to develop activities enabling Chile to become the first country of the region free from child labour and to ensure protected adolescent work.
- 2010** The ACHS and the ILO signed a Letter of Intent to establish a cooperation framework for the prevention and elimination of child labour and the promotion of safe working conditions for adolescents (ages 15 to 17).



SAFETY AND HEALTH OF ADOLESCENT WORKERS

ADOLESCENTS ARE MORE VULNERABLE THAN ADULTS TO THE RISKS AND HAZARDS OF THE WORLD OF WORK

ACCORDING TO ILO'S GUIDE I
FOR EMPLOYERS: INTRODUCTION
TO THE ISSUE OF CHILD LABOUR,
THERE ARE FIVE HEALTH ASPECTS
OF ADOLESCENTS THAT MAKE
THEM MORE VULNERABLE TO
THE HAZARDS AND RISKS IN THE
WORKPLACE BECAUSE THEY ARE
STILL GROWING:

1

RESPIRATION

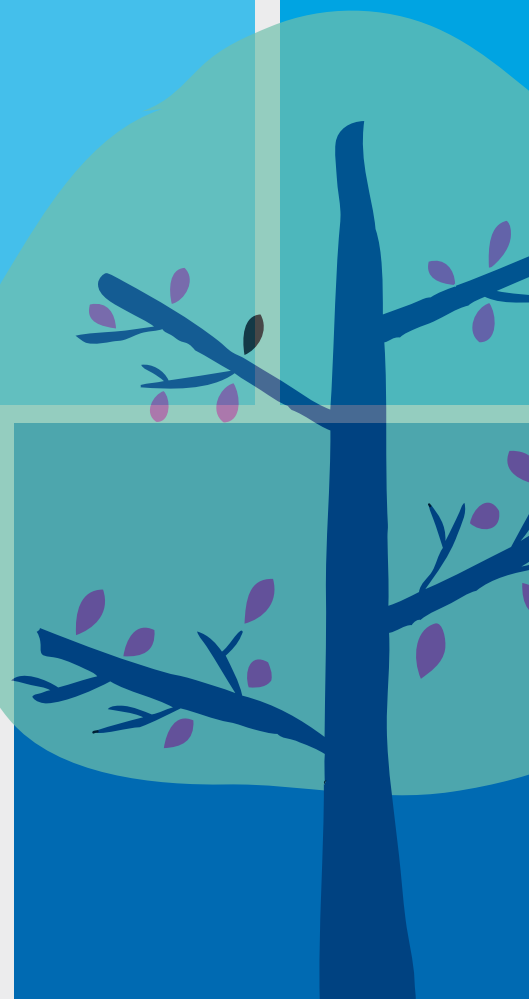
Adolescents breathe more
deeply and frequently than
adults and thus can inhale
more hazardous substances.



2

BRAIN

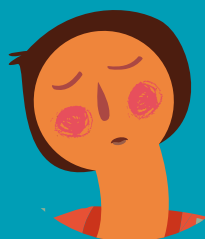
Maturation can be hindered by exposure
to toxic substances. Metals are retained
in the brain more readily in childhood and
absorption is greater.



3

SLEEP

Adolescents require about 9.5 hours of sleep a night for proper development. Night work is considered high risk for this group since it takes place in areas that may be harmful to their health and affects their biological clock, impeding them from studying or socializing with the family.



4

PHYSICAL STRAIN

Physical strain, especially when combined with repetitive movements, on growing bones and joints can cause stunting, spinal injury and other life-long deformations and disabilities.



5

REDUCED LIFE EXPECTANCY

While difficult to quantify, the earlier a person starts working, the more premature the ageing that will follow.

RECOMMENDED RESOURCES AND WEBSITES

◎ THE ILO IN CHILE

www.oitchile.cl

Website of the Subregional Office for the South Cone of Latin America (Chile, Paraguay and Uruguay). This website provides more information on child labour, as well as publications, international labour standards and other labour issues.

◎ CHILEAN SAFETY ASSOCIATION

www.achs.cl

Website of the Chilean Safety Association. This website offers information and resources on prevention, health and training in safety issues, among others.

◎ CHILD LABOUR IN CHILE

www.trabajoinfantil.cl

Website of the Ministry of Labour and the ILO. This website provides data and statistics on the 2003 survey on child labour.

◎ INTERNATIONAL PROGRAMME FOR THE ELIMINATION OF CHILD LABOUR (IPEC)

http://white.oit.org.pe/ipec/

This website offers information on regional child labour legislation and policies, as well as statistics, programmes and a complete library, among other resources. See also the international IPEC website: <http://www.ilo.org/ipec>

◎ UNITED STATES NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND HEALTH (NIOSH)

http://www.cdc.gov/spanish/niosh/topics/jovenes.html

Spanish-language site of the National Institute for Occupational Safety and Health of the United States. This link, which is dedicated to adolescent workers, provides guidelines for protecting children from work accidents.

◎ MODIFICATION OF LAW N° 20.189 ON ADOLESCENT WORK

http://www.mintrab.gob.cl/legislacion/agenda/ag_n30.pdf

You can download the Labour Agenda N°30 from this site (PDF document). It provides information on the modifications of the Labour Code with respect to work of individuals aged 15 to 17.

◎ OTHER ILO PUBLICATIONS (BOOKS AND CD-ROMS)

- » **Trabajo Infantil y Adolescente. Diagnóstico Nacional (Child and Adolescent Labour. National Assessment)**
Book and CD, ILO, SENAME, INE, MINTRAB, 2004. Santiago, Chile (ILO).
- » **Hacia un Chile sin trabajo infantil (For a Chile without Child Labour)**
ILO, 2009. Santiago, Chile (ILO).
- » **Catálogo de publicaciones y materiales de sensibilización: Hacia un Chile sin trabajo infantil (Catalogue of Publications and Materials to Raise Awareness)**
Book and CD, ILO 2009. Santiago, Chile (ILO).

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ISBN 978-92-2-123825-6



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