

Kingdom of Cambodia
Nation Religion King

Ministry of Labour and Vocational Training
General Department of Labour
Labour Inspector Department
No. 155/22 គ.ប/អ.ក/អ.ជ.ក

Restriction Letter
To
Owners or Director of Factories/Enterprise
beside Textile, Garment, Footwear, Travel Goods and Bag Sector

Subject: Restriction on implementation of formalities on enterprises, general working conditions, occupational safety and health condition, National Social Security Fund conditions and industrial relation conditions

Reference: - Labour Law
- Prakas No. 358/21 គ.ប/ប.ក.អ.ជ.ក dated 30 December 2021 on Launch of Labour Inspection Self-Declaration and Labour Inspection via Automation System
- Notification 022/22 គ.ប/ស.ជ.ណ.អ.ជ.ក dated 27 May 2022 on Implementation of Labour Inspection Self-Declaration via Automation System

With the above subject and reference, I would like you to implement the formalities on enterprises duly in accordance with the law concerning general working conditional, occupational safety and health conditions, National Social Security Fund conditions and industrial relation condition from now on as follows:

A. Formalities on enterprises

- 1) Must make internal regulations of factory/enterprise properly.

B. General working conditions

- 1) - Must provide working on weekday wage for workers/employees properly.
- Must provide public holiday wage and working on public holiday wage for worker/employees properly.
- 2) - Must provide back pay seniority indemnity before 2019 for workers/employees properly.
- Must provide new seniority indemnity in the year for workers/employees properly.
- 3) Must provide severance pay of fixed duration contract (FDC) for workers/employees properly.
- 4) Must provide night shift wage for workers/employees properly.
- 5) Must provide overtime wage of workers/employees properly.
- 6) Must provide night shift overtime wages for workers/employees properly.
- 7) Must not ask workers/employees to work more than time limit.
- 8) - Must have permit to work overtime from Labour Inspector or must not ask workers/employees to work more than approval time or not based on voluntary policy.

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- Must have permit to work overtime on public holiday for Labour Inspector or must not ask workers/employees to work more than approval time or not based on voluntary policy.
- 9) Must have permit from labour Inspection on suspension of weekly leave or must not ask workers/employees to work more than approval time or not based on voluntary policy.
- 10) Must not discriminate when recruiting workers/employees.
- 11) Must not force workers/employees to work.
- 12) - Must provide maternity leave properly.
 - Must provide wage and fringe during maternity leave properly.
- 13) Must not dismiss pregnant workers/employees or workers/employees who take maternity leave or force them to resign.
- 14) - Must apply for a permit for employment of children under 18 years of age properly.
 - Must not ask children under 18 years of age to do dangerous work or any work and occupation that affects the health, work security or morality of children.
 - Must not ask children from 15 years of age to under 18 years of age to do dangerous work.
 - Must not ask children under 18 years of age to work more than the limit time.
 - Must no ask children under 18 years of age to work more than the time limit per week.
 - Must allow young workers/employees to have weekly day off properly.
- 15) Must apply for a permit for annual use of foreign workforce.
- 16) Must prepare work permit and employment card for Cambodian workers/employees properly.

C. Occupational safety and health conditions

- 1) Must set up a regular waste disposal sit properly.
- 2) Must have a separate and safe storage area for chemical or toxic waste.
- 3) Must prepare first aid box in the factory/enterprise properly.
- 4) Must set up a room to bandage wounds in the factory/enterprise properly.
- 5) Must comply with occupational safety rules properly to prevent work-related accidents.
- 6) Must set up ventilation system properly in accordance with the required standard.
- 7) Must prepare all emergency exist to be able to exit safely, widely, no obstruction and unlock.
- 8) Must post up enough occupational safety and health signs in workstations and in various locations.
- 9) Must set up and use boiler properly in accordance with the technical standard and occupational safety.
- 10) Must use machines or machinery properly in accordance with the technical standards and occupational safety and health conditions.

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D. Conditions of social security schemes

- 1) Must register the factory/enterprise with the National Social Security Fund properly.
- 2) Must register workers/employees with the National Social Security Fund properly.
- 3) Must pay contributions of occupational risk and health care schemes for workers/employees properly.

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E. Industrial relation conditions

- 1) - Must organize shop steward election.
- Must comply with Prakas on Shop steward in Factory/Enterprise properly.

You must comply with this restriction letter without fail. In case of violation of any prioritized point, fines will be imposed immediately by the Labour Inspector in accordance with the law and regulations.

In this regard, you must comply with the restriction properly as required by the law and regulations. Please accept the assurance of my high consideration.

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Phnom Penh, 27 May 2022

Labour Inspector

And Director of Labour Inspection Department

(signed)

Khem Bun Chhean

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