

**Kingdom of Cambodia
Nation Religion King**

**Ministry of Labour and Vocational Training
No. 467 K.B/Br.K**

**Prakas
on
Procedure for Recruitment of Young Workers/Employees at Enterprises/
Establishments**

Minister of Labour and Vocational Training

- Having seen the Constitution of the Kingdom of Cambodia
- Having seen Royal Decree No. NS/RKT/0913/903 dated 24 September 2013 on Appointment of the Royal Government of the Kingdom of Cambodia
- Having seen Royal Code No. 02/NS/94 dated 20 July 1994 promulgating the Law on Organization and Functioning of the Council of Ministers
- Having seen Royal Code No. ChS/RKM/0397/01 dated 13 March 1997 promulgating the Labour Law
- Having seen Royal Code No. NS/RKM/0105/003 dated 17 January 2005 promulgating the Law on Establishment of Ministry of Labour and Vocational Training
- Having seen Royal Code No./RKM/1005/032 dated 24 October 2005 promulgating the Law on Approval of ILO Convention 182 on Prohibition and Immediate Action for Elimination of Serious Form of Child Labour
- Having seen Royal Code ChS/RKM/0799/02 dated 19 July 1999 promulgating the Law on Approval of Convention 138 of International Labour Organization on Minimum Age for Employment
- Having seen Sub-decree 283 OrNKR.BK dated 14 November 2014 on Organization and Functioning of the Ministry of Labour and Vocational Training
- According to the necessity of the Ministry of Labour and Vocational Training

Decide

Article 1:

The procedure for recruitment of young workers/employees at enterprises, factories and establishments shall be determined.

Article 2:

Young worker/employee refers to a child who has minimum employment age from 15 years of age to under 18 years of age as stipulated in Article 177 of the Labor Law.

Article 3:

The procedure for recruitment of young workers/employees aims to define appropriate working conditions that can allow children to work provided that the work is not hazardous to the health and physical and mental growth and not affect their study in school or study in other training programs.

Article 4:

Employers of enterprises/establishments as stated in Article 1 of the Labour Law are prohibited from employing a child from 15 years of age to under 18 years of age in dangerous working

conditions and the worst form of child labor. Young workers/employees can be employed as long as the procedure stated in Article 5, 6 and 7 of this Prakas have been fulfilled.

Article 5:

Before employing a young worker/employee in an enterprise/establishment, the employer shall comply with the following:

- The employer shall thoroughly and properly check 3 of the following documents:
 - Cambodian Identification Card
 - Family Record Book or Family Book
 - Birth Certificate or certified copy of Birth Certificate
 - Diploma or Certificate
- The employer shall interview the young worker/employee with the acknowledgement and assurance from their parents or guardian to verify and assess the documents and the physical appearance of the young worker/employee.
- The employer shall have an employment contract with consent of the parents or guardian of the young worker/employee in accordance with Article 181 of the Labour Law.
- In case of suspecting that the worker/employee is below the legally required age, the employer shall send the documents to the Department of Child Labour and the Department of Occupational Health of the Ministry of Labour and Vocational Training to certify the identity, fitness and health conditions that can be allowed for employment.
- The employer shall send documents that have a list of names of young workers/employees and application form for being certified to the Department of Child Labour of the Ministry of Labour and Vocational Training to authorize the use of young worker/employee.
- The employer shall have a book for listing the names of young workers/employees from 15 years of age to under 18 years of age at the enterprise, factory, establishment.

Article 6:

When the young worker/employee is employed, the employer of establishment, factory, enterprise shall respect the procedures stipulated in International Conventions, Labour Law and Prakas related to child labour as follows:

- Shall not work in dangerous working conditions and the worst form of child labor.
- Shall have proper vocational training
- Shall not work overtime on Sunday, public holidays and between 22:00 pm and 5:00 am.
- The employer must respect the regulations and other standards related to child rights

Article 7

After recruiting the young worker/employee, the employer, employee, shop steward, union and relevant parties shall practice as follows:

- The employer shall file documents and other certification letters in order to make it easy for authorities or competent officers to check and monitor this young worker/employee.
- At least one time per year from when being recruited until the young worker/employee reaches 18 years of age, the young worker/employee shall have health check-up appropriately and certified by the Department of Occupational Health of the Ministry of Labour and Vocational Training.
- In case of suspecting that the child is pale with deteriorating health or could face work-related accident by any case, the employer shall stop the young worker/employee immediately and shall rehabilitate the child so that the child returns to proper work.
- Employee, shop steward, unions, and relevant parties shall participate in reporting to the Department of Child Labour in case of any above suspicion in order to protect the best interests of the child.

Article 8

Any person violating the provisions of this Prakas shall be fined and punished as stipulated in Chapter 16 of the Labour Law.

Article 9

This Prakas takes effect from the date of signature.

Phnom Penh, 20 November 2015

Minister

(signed and stamped)

Ith Sam Heng

Place to receive:

- Office of the Council of Ministers
- Secretary General of the Royal Government
- Cabinet of Samdech Akka Moha Sena Padei Techo Hun Sen, Prime Minister
- Cabinet of H.E Standby Deputy Prime Minister
- All relevant institutions and ministries
- Cambodian employer associations and business associations
- Union federations
- Archives