

**Collective Agreement**  
**(national level)**  
**on the elimination of the worst forms of child labour**

In order to eliminate the worst forms of child labour, the signing parts **of the Republic of Moldova and workers' organizations, represented by the National Confederation of Workers' Organizations and Confederation of Free Trade Unions "Solidaritate"**, convened on the following:

**Art.1.** For the purpose of the present Convention, the following notions are defined as follows:

*Child* - any person until 18 years of age (art. 1 of the Law No. 338-XIII of 15 December 1994 and art. 2 of the International Labour Organization (ILO) Convention No. 182 of 17 June 1999).

*Worst forms of child labour:*

- a) All forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflicts.
- b) The use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances.
- c) The use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in relevant treaties.
- d) 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.

Note: The worst forms of child labour mentioned under **art. 1**, paragraphs **a**, **b** and **c** do not fall under the effect of the present Convention.

**Art.2.** – When determining the hazardous works that fall under the worst forms of child labour (**art. 1**, paragraph **d**) the following tools will be applied:

- a. the Nomenclature of industries, professions and works with hard and harmful of the republic of Moldova "Monitorul Oficial" No. 009 of 30 September 1993);
- b. Types of works prohibited to children, according to the annex to the Convention.

**Art.3.** – Employers:

a) will not admit employment of children at works stipulated in the Nomenclature of industries, professions and works with hard and harmful conditions prohibited to persons under 18 years of age, approved through Government Decision No. 562 of September 7, 1993 and Types of works prohibited to children, according to the annex to the Convention;

b) will withdraw the children from worst forms of child labour and will ensure their referral to other types of works that do not harm their health and are allowed to children (according to the legislative provisions in force);

c) will ensure periodical medical checks of all working children, as per a schedule determined through the collective labour contract, but not less than once in half a year, all costs being supported by the employer;

d) will establish the reduced weekly working time for children (according to the art. 96 of the Labour Code), without affecting the employee's rights and other rights provided for by the legislation;

e) together with the representatives of workers will negotiate and provide for additional protection norms for children in collective labour contracts;

f) will keep registers and other documents for the purpose of tracking working children;

g) periodically, but not less than once in half a year, will submit lists of working children to the Labour Inspection;

h) will undertake all necessary measures to ensure efficient implementation and enforcement of the provisions of the present Collective Convention.

**Art. 4.** The parties established that children in secondary general education (gymnasium, lyceum, medium secondary education) and professional secondary education (professional and vocational training schools) may be involved in works, provided that their health, development, professional training are not jeopardized.

**Art.5.** – The parties will have the following obligations:

a) to include the child labour issue in new studies, researches, taking into account the need for identification of national economy branches where child work is largely spread;

b) to offer information on worst forms of child labour to interested institutions;

c) to mainstream the issue of child labour into training programmes for employers, trade unionists and representatives of relevant central and local public administrations, to ensure prevention and elimination of worst forms of child labour;

d) to undertake information campaigns for civil society, including parents, on worst forms of child labour and their consequences for children, their families and society, in general;

e) to negotiate and sign a Code of Conduct on the elimination of worst forms of child labour, at least in one branch of the national economy;

f) within one month period since the date of entering into force of the present Collective Convention, to create permanent specialized councils on child labour as part of the National Commission for collective consultations and bargaining and branch and territorial commissions for collective consultations and bargaining.

**Art.6.** – Any dissension related to the implementation of the present Collective Convention will be solved by the National Commission for collective consultations and bargaining.

**Art.7.** – The provisions of the present Collective Convention have effect on all units, regardless of their type of property and legal form of organization.

**Art.8.** – The present Collective Convention enters into force on the date of its publication in the official newspaper of the Republic of Moldova “Monitorul Oficial”.

<b>On behalf of the Government:</b>	<b>On behalf of Employers’ organizations:</b>	<b>On behalf of Workers’ organizations:</b>	
<b>Prime – Deputy Minister of the Republic of Moldova</b>	<b>Chairman of the National Confederation of Employers’ Organizations of the Republic of Moldova</b>	<b>Chairman of the Confederation of Workers’ Organizations of the Republic of Moldova “Solidaritate”</b>	<b>Chairman of the Confederation of Workers’ Organizations of the Republic of Moldova</b>
<b>ZINAIDA GRECEANII</b>	<b>LEONID CERESCU</b>	<b>LEONID MANEA</b>	<b>PETRU CHIRIAC</b>

## Types of works prohibited to children

### Section 1

#### Works, which involve risk factors, related to the work task

1. Works with exposure to:
  - a) dynamic effort;
  - b) forceful movements or awkward work postures.
2. Works demanding psychological exertion:
  - a) high working rhythm;
  - b) difficult decisions within a short period of time;
  - c) short-cycled repetitive operations;
  - d) work monotony.
3. Loading/unloading works.
4. Works, the rhythm of which is determined by machinery and is remunerated according to the result.
5. Animals' slaughtering works.

### Section 2

#### Works, which involve risk factors, related to the production means

##### § 1. Works with exposure to mechanical risk factors

6. Works with exposure to dangerous movements:
  - a) functional movements of technical equipment:
    - > moving machine parts;
    - > liquids leakages;
    - > movement of means of transport;
  - b) self-starting or self-stopping functional movements of technical equipment or liquids;
  - c) movement as a result of gravitation:
    - > slip;
    - > rolling;
    - > rolling on wheels;
    - > overturning;
    - > free fall;
    - > free leakage;
    - > overflow;
    - > crumbling, collapse;
    - > sinking etc.;
  - d) Movement as a result of propulsion:
    - > objects or particles projections;
    - > deviation from the normal trajectory;
    - > balance;
    - > recoil;
    - > excessive shocks;
    - > jet;
    - > eruption.
7. Works on/ with dangerous surfaces/shapes:
  - a) sharp;

- b) cutting;
  - c) slippery;
  - d) abrasive;
  - e) adhesive.
8. Works with recipients under pressure.
9. Works with exposure to excessive vibrations of technical equipment.

### **§ 2. Works, which involve exposure to thermal risk factors**

10. Works with exposure to high levels of temperatures of objects or surfaces (above 40<sup>0</sup>C).
11. Works with exposure to low levels of temperature of objects or surfaces (under 5<sup>0</sup>C).
12. Works with exposure to flames.

### **§ 3. Works, which involve exposure to electrical risk factors**

13. Works with exposure to electricity:
- a) direct touch;
  - b) indirect touch;
  - c) step voltage.

### **§ 4. Works, which involve exposure to chemical risk factors**

14. Works with toxic substances.
15. Works with corrosive substances.
16. Works with caustic substances.
17. Works with flammable substances.
18. Works with explosive substances.
19. Works with harmful substances, which:
- a) can cause irreversible effects;
  - b) have as a result sensitivity through inhalation;
  - c) have as a result sensitivity through skin contact;
  - d) can cause cancer;
  - e) can cause hereditary genetic changes;
  - f) in cases of long exposure, can have serious consequences on health;
  - g) can reduce fertility.
20. Works with irritant substances:
- a) have as a result sensitivity through inhalation;
  - b) have as a result sensitivity through skin contact.
21. Works with exposure to aromatic poly-cycle hydrocarbon, found in the smoke, coal tar or coal pitch.
22. Works with lead and its compounds.
23. Works with asbestos.

### **§ 5. Works, which involve exposure to biologic risk factors**

24. Works with exposure to micro organisms:
- a) bacteria;
  - b) viruses;
  - c) ricketts;
  - d) spirochetes;
  - e) fungi;
  - f) protozoa.
25. Works with dangerous plants.
26. Works with ferocious and poisonous animals.

### Section 3

#### Works, which involve risk factors, related to the working environment

##### § 1. Works, involving exposure to physical risk factors

27. Works with exposure to:
  - a) high air temperature;
  - b) low air temperature.
28. Works with exposure to:
  - a) high level of air humidity;
  - b) low level of air humidity.
29. Works with exposure to:
  - a) high air pressure;
  - b) low air pressure.
30. Works with exposure to overpressure deep under water.
31. Works with exposure to noise.
32. Works with exposure to ultrasounds.
33. Works with exposure to vibrations.
34. Works with exposure to:
  - a) low lighting level;
  - b) shining;
  - c) flaring.
35. Works with exposure to radiations:
  - a) electromagnetic:
    - > infrared;
    - > ultraviolet;
    - > microwaves;
    - > laser;
  - b) ionising:
    - > alfa;
    - > beta;
    - > gamma.
36. Works with exposure to electrostatic potential.
37. Works with exposure to natural disasters:
  - a) lightning
  - b) floods
  - c) wind
  - d) hail
  - e) snow storm
  - f) landslide
  - g) earth fall
  - h) land collapse
  - i) tree fall
  - j) avalanche
38. Works with exposure to pneumoconiosis-producing dust.

##### § 2. Works, which involve exposure to chemical risk factors

39. Works with exposure to:
  - a) inflammables;
  - b) explosives.
40. Works with exposure to vapours:
  - c) inflammables;
  - d) explosives.

41. Works with exposure to toxic aerosols.
42. Works with exposure to caustic aerosols.
43. Works with exposure to air suspension powder.

### **§ 3. Works, which involve exposure to biologic risk factors**

44. Works with exposure to micro organisms in air suspension:
  - g) bacteria;
  - h) viruses;
  - i) ricketts;
  - j) spirochetes;
  - k) fungi;
  - l) protozoa.

### **§ 4. Works that involve other risk factors related to the environment**

45. Underground works.
46. Aquatic works.
47. Under water works.
48. Marshes works.
49. Air works.