



Vanuatu National Labour Mobility Policy & Action Plan

2024 - 2027



Ministry of Foreign Affairs, International Cooperation and External Trade

Table of Contents

ABBREVIATIONS2

ACKNOWLEDGEMENTS3

FOREWORD4

EXECUTIVE SUMMARY5

1 INTRODUCTION8

 1.1 NATIONAL LABOUR MOBILITY POLICY: RATIONALE FOR REVIEW8

 1.2 POLICY PROCESS9

 1.3 POLICY CONTEXT9

2 POLICY VISION, MISSION AND GOALS.....14

 VISION14

 MISSION14

 GOALS14

3 POLICY PILLARS, PRIORITY AREAS AND OUTPUTS16

 PILLAR 1: LEGISLATIVE AND INSTITUTIONAL REFORM16

 PILLAR 2: DATA COLLECTION, SYSTEMS AND COORDINATION17

 PILLAR 3: LABOUR MOBILITY SUPPLY MANAGEMENT AND REINTEGRATION STRATEGY20

 PILLAR 4: CHILD-CENTRED, FAMILY AND COMMUNITY SOCIAL PROTECTIONS23

 PILLAR 5: WORKER WELFARE AND BENEFITS26

4 IMPLEMENTATION ARRANGEMENTS28

 4.1 ACTION PLAN 2024/25 – 2026/2728

 4.2 POLICY GOVERNANCE AND INSTITUTIONAL ARRANGEMENTS28

 4.2.1 Governance Framework28

 4.2.2 Key implementation stakeholders and functions30

 4.2.3 Monitoring and Evaluation32

 4.3 RISK ASSESSMENT & MANAGEMENT FRAMEWORK32

ANNEXI: ACTION PLAN 2024/25–2026/2733

ANNEX II: RISK MANAGEMENT FRAMEWORK43

ANNEX III: RECOMMENDATIONS ON POLICY OUTPUTS47

 PILLAR 1: LEGISLATIVE AND INSTITUTIONAL REFORM RECOMMENDATIONS47

 PILLAR 2: DATA COLLECTION AND COORDINATION RECOMMENDATIONS51

 PILLAR 3: LABOUR MOBILITY SUPPLY MANAGEMENT AND REINTEGRATION STRATEGY RECOMMENDATIONS55

 PILLAR4: CHILD-CENTRED SOCIAL PROTETIONS.....57

 PILLAR 5: WORKER WELFARE AND BENEFITS.....59

Abbreviations

AEs	Approved Employers under the RSE and PALM schemes
CoM	Council of Ministers (Vanuatu)
DFAT	Department of Foreign Affairs and Trade (Australia)
DLA	Department of Local Authorities (Vanuatu)
DoL	Department of Labour (Vanuatu)
ESU	Employment Services Unit, Department of Labour (Vanuatu) also known as Labour Sending Unit in receiving countries
G2G	Government to Government
GEDSI	Gender Equality, Disability and Social Inclusion
IAs	Implementation Arrangements under the MOUs
ILO	International Labour Organisation
IOM	International Organisation for Migration
IRD	In-country Recruitment Database
LM Policy 2019	National Labour Mobility Policy (Vanuatu) 2019-2023
LM Council	Labour Migration Council
LMSMR Council)	Strategy Committee Labour Mobility Supply Management and Reintegration Committee (LM Council)
LMWG	Labour Mobility Working Group
MALFFB	Ministry of Agriculture, Livestock, Fisheries, Forests and Biosecurity (Vanuatu)
MBIE	Ministry of Business, Innovation and Employment (New Zealand)
MFAICET	Ministry of Foreign Affairs, International Cooperation and External Trade (Vanuatu)
MFAT	Ministry of Foreign Affairs and Trade (New Zealand)
MIA	Ministry of Internal Affairs (Vanuatu)
MoET	Ministry of Education and Training (Vanuatu)
MOUs	Memorandums of Understanding between Vanuatu and receiving countries
MTTCNVB	Ministry of Tourism, Trade, Industry, Commerce and ni-Vanuatu Business (Vanuatu)
NSDP	National Sustainable Development Plan (Vanuatu)
NTDC	National Trade Development Committee (Vanuatu)
PACER Plus	Pacific Agreement on Closer Economic Relation Plus
PALM	Pacific Australia Labour Mobility Scheme
PALM Long	Pacific Australia Labour Mobility Scheme also referred to as PLS
PALM Short	Pacific Australia Labour Mobility Scheme also referred to as SWP
PLF	Pacific Labour Facility
PLS	Pacific Labour Scheme (Australia) also referred to as PALM Long
PSC	Public Service Commission
PSET	Post-School Education and Training Association (Vanuatu)
RSE	Recognised Seasonal Employment Scheme (New Zealand) SE Act Seasonal Employment Act

Acknowledgements

We would like to acknowledge and thank the many stakeholders and development partners that actively participated in and contributed to the review process of the National Labour Mobility Policy.

The review was made possible through funding and technical support provided by PACER Plus Implementation Unit, with special thanks to Dr Alisi Holani, Labour Mobility Specialist for her guidance and expertise.

We acknowledge and also thank the workers, agents, members of the Labour Mobility Working Group and communities in Santo, Epi and Efate for their valuable input and for taking the time to complete the surveys and/or participate in consultation workshops. Their firsthand experiences and perspectives have provided vital insights that have greatly assisted in understanding and addressing the range of different areas that relate to labour mobility and have been invaluable in shaping this Policy and Action Plan as well as the recommendations.

Furthermore, we acknowledge the expertise, knowledge and research shared by academics working in areas related to labour mobility in the region, with special mention of Rochelle Bailey, Charlotte Bedford, Richard Bedford, Richard Curtain, and Matt Withers for their contributions, whether directly or through their many publications in this field.

Lastly, we also express our appreciation to Director Joe Pakoa Lui from the Department of External Trade and Commissioner Murielle Meltenoven Metsan, Department of Labour for their leadership throughout the review process, and Lee-Anne Sackett, the lead consultant for the review process.

The collective efforts of all those mentioned above have been pivotal in the development of the National Labour Mobility Policy review and Action Plan. Again, their support and contributions have been instrumental in shaping the Policy and we are most appreciative for their invaluable assistance.



Hon. Minister Johnny Koanapo



Foreword

We are honoured to provide this foreword for the Vanuatu National Labour Mobility Policy on behalf of the government and people of Vanuatu.

The participation of ni-Vanuatu workers in international labour mobility and seasonal workers programmes has contributed to many positive benefits for individual workers, their families and communities but also contributed to Vanuatu's development as a nation.

Labour mobility programmes offer significant economic benefits by providing Vanuatu with access to overseas job markets that generate remittances contributing to our nations GDP. Seasonal work programs, in particular, provide opportunities for Vanuatu's workforce to gain employment in sectors such as agriculture and horticulture, fostering skill development and knowledge transfer, all of which support our long-term sustainable development in Vanuatu.

This Policy and Action Plan is significant and will set the direction for Vanuatu's participation in labour mobility programmes moving forward. It aims to do so in a way that further increases the development benefits for all involved but at the same time addresses and mitigates the challenges and issues that have arisen through our increased participation in these schemes. These opportunities must be balanced to ensure the protection of ni-Vanuatu workers' rights and welfare as well as family and community structures and our domestic labour market and economy, all of which have been addressed in the five (5) Pillars within this Policy.

This Policy is the first revision and replaces the previous National Labour Mobility Policy from 2019. We thank the many stakeholders and development partners that contributed to the review of the previous policy and the development of this new Policy.



Hon. Matai Seremiah

Deputy Prime Minister & Minister of Foreign Affairs, International Cooperation & External Trade


Hon. Matai Seremiah
Minister of Foreign Affairs, International
Cooperation & External Trade


Ministry of Foreign Affairs, International
Cooperation & External Trade
Ministère des Affaires
Étrangères de la Coopération
Internationale et du
Commerce Extérieur
GOVERNMENT OF THE REPUBLIC OF VANUATU
GOUVERNEMENT DE LA REPUBLIQUE DE VANUATU

Executive Summary

The Government of Vanuatu has developed the National Labour Mobility Policy and Action Plan 2024-2027 with the vision of governing and facilitating labour mobility for ni-Vanuatu workers in a way that increases sustainable livelihoods, communities and economic development and mitigates the negative impacts of Vanuatu's participation in labour mobility schemes, both current and future. This Policy has been developed following the review of the previous National Labour Mobility Policy of 2019.

The vision and mission of this Policy will be achieved through the realisation of the Policy goals, specifically:

- Refocusing Vanuatu's engagement in labour mobility as a programme for sustainable development that reflects our national priorities and pursues strategic data-driven, evidence-based programme options
- Enabling ni-Vanuatu workers, their families and communities to set and achieve their development goals through increased opportunities to access support within each step in the circular mobility process and improve reintegration success
- Strategically approach labour mobility supply and management, to better connect quality labour supply from Vanuatu with quality work opportunities from employers
- Strengthening domestic, bi-lateral and regional cooperation to achieve the above goals, and improve worker welfare and benefits
- Ensuring child-centred family and community social protections are in place, particularly in relation to child welfare and protection, gender and disability inclusions, community safety, disaster management, and adequate support is provided to safeguard family and community structures

These goals are aligned to the five (5) Policy Pillars, each of which have policy priority areas and output to ensure effective management of Vanuatu's strategic engagement in labour mobility programs and protect the rights and well-being of workers, their families, communities and our economy. The Policy Priority Areas and Outputs will be implemented by Vanuatu Government agencies and development partners through the activities within the Action Plan in Annex I.

Pillar 1, **Legislative and Institutional Reform**, aims to improve the regulation and inclusiveness of labor mobility recruitment by reforming existing legislation and institutional arrangements with decentralisation of government services will provide equitable opportunities across all six (6) provinces.

Pillar 2, **Data Collection, Systems, and Coordination**, focuses on enhancing data collection to improve accountability and decision-making. The In-Country Recruitment Database (IRD) will have a crucial role in this regard, with initiatives to increase its adoption, expand functionality, and improve accessibility. Cross-agency information sharing and analysis are emphasised to facilitate compliance monitoring with data privacy and protection

Pillar 3, **Labour Mobility Supply Management and Reintegration Strategy**, aims to strategically approach labour mobility for increased decent work opportunities, skills transfer, and successful reintegration for Vanuatu's benefit. This pillar emphasises expanding support and capacity-building opportunities both in Vanuatu and while workers are employed overseas, identifying and engaging with programs and employers strategically, and promoting investment, entrepreneurship, and career opportunities within Vanuatu. It also aims to address domestic labour market shortages and gaps resulting from high levels of participation in labour mobility opportunities through improved incentives to maintain and grow the domestic labour market, including eased regulatory requirements to engage foreign workers where needed.

Under Pillar 4, **Child-Centered Family and Community Social Protections**, the government focuses on mitigating negative impacts on children, families, and communities resulting from labour mobility. Initiatives include pre-departure workshops, increased support for child welfare cases, mechanisms to assess and restrict parents' participation at the same time, addressing anti-social behaviors of returned workers, and improving family and community preparedness for unforeseen circumstances, including natural disasters.

Pillar 5, **Worker Welfare and Benefits**, focuses on promoting and advocating for better working conditions, contractual terms, and accessible in-country support and benefits for ni-Vanuatu workers engaged in labour mobility programs. The priority areas and outputs include reviewing existing bi-lateral agreements and collaborating with receiving country governments to enhance benefits for ni-Vanuatu workers, and advocating for alignment of these agreements with international standards. There is a focus on increased support for workers before departure and while in-country, as well as reducing rates and fees through negotiations G2G, private sector and other service providers.

The **governance and implementation arrangements** for this Policy include a Ministerial-level Steering Committee, with representation from the Ministries of Internal Affairs (MoIA); Foreign Affairs, International Cooperation and External Trade (MFAICET); Agriculture, Livestock, Fisheries, Forests and Biosecurity (MALFFB); Tourism, Trade, Industry, Commerce and Ni-Vanuatu Business (MTTCNVB); and Ministry of Education and Training (MoET). The Ministerial Steering Committee reports to the National Trade Development Committee. The Department of Labour and the Department of External Trade share overall responsibility for the implementation of the Policy and Action Plan 2024-2027, with support from the Labour Migration Council and its Committees on Licencing, Labour Mobility Supply Management and Reintegration, and Labour Mobility Programme Integrity as well as the Labour Mobility Working Group. The Policy prioritises reform of the governance of labour mobility through Public Service Commission (PSC) approved changes the Department of Labour's institutional arrangements and regulation of recruitment of workers under the Seasonal Employment Act.

In summary, the National Labour Mobility Policy outlines a comprehensive framework to enhance governance, transparency, and accountability. By implementing the policy outputs, the Government of Vanuatu and development partners will ensure fair labour recruitment practices, effective monitoring, and support systems for workers and their families, thereby maximizing the development benefits of labour mobility while minimising its potential negative impacts.



1 Introduction

1.1 National Labour Mobility Policy: Rationale for Review

Vanuatu has been engaged in labour mobility programmes since 2007. In 2019, the Government developed the Vanuatu National Labour Mobility Policy (LM Policy 2019), which focused on being an 'enabling mechanism to address Vanuatu's own labour market needs, organise its institutions, boost regulation, and level the playing field between employers and workers. The LM Policy 2019 also aimed to guide the management and welfare of workers engaged in labour migration and address the economic and social objectives of the National Sustainable Development Plan (NSDP) in order to increase decent work opportunities, which also recognise and respect workers' rights, and enable more inclusive opportunities. Much progress has been made on the implementation of the LM Policy 2019, particularly in terms of capacity building and resource allocation for the labour mobility operations within the ESU. At the same time, implementation of key policy areas remains unimplemented and require renewed commitments to realise many of the original policy objectives.

Over the past four (4) years, the labour mobility landscape has changed. The global impacts of Covid-19 and Vanuatu's unique covid-free status for the 2 years of the pandemic lead to a significant increase in ni-Vanuatu workers participating in the labour mobility schemes, and many for extended periods. Vanuatu also ratified the Pacific Agreement on Closer Economic Relations Plus (PACER Plus) and its Annex on the Arrangement of Labour Mobility, which provides for a regional framework for labour mobility cooperation to enhance the development impacts of labour mobility in the region. The Pacific labour mobility schemes have also changed over this period with the alignment of the Australian Seasonal Worker Programme (SWP) and Pacific Labour Scheme (PLS) under the Pacific Australia Labour Mobility Scheme (PALM) and the New Zealand Recognised Seasonal Employer Scheme (RSE) is also undergoing a major policy review (ongoing at the time the development of this policy).

Increased participation rates in the labour mobility programmes have also led positive development gains in terms of improving the standard of living for workers that have the opportunity to participate and by extension their families and communities. However, key development issues associated to these high participation rates have also become prevalent through the rising negative social impacts on families and communities and 'brain drain' within the domestic labour market in both the private sector and public service.

These factors prompted to the Vanuatu Government initiating a review of the LM Policy 2019, with the intent of renewing commitments and ensuring the policy delivers on national development priorities, as well as address the growing negative impacts and increase the sustainable development benefits of labour mobility for Vanuatu.

1.2 Policy Process

The review of LM Policy 2019 and development of this Policy were commenced in February 2023 through the support of the PACER Plus Implementation Unit.

The process involved the establishment of a 'National Labour Mobility Steering Committee' as envisaged by the LM Policy 2019 which proposed an ad hoc policy review committee be formed as a review team. The Steering Committee was appointed by the Minister of Foreign Affairs, International Cooperation and External Trade (MFAICET) with representation from the Department of External Trade, Department of Labour, the Ministry of Agriculture, Livestock, Fisheries, Forestry and Biosecurity (MALFFB), Ministry of Ministry of Tourism, Trade, Commerce & Ni-Vanuatu Business (MTTCNVB) and Vanuatu Qualifications Authority (VQA). The role of the Steering Committee was to provide direction, input and approve key components of the review process and policy development.

The review process involved review of the implementation progress under the LM Policy 2019; review of the existing labour mobility schemes, national policies, comparative analysis of labour mobility policies and strategies within the region, reports and publications, international agreements, standards and best practices; and consultations.

The consultation process involved surveys with follow up interviews with individual key informants (Labour Mobility Working Group members, Government and civil society stakeholders), in-person community consultations in 11 communities across 3 islands (Santo, Efate and Epi) , online surveys with agents (33), online and in-person questionnaires ni-Vanuatu labour mobility workers (approx. 200) and online submissions from the general public. Consultations were communicated by the Department of Labour's Employment Services Unit (ESU) via email networks, Facebook page, website and phone. The Consultation Report was submitted as a supplementary report to the Council of Ministers with the Policy.

1.3 Policy Context

The National Labour Mobility Policy complements the existing policy framework in Vanuatu. It supports and facilitates the development of specific policy objectives under the NSDP other national policies or policy frameworks including the:

- *National Human Resources Development Policy*
- *Trade Policy Framework Update*
- *National Gender Equality Policy*
- *National Child Protection Policy*
- National Disability Inclusion Development Policy
- Framework for Reintegration of Agriculture Workers in Labour Mobility

1. Note: The islands and communities approached for consultations were selected based on the high participation rates in the labour mobility schemes, followed by accessibility. Community consultations were also planned on Tanna/Tanauta Island, however, TCs Julie and Kevin impacted on the accessibility and timing of the planned consultations.

The Policy has also been developed to support the implementation of the PACER Plus Agreement and aims to build on existing obligations under international conventions, agreements, and standards by incorporating many best practice recommendations available on migrant rights and labour mobility appropriate within the context of labour mobility in Vanuatu.

Many of the international standards and best practice recommendations relate to Government to Government (G2G) arrangements, which are governed by the programme Memorandums of Understanding (MOUs), Deeds of Agreement (Deeds) and Implementation Arrangements (IAs). Recommendations for improving rights, protections and benefits for ni-Vanuatu workers in Australia and New Zealand under the Labour Mobility Programmes are detailed in Annex III: Policy Output Recommendations: Pillar 5.

MOUs, Deeds and IAs currently exist between Vanuatu and Australia (PALM (PLS/SWP)) and New Zealand (RSE).

Labour Mobility Trends

As of May 2023, there are approximately 16,000 ni-Vanuatu workers in Australia (11,000) and New Zealand (5000). This estimate is based on visa application data provided by the Australian and New Zealand Governments, Vanuatu's two largest labour markets. Other markets and opportunities exist for ni-Vanuatu workers in New Caledonia and MSG countries through the Skills Movement Scheme, however, participation rates are negligible compared to the Australian and New Zealand labour mobility programmes. Vanuatu does not currently collect data on mobilised ni-Vanuatu labour mobility workers.

Vanuatu has the largest sending numbers in the region under both the Australian and New Zealand schemes. This has largely been attributed to the agent model of recruitment.

An estimated 10-20 percent of Vanuatu's labour force have participated in the labour mobility programmes over the past 6 months based on this data. This estimate is based on data from the National Statistics Office (2020 Census) and the World Bank (2021), on Vanuatu's active labour force which ranges between 83,778 and 132,757 of the total population of 317,137 (World Bank 2021).

These participation rates are significantly higher than the national unemployment in Vanuatu. The ILO modelled unemployment rate is 2.1 percent and the VNSO 2020 unemployment rate is higher at 6 percent, however, both include workers engaged in non-wage employment.

Numbers of ni-Vanuatu overseas workers are not evenly distributed between provinces with 52.1 percent of worker being from Shefa province, 17.3 percent from Sanma, 11 percent from each Malampa and Tafea, 4.6 percent from Penama and 4 percent from Torba (Census 2020). These numbers are not exclusive to labour mobility workers and may have shifted given the significant increase in labour mobility participation numbers since 2020. However, still important given perceptions around uneven distribution of labour mobility opportunities gathered during consultations.

Participation rates of women in the labour mobility schemes is relatively low and estimated to be only 1/6 of the participation rates of men. The sectors active within the labour

- National Disability Inclusion Development Policy

mobility scheme are predominately agriculture and viticulture, where employers generally preferring to hire male employees given the physical intensity of the work. However, newer sectors such as horticulture, aged care, hospitality and tourism are seeing increases in women's participation in the programmes.

The return rates of workers (workers participating in more than one contract under the schemes) are readily available. Research based on New Zealand visa data sets estimates that approximately only half of the ni-Vanuatu workers participate in more than one season/contract. Surveys data collected from a small sampling of ni-Vanuatu workers suggest higher return rates, which are contributing to community perceptions of return workers limiting opportunities for other ni-Vanuatu workers seeking to enter the schemes.

Key Issues

The previous Labour Mobility Policy developed in 2019 (LM Policy 2019) identified a number of key issues prevalent within Vanuatu's engagement in labour mobility programmes. The statements within the LM Policy 2019 aimed to increase labour mobility opportunities and more equitably in terms of the opportunities reaching all of rural Vanuatu and greater numbers of women and people with disabilities. It also aimed to better match Vanuatu's skills development with overseas employers, improve the governance of labour mobility, strengthen social and economic benefits, maintain Vanuatu's attractiveness and receiving country trust, reduce costs for workers and ensure their well-being is protected. Each of these statements continue to be relevant in the current labour mobility context, however, the prioritisation of some of these policy areas have been reviewed and adjusted under this Policy. The growing prevalence and awareness of the negative impacts of Vanuatu's engagement in labour mobility need to be addressed to ensure the sustainability of the programmes, but more importantly the sustainability of the Vanuatu economy, communities and families.

These negative impacts and issues include perceptions around unfair, unethical and unequally distributed opportunities due to the existing recruitment arrangements and practices around Vanuatu. Reports of worker applicants being exploited in terms of unpaid labour, illegal fees, political votes and gifts demanded to qualify for selection were confirmed by workers and communities throughout the review of the Policy. These issues combined with issues involving workers while overseas, in particularly anti-social behaviours involving alcohol abuse, disengagement with employers (more commonly referred to as 'abscondment' in Vanuatu) and low performance due to poorly selected workers, are jeopardising the integrity and reputation of Vanuatu's labour mobility programmes. Pillar 1 under this Policy aims to address these issues through legislative and institutional reform.

Threats to the sustainability of Vanuatu's economy have become more prevalent with growing concerns being raised by the private sector initially and later the public service about 'brain drain' – in other words, the recruitment of skilled and employed workers active within the domestic labour market for labour mobility programmes. This has resulted in domestic employers having increased staff turnover, skills gaps and in the worst cases business closures. Communities have also reported loss of skills or 'brawn drain' – the loss

of productive labour, and the provision of government services due to recruitment taking place within the public service itself, with specific mention of teachers and police officers applying for the programmes. Although there have been some success stories of entrepreneurship, business development and investment by labour mobility workers that would contribute to economic growth, this is not being measured or connected to Vanuatu's development goals in any significant way. Pillar 2 and 3 under this Policy aim to address these issues through improved data collection systems and a strategic approach to labour mobility supply management and reintegration efforts.

The negative impacts on families and communities cannot be understated. Communities have reported high levels of anti-social behaviour predominately connected with alcohol abuse from the majority of return workers in Vanuatu, in many cases encouraging underage children to undertake these activities with them. In addition to this, increased pressures from family separation resulting in domestic violence or divorce, the negative impacts on children being left with grandparents and extended family while both parents travel or have separated after participating in labour mobility programmes, in few cases child-headed households, children being removed from school to focus on labour mobility opportunities for the family or in the future, and a loss of 'strong workmen' in the village to support community work and rebuild after natural disasters. Pillar 4 under this Policy aims to address these issues by incorporating better safeguards, particularly for children, in vulnerable situations and increased support to communities to address these issues.

Worker welfare and benefits is the last category of issues impacting on the performance of workers and the labour mobility programmes more generally. Current employment agreements and the arrangements under the bi-lateral MOUs, Deeds of Agreement and Implementation Arrangements enable some level of worker exploitation. The most common examples reported in terms of this related to accommodation arrangements, distribution of the transport and visa costs between employers and workers, minimum versus average hours of work per week, medical checks and insurance coverage, clarity around permitted deductions, access to culturally sensitive support available in the receiving country, lack of support to understand contractual terms, contract amendments in receiving country, and manipulation of piece and hourly rates. Other issues impacting on workers related to the cost and reliability of transport out of Vanuatu, the cost and standards of accommodation, and foreign exchange services fees. Pillar 5 under this Policy aims to address these issues by identifying areas for further negotiation between Government parties to the bi-lateral agreements and private sector partners.

Opportunities

This Policy has been developed with regard to some of the opportunities identified during the review. Some of these opportunities include initiatives and discussions in Australia and New Zealand around expanding the programmes into a more diverse range of sectors, such as aged care, trade and construction, forestry, fisheries and hospitality and tourism. Although there is some activity and participation in these sectors already, there would be much to gain in taking a strategic approach to Vanuatu's engagement in these sectors in terms of skills development and transfer targeting reintegration success. The same applies for new labour mobility and migration opportunities that will be offered through Australia's

proposed Pacific Engagement Visa, which has potential to address forced family separation and offer children of ni-Vanuatu workers access to Australia's high-quality education system.

Reviews of the programmes, MOUs, Deeds and IAs have been initiated and will be ongoing. National Policies such as the Skills Development Policy, Private Sector Development Policy and the National Employment Policy are all in the process of development. The timing of this Policy is opportune for pursuing the priority areas identified within the Policy with clear direction for Vanuatu's engagement in the programmes and ensure linkages and acknowledgement in other national policies.

A number of other Pacific Island Countries (PICs) have also developed policies and strategies for labour mobility that have been considered in this Policy. Developments around strategic approaches to labour mobility supply management and reintegration programmes, community recruitment models, expanded functionality of databases and other technology (e.g. self-registration apps) around the region have all influenced the direction of this Policy and create opportunities for Vanuatu to continue being engaged in innovation in labour mobility. By already being a member state of PIFS and the recent ratification of the PACER Plus Agreement, providing a framework for regional labour mobility dialogue, Vanuatu also has the opportunity to engage and drive its agenda within a regional forum, where collective advocacy by PICs and the development of regional labour mobility strategy can support the implementation and success of this Policy.

Finally, international developments in relation to labour mobility can become opportunities for Vanuatu provided there are mechanisms or sufficient flexibility within the Policy for their consideration. The development of the Labour Mobility Supply Management and Reintegration Strategy under this Policy provides a mechanism to incorporate international opportunities still in development at the time of review. These opportunities include shifts away from agri-visas offered to non-Pacific Island countries within the region that could potentially be filled by Vanuatu and other Pacific Island countries, as well as agreements in negotiation with the European Union, the UK and other countries with provisions on services and labour supply, in some cases with Mode IV market access. Vanuatu's geo-political positioning has the potential to present a greater range of opportunities for Vanuatu as a source destination of labour supply and higher demand for ni-Vanuatu workers. However, Vanuatu's engagement in such opportunities need to be strategically planned for in relation to the nations own development goals to mitigate negative impacts and pressures on the domestic labour market and economic growth.

2 Policy Vision, Mission and Goals

Vision

To govern and facilitate labour mobility for ni-Vanuatu workers in a way that increases individual, community and economic development benefits and mitigates negative impacts for individual workers and their families, communities, the domestic labour market and the national economy.

Mission

For sustainable livelihoods, communities and economic development to be achieved in Vanuatu through the contribution of ni-Vanuatu workers participation in labour mobility programmes.

Goals

The Policy's vision and mission are to be achieved by:

- Refocusing Vanuatu's engagement in labour mobility as a programme for sustainable development that reflects our national priorities and pursues strategic data-driven, evidence-based programme options
- Enabling ni-Vanuatu workers, their families and communities to set and achieve their development goals through increased opportunities to access support within each step in the circular mobility process and improve reintegration success
- Strategically approaching labour mobility supply and management, to better connect quality labour supply from Vanuatu with quality work opportunities from employers, whilst also ensuring opportunities within the domestic labour market continue to grow
- Ensuring child-centred, family and community social protections are in place, particularly in relation to child welfare and protection, gender and disability inclusions, community safety, disaster management, and adequate support is provided to safeguard family and community structures
- Strengthening domestic, bi-lateral and regional cooperation to achieve the above goals, and improve worker welfare and benefits



Vanuatu Worker_Image Source_Pacific Island News Association

3 Policy Pillars, Priority Areas and Outputs

Pillar 1: Legislative and institutional reform

Policy Objective: To reform the existing legislation and institutional arrangements to provide for the effective implementation of this policy and improve the governance, transparency and accountability of the administration of labour mobility in Vanuatu.

The LM Policy 2019 included policy priority areas targeting legislative and institutional reform. Priority 7 aimed to 'improve the integrity of Vanuatu's recruitment process and increase protection for workers by ensuring high levels of compliance with the legislated and regulatory requirements for labour mobility'. This was again reflected in Priority 11.

The Priority Areas under this Policy Objective build on Priority 7 and 10 of the LM Policy 2019 and aims to address the key issues prevalent in Vanuatu's labour mobility administration, management and regulation in the present context. The Priority Areas also envisage legislative and institutional reform as a mechanism to increase labour mobility opportunities to a wider range of people, and improve the efficiency, effectiveness and trust in the recruitment, selection and preparation of workers for all actors involved at each step of the process, linked to Priorities 1, 2, 5, 11 and 12 of the LM Policy 2019 respectively.

The Priority Outputs provide the mechanisms for pursuing the Pillar 1 Policy Objectives and Priority Areas and are focused on addressing the key issues. In more specific terms, the Policy Outputs will reform the Seasonal Employment Act to create incentives to improve equal opportunities to access and participate in the labour mobility programmes for rural communities, women and people with disabilities. These incentives will be linked to agents license and direct recruitment permit renewals, but will be supported by more decentralised government services, improved systems and procedures for character checks, and capacity building support specifically for agents to support worker registration and enable more efficient, transparent and accountable recruitment and worker selection through the Work Ready Pool and In-Country Recruitment Database. It is proposed that the team leader recruitment model be removed to support this.

The Policy Outputs will also reform the institutional arrangements relating to the regulation of licenses and permits, including applications, renewals, monitoring, compliance and a new complaints mechanism under the Seasonal Employment Act, with the intention of separating the promotion and facilitation of labour mobility from its regulation and provide greater clarity in the roles of the different agencies involved based on good governance principles.

Priority Areas:

1. *Improving the regulation, fairness and inclusiveness of labour mobility recruitment for workers, agents and employers*
2. *Strengthening the institutional arrangements governing and administering labour mobility to improve efficiency, transparency, accountability and greater clarity on different actors' functions and responsibilities*
3. *Effective mechanisms for monitoring and evaluating compliance*

Policy Outputs:

1. Reform of the Seasonal Employment Act
2. Establishment of a Labour Mobility Regulatory Council regulating licencing and permits, and referring complaints and investigations to Police
3. Registration of approved chiefs and church leaders and procedures for character reference letters, supported by MOUs with the Malvatumauri and Vanuatu Christian Council
4. Government services linked to labour mobility registration accessible at provincial and area council levels with dedicated support from ESU provincial labour mobility officers
5. Training, workshops and business development support for agents

Pillar 2: Data collection, systems and coordination

Policy Objective: To effectively coordinate the collection of data to improve programme accountability and compliance, and enable data-driven evidence-based decisions on the strategic direction of the labour mobility programmes

The policy priorities of the LM Policy 2019 made specific reference to establishing a database for collecting, analysing and publishing data on labour mobility and monitoring its social and economic impacts (Priority 10) and through the strategic actions of Priority 4 a national database on human resource capacity and graduates and arrangements set up to exchange of information on skills requirements.

This Policy Objective aims to address a significant gap area in the management of labour mobility in Vanuatu, limiting the capacity of the Government to effectively measure, monitor and strategically direct Vanuatu's engagement and performance in the labour



Pacific Australia labour mobility scheme

mobility programmes. The Priority Areas under this Policy Objective build on Priority 4 and 10 of the LM Policy 2019, the existing technological infrastructure and capacity available and provide the foundation for each of the other Pillars to be achieved under this Policy.

A labour mobility national database exists, the In-Country Recruitment Database (IRD), and has significant capacity and technical support available to fulfil the Outputs that relate to the use of the IRD throughout this Policy. The Policy Outputs under this Pillar therefore use the IRD as the technology infrastructure to address key issues in data collection, systems and coordination, which provide solutions to mitigate negative social impacts, facilitate more inclusive recruitment, enable strategic decision-making and actions to be taken around labour supply management and reintegration programmes, and better monitor and report on the prevalence of in-country worker and employer issues.

The IRD will collect data on workers registered in the Work Ready Pool and mobilised through the ESU and agents, which can be extracted at any point in time if effectively and reliably used. This data can be disaggregated to identify workers by age, sex, marital status, qualifications, participation rates, residency and report on numbers of workers actively engaged in or having returned from labour mobility programmes (currently not available within Vanuatu), and in which countries, programmes/schemes, sectors and again participation rates in training or skills development training or accurate reports on worker welfare, blacklisting or disengagement issues.

Other countries around the region are already been successful in using the expanded capacities of their IRDs, for example through the creation of self-registration apps created for the Work Ready Pool (Solomon Islands has registered 40,000 workers online) and registration available at the district level enabled by training of district officers (Fiji and Tonga), and cross-agency integrations and information sharing for example with social services.

If Vanuatu aims to maintain, or even grow, its market share in the Pacific labour mobility programmes, developing the capacity, improving the user uptake and promoting the efficiencies of a recruitment and worker management system via the IRD will be fundamental to achieving this.

Priority Areas:

1. Increasing adoption of the In-Country Recruitment Database (IRD) to improve recruitment and mobilisation administration, transparency and efficiency, with appropriate data privacy protocols in place
2. Expanding the functionality to collect data required to implement the Labour Mobility Supply Management and Reintegration Strategy
3. Improving the accessibility of the IRD to support decentralised registration and recruitment processes
4. Coordinated cross-agency information and data sharing and integrations to monitor compliance with social protections and security checks

Policy Outputs:

1. *Mandatory registration of all labour mobility workers on the IRD pre-departure*
2. *Agent and Approved Employers access to the Work Ready Pool for recruitment and worker selection promoted and supported*
3. *Assisted self-registration on the IRD Work Ready Pool available at the provincial and area council levels*
4. *User Interface of the IRD improved with revised data input categories*
5. *Integrated cross-agency data and information sharing facilitated, with appropriate data protection and privacy protocols in place*
6. *Bi-annual disaggregated data analysis and reports published*

Pillar 3: Labour Mobility Supply Management and Reintegration Strategy

Policy Objective: To strategically approach Vanuatu's engagement in labour mobility programmes to increase decent work opportunities, skills transfer and reintegration success to support sustainable livelihoods, community development and economic growth

Enhancing the 'skill base and better matching skills development to Vanuatu's labour needs', strengthening the economic benefits of labour mobility, and enhancing Vanuatu's skill base and skills development were all Policy Priorities under the LM Policy 2019 (Policy Statements A, B and D). The priorities under these statements focused on ensuring national education and training institutes delivered training to meet the demand for skills by labour mobility employers (Priority 3), ensuring qualified graduates could respond to overseas employment opportunities (Priority 4), requiring that workers provide a 'written statement' on what their intentions were to use their savings on return, and exemptions on taxes and duties for labour mobility workers (Priority 8).

The Priority Areas under this Policy align to these general policy statements however, they pivot the focus from enhancing employability of ni-Vanuatu workers for overseas employers towards strategically pursuing labour mobility arrangements that provide the best 'return on investment' in terms contractual terms and working conditions, skills transfer and training opportunities for ni-Vanuatu workers in terms of sustainable livelihoods and economic growth in Vanuatu. As the Pacific Island country with currently the highest sending numbers of workers to Australia and New Zealand under the Pacific labour mobility programmes, Vanuatu has proven its capacity to provide quality labour to overseas employers. The Priority Areas below now signify the Vanuatu Government's commitment to shift perceptions and experiences of labour mobility as a labour hire programme to a development programme.

The Priority Outputs below focus on addressing key issues in Vanuatu's engagement with labour mobility that limit economic development benefits for individual workers, community development and the domestic labour market. The development of a Labour Mobility Supply Management & Reintegration Strategy will identify the human resources needed, sectors to focus on, opportunities to pursue and support required to see growth Vanuatu's domestic economy and community development through labour mobility. Data,



Pacific Australia labour mobility scheme

direction of the Strategy. Increased reintegration focused support available at each step of the circular mobility process from pre-departure to in-country and on return to Vanuatu combined with targeted pilot programmes will enable monitoring and evaluation of the impacts to inform future decisions and adjustments to the Strategy. There are significant gaps in the linkages between workers participation in the existing schemes with skills transfer and capacity building linked to economic growth. More accessible skills recognition and skills development support (including e-learning) and better coordination and cooperation between G2F and domestic stakeholders aim to address this.

Recent reports indicate that 80 percent of private sector businesses have lost workers to labour mobility schemes over a 12-month period and highlight significant skills shortages in key economic sectors in Vanuatu. Consultation findings also indicate that while most workers benefit from participation in the form of improved standards of living (permanent houses, water tanks, solar power and school fees), benefits in the form of career development, investment opportunities or entrepreneurship within Vanuatu are significantly less common. There are also very few coordinated community development programmes linked to the labour mobility programmes for workers to contribute to, which for many communities limits the distribution of benefits to the individual workers and their immediate families. Additionally, there are communities where excessive supply of working age community members to the labour mobility programmes has changed the dynamics around community work and in at least one, resulted in depopulation that threatens the provision of government services in the near future. The Policy Outputs developing guidelines and training on community development through labour mobility and pilot projects for community and private sector development aim to address these issues by demonstrating positive impacts through measurable indicators.

Priority Areas:

- 1. Expanding and improving accessibility of programme support and capacity building opportunities to workers, families and communities, with opportunities provided for workers to engage at each step of the circular mobility success to support reintegration success*
- 2. Strategic identification and targeted engagement with programmes and employers providing decent work opportunities that connect to ni-Vanuatu workers' and Vanuatu's development goals*
- 3. Identification and promotion of investment, entrepreneurship and career opportunities for labour mobility workers in Vanuatu that will support private sector and economic growth*
- 4. Monitoring and only if necessary, recommending limits to Vanuatu's participation in labour mobility programmes to mitigate negative impacts on the domestic labour market provided there is adequate data to justify imposing limitations and improved cooperation and coordination with private sector and public service employers.*

impacting economic growth by increasing ease of access to foreign workers

Policy Outputs:

1. *Labour Mobility Supply Management & Reintegration Strategy*
2. *Integrated Skills Recognition, E-Learning and Recruitment Platform*
3. *Guidelines and Training on Community Development through Labour Mobility*
4. *Pilot Projects on Community Development & Private Sector Development through Labour Mobility, including the establishment of apprenticeship schemes*
5. *Amendments to immigration and labour laws and regulations relating to issuance of work permits and visas, including review of the reserved occupations list*

Pillar 4: Child-centred, family and community social protections

Policy Objective: To have social protection measures and safeguards in place to reduce the negative impacts of participation in labour mobility schemes on children, families and communities

The LM Policy 2019 included a Policy Statement on strengthening the social benefits of labour mobility by supporting 'workers, their families and communities to find ways to extend the benefits and reduce negative impacts of labour mobility' (Policy Statement D: Priority 8). Support was intended to be identified through an 'end of contract' evaluation and debriefing for workers (Strategic Action (a)).

Although there have been efforts to carry out debriefing surveys, this has not been consistent with all returned workers and this Strategic Action remains unimplemented. The negative social impacts of participation in the labour mobility programmes have also become significantly more prevalent over the lifespan of the LM Policy 2019, with perceptions and experiences of children becoming 'victims' of the labour mobility programmes. The Pillar 4 objective therefore approaches the issues around social impacts through a child-centred social protection approach, positioning the welfare of children as the primary concern in each of the Priority Areas.

The Priority Outputs provide the mechanisms (preventative and responsive) to facilitate the Pillar 4 Priority Areas and address issues of children being separated from one or both parents for significant amounts of time (including poor school attendance or removal from school) and the additional burden on grandparents or extended family to provide and care for the children of labour mobility workers; the deterioration of family structures and relationships; and the increasing frequency in which communities are exposed to anti-social behaviours (predominately alcohol related) from returned workers compromising safety within communities.

Priority Areas:

1. *Mitigating the negative impacts of separation from children, family and community arising from participation in labour mobility programmes before workers engage in the programmes*
2. *Increasing government services and support to families, communities and schools to identify, report, assess and manage child welfare cases arising from parents participating in labour mobility programmes*
3. *Develop mechanisms to restrict both parents of children from participating in labour mobility programmes at the same time without prior child welfare assessments being carried out*
4. *Addressing and implementing measures to reduce anti-social behaviours in communities, particularly involving alcohol and drug abuse, of returned labour mobility workers*
5. *Improving the capacity of families and communities to prepare and respond to natural disasters, pandemics and other unforeseen circumstances when workers are overseas and identifying opportunities for workers to provide better support for families and communities while overseas*

Policy Outputs:

1. *Expanded delivery and accessibility of effective pre-departure workshops helping workers and families mitigate the negative impacts of labour mobility participation*
2. *Increased resources (human resources and capacity) to key agencies to effectively manage child welfare cases and carryout gender and social impact analysis*
3. *Negative impacts of family separation mitigation through review and future changes to programme eligibility following initial gender and social impact assessment*
4. *Resources and training provided to communities to plan for and respond to natural disasters and adapt to climate change*
5. *SOPs developed in accordance with the Ministry of Education's Child Safeguarding Policy to notify and respond to child welfare cases involving children of labour mobility programmes*
6. *Delivery of community awareness programmes facilitated by the Police in collaboration with community leaders on compliance reporting, alcohol and drug abuse, violence and other anti-social behaviours in connection to labour mobility participation*
7. *Temporary cessation and review of Vanuatu's engagement in the PALM Long (PLS) to address long-term impacts of family separation*



Pacific Australia labour mobility scheme

Pillar 5: Worker welfare and benefits

Policy Objective: To promote and advocate for better working conditions and contractual terms, more accessible in-country support and benefits for ni-Vanuatu workers engaged in labour mobility programmes

The LM Policy 2019 approached the prioritisation of worker welfare and benefits through a range of priority areas. They focused on the establishment of 'responsive and reliable relationships with recruiters, key focal points, liaison officers and government representatives involved' in labour mobility, with 'liaison officers' as key actors in each action plan (Priority 6); the development of a 'Code of Expected Behaviour' for workers (Priority 7); proposals for import tax and duty exemptions in Vanuatu (Priority 8); and bi-annual reviews of the bi-lateral agreements between labour mobility sending and receiving countries (Priority 9).

The Priority Areas under this Policy Objective build on the approach of using liaison officers (Priority 6), now in existence (though limited) and referred to as Country Liaison Officers (CLOs), to increase support to workers for welfare issues and manage issues with contract terms or working conditions, and review of the bi-lateral agreements (Priority 9) to increase the benefits for workers. The Priority Areas pivot away from the approach of increasing benefits to workers by reducing import tax and duty for workers, and refocus on reducing compulsory expenditure for all workers that contribute to high income deductions

compared to other participating countries in the Pacific Islands region. They also shift from a compliance focused approach to controlling worker behaviour overseas (Code of Expected Behaviour or Code of Conduct), which has enforcement limitations, to more engagement and support to workers pre-departure to bring about greater awareness of the consequences of anti-social behaviour in both Vanuatu and overseas, disengagement and better awareness of their legal and contractual rights.

The Priority Outputs provide a general approach for pursuing the Pillar 5 Priority Areas, which are accompanied by activities the 3-year Action Plan (Annex I).

Priority Areas:

1. *Review the Deeds of Agreement and MOUs for existing labour mobility programmes and work with receiving country Governments on areas that will increase benefits for ni-Vanuatu workers*
2. *Improve and address working conditions, employer compliance and other contributing factors resulting in increasing numbers of workers disengaging*
3. *Reducing deductions and other required expenditure for workers engaged in labour mobility to increase remittances and earnings re-entering Vanuatu*
4. *Increasing support to ni-Vanuatu workers in-country to improve worker welfare, ensure workers' rights and interests are understood and safeguarded and reduce anti-social behaviours risking Vanuatu's reputation as a quality labour supply sending country*

Policy Outputs:

1. *Deeds of Agreement, MOUs and visas/visa conditions attached to labour mobility programmes align with international standards, as they apply to sending and receiving countries, and increase benefits for ni-Vanuatu workers*
2. *Increased support to workers both pre-departure and in-country*
3. *Rates and fees services provided to ni-Vanuatu labour mobility workers are reduced through negotiation with private sector and other service providers*



RSE Worders_Image Source_ETangata 04

4 Implementation Arrangements

4.1 Action Plan 2024/25 – 2026/27

This Policy is to be implemented in accordance with the Action Plan in Annex I. The Action Plan activities are based on the Policy Outputs detailed under each of the Policy Pillars in Section 3 above. The Action Plan has also been developed to accommodate the Policy Output Recommendations included in Annex III.

4.2 Policy Governance and Institutional Arrangements

The Policy governance and institutional arrangements will evolve through the implementation of the Policy Outputs under Pillar 1. The sub-sections below provide direction for the governance framework, monitoring and evaluation (M&E), and key implementation stakeholders and their roles.

4.2.1 Governance Framework

The governance structure for labour mobility in Vanuatu is provided below.

The **National Trade Development Committee** (NTDC) is the nation's highest-level trade governance body, established by a Council of Ministers' decision in 2012 to lead Vanuatu's Trade Mainstreaming agenda. Its secretariat is provided by the Vanuatu Aid-for-Trade Management Unit. It is an effective, functioning body with regular participation of all key stakeholders for trade policy issues and provides a platform for discussing the trade development agenda but also has oversight on aid-for-trade funding and expenditure. The mandate of the NTDC includes labour mobility development and policy, and consequently has overall oversight of this Policy and its implementation. It will also function to ensure that this Policy's implementation and its activities align with, and support, other national trade policies and the National Trade Policy Framework, and ensure that there are adequate resources and funding to implement the activities.

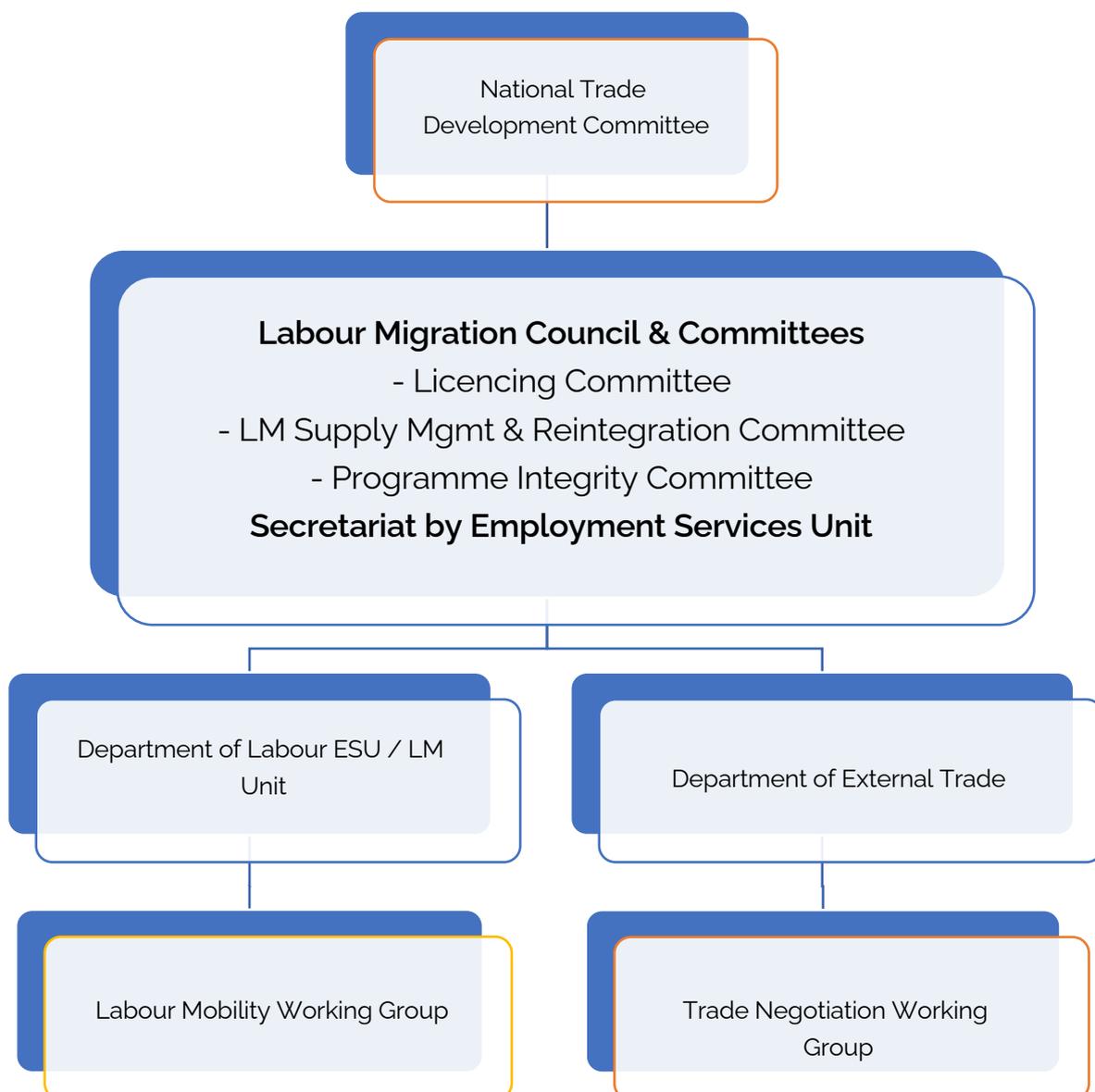
The Labour Migration Council will be established through amendments to the Seasonal Employment Act, with representation from the 6 key Ministries of the Vanuatu Government responsible for national policies that connect to this Policy, as well as implementation of activities under this Policy's Action Plan. Each of the Ministries represented on the Labour Migration Council are responsible for monitoring and reporting progress on the implementation of the activities that are to be carried out by agencies under their Ministry. Additional membership from key stakeholders is also proposed to ensure there are adequate resources to establish Committees for: Licencing, LM Supply & Reintegration; and Programme Integrity. Each of these Committees are tasked and report back to the Labour Migration Council, which provides annual reports for submission to the NTDC and Parliament with information performance of the LM programmes under the MOUs / IAAs, any implementation issues and recommendations on addressing Policy implementation issues or managing new labour mobility policy or strategy developments are they arise (and not addressed by this Policy). The Labour Migration Council will be will be Co-Chaired by the Director General of the Ministry of Internal Affairs and Director General the Ministry of Foreign Affairs. The Department of Labour will provide dedicated

secretariat support to the Labour Migration Council and should meet quarterly. The Committees can meet more regularly as determined by Terms of Reference (ToR).

The **Department of Labour**, and the Employment Services Unit and future Labour Mobility Unit, are responsible for the management of Vanuatu's labour mobility programmes and related activities under this Policy. They are the lead agency or key stakeholder for the majority of the Policy activities under the Action Plan and are responsible for reporting to the Labour Migration Council and NTDC on all activities under the Action Plan in which they are the lead agency. This includes the reform of the Seasonal Employment Act and the establishment of the Programme Integrity Committee and its secretariat, and any recommendations communicated by the Labour Mobility Working Group.

The **Department of External Trade** is primarily responsible for negotiating Labour Mobility market access; coordinating the implementation of the Labour Mobility Policy Vanuatu's trade agreements including PACER Plus; and advocating and coordinating for Vanuatu's interests internationally and regionally, with direction from and in coordination and collaboration with the Department of Labour.

The figure below provides an overview of the governance framework for the Policy.



4.2.2 Key implementation stakeholders and functions

The functions of each of the bodies detailed in the governance framework above and proposed stakeholders for each of the committees are provided in the table below.

Governance Body	Proposed Stakeholders	Functions
National Trade Development Committee (Secretariat provided by VAMU)	Existing body with membership from all key tradedevelopment related stakeholders	<ul style="list-style-type: none"> - High-level oversight of Policy Implementation - Ensuring resources and funding are available for implementation of Policy activities - Review of annual reports that are also submitted directly
Labour Migration Council (Secretariat provided by DoL)	<ul style="list-style-type: none"> - Director General MOFAICET (Co-chair) - Director General MoIA (Co-chair) - DOET - DoL - DG MTTCNVB or delegate - DG MoET or delegate - DG MALFFB or delegate - DG MoJCS or delegate - Malvatumauri - VCC - VCCI - VNWU - VPF - Immigration - DLA - Child's Desk - Licenced Agents Association Representative - OGCIO - VQA 	<ul style="list-style-type: none"> - Reporting of Policy Implementation Progress to NTDC - Recommendations to NTDC on labour mobility issues relating to trade and other national policies and developments - Reviews MOUs / IAAs and provide recommendations to DOL/External Trade for negotiations or endorsements - Oversight of committees
Labour Migration Council - Licencing Committee	Continuation with existing panel representatives and additionally representatives from:	<ul style="list-style-type: none"> - Approval of agent licenses & direct recruitment permits - Referrals of complaints to Police - Directives on compliance - Review and recommendations on regulatory issues / orders

(LMLC)	Continuation with existing panel representatives and additionally representatives from: - Malvatumauri - Vanuatu Christian Council - VCCI - VNWU	- Directives on compliance - Review and recommendations on regulatory issues / orders - Vanuatu Christian Council - VCCI
Labour Migration Council – Programme Integrity Committee (LMPIC)	- ESU/LM Unit - PLF - Police - Child's Desk - Immigration / Passports - Malvatumauri - VCC	- DLA - Licenced Agents Association Representative - Workers Representative - VNWU - Employers' Representative - CLOs - OGCIO
Labour Migration Council – Supply Management & Reintegration Committee (LMSMRC)	To be determined by LM Council in consultation with LMWG with consideration of: - DoET - DoL - MoIA - VNSO - MTTCNVB - MALFFB - VQA - PSET Association	- VCCI / VLAB / YCV - IOM / World Vision - Licenced Agents Committee Representative - CLOs - OGCIO - Approved Employers' Representative or Industry Representatives from receiving countries
DoL / ESU / LM Unit	N/A	Policy Implementation for: - LM Programme management & operations - IRD management & development - PDT coordination and facilitation - Coordinating worker welfare support - Coordinating reintegration support - Promoting inclusive employment opportunities - Bilateral coordination with receiving country labour units
Department of External Trade	N/A	- Negotiating Labour Mobility market access - Facilitating international cooperation with DFAT, MFAT and other foreign governments & regional bodies - PACER Plus implementation - MOU/Deed negotiations and signing (with direction from and in collaboration with DoL)
Trade Negotiation Working Group	Continuation with existing membership arrangements	Supporting the Department of External Trade with Labour Mobility related negotiations
LM Working Group (Secretariat provided by DoL, with technical support from within membership if provided)	Continuation with existing membership arrangements	In accordance with Terms of Reference - Open dialogue forum in relation to labour mobility developments and issues Recommendations for government action or regional advocacy, and areas for subsequent policy or programme development

4.2.3 Monitoring and Evaluation

Lead agencies for activities under the Action Plan are to report on the implementation progress and if relevant to the activity, monitoring and evaluation (M&E) reports, for active activities every 6 months (according to the allocated years for those activities under the Action Plan).

The **Labour Migration Council** is responsible for the coordination and collation of the implementation progress and M&E reports every 6 months. These reports, once compiled may be shared with the Labour Mobility Working Group (LMWG) for review and recommendations before finalisation and submission to the NTDC.

The **NTDC** may provide directives to lead agencies and other key implementing agencies in relation to implementation progress following review of these reports.

4.3 Risk Assessment & Management Framework

Risks to the successful implementation of a policy are inherent in all policy implementation arrangements. Many risks can be anticipated, assessed and either mitigated or managed. Potential risks to the implementation of this Policy, in Vanuatu's context, have been identified and fall under the categories of: Economic Risks; Capacity Risks; Political Risks; Technological Risks; and Natural Disasters & Pandemic Risks. Possible ways in which these risks categories can manifest and impact the success of the Policy, as well as the measures to management these risks are detailed in Annex II.

Annex I: Action Plan 2024/25 – 2026/27

Pillar and Output	Core Activities	Implementation Timeframe			Status IP or NS	Lead Agency / Other implementing agencies	Resources / funding source
		24/25	25/26	26/27			
Whole of Policy	Workshop with key stakeholders on Policy implementation arrangements and familiarisation				NS	DoL / DoET Labour Migration Council	PACER Plus
					NS	DoL / DoET Labour Migration Council	GoV
	Pillar 1: Legislative and institutional reform						
Output 1	Full revision of the Seasonal Employment Act and harmonisation with other laws				IP	DoL AG Office	ILO
Output 2	Establishment of the LM Regulatory Council				IP	DoL	GoV
	Set up of LM Policy Committees to align institutional arrangements with Policy				IP	MTTCNVB / DoL / DoET / LMWG	n/a
	DoL organisational reform Stage 1 implemented				IP	DoL PSC	GoV
	DoL organisational reform Stage 2 implemented				NS	DoL PSC	GoV
Output 3	MOUs developed and signed with VCC and Malvatumauri for character reference letters with GEDSI aspects reviewed by MoJCS						
	Chief and Church Leader registration list established and mechanisms for linking reference checks with IRD established and operational, including character reference letter templates with GEDSI aspects reviewed by MoJCS				NS	DoL	DoL

Output 4	Government services for LM registration decentralised at Provincial level - Labour Mobility Officers in each province (see DoL organisational reform above)				NS	DoL	GoV
	Identification of services that can be reliably offered and accessed through decentralised government e.g. passports, medical, police checks, passport photos etc. medical links to Pillar 5: Output 1)				NS	DoL / MoIA / Police	Ministry of Internal Affairs
Output 5	Training, workshops and business development support tools for agents developed, including contract templates				NS	VCCI DoL / PLF / Agents	GfG
	Training, workshops and business development support for agents rolled out				NS		GfG
Pillar 2: Data collection and coordination							
Output 1	Review of existing data on workers registered on IRD and agent registration of workers on IRD				IP	ESU Agents / PLF	PLF
	Monitoring and reporting of compliance				NS	ESU VNSO / OGCIO	PLF
	Investigation of linking IRD registration to visa application process				NS	ESU PLF / OGCIO / Police	PLF
Output 2	Awareness and promotion access to Work Ready Pool to agents and Approved Employers				IP	ESU PLF / Agents / AEs	PLF
	Cessation of ESU worker referrals to Approved Employers (AEs to access Work Ready Pool directly for worker selection)				NS	ESU PLF / MBIE	PLF

Output 3	Assisted self-registration for LM programmes accessible at Area Council level via Provincial LM Officer				NS	ESU DLA	PLF
	Development of a self-registration app with user manual/ training (online) (linked/combined with e-learning portal and skills 'passport' platform Pillar 3: Output 2)				NS	ESU PLF / OGCIO	PLF
Output 4	IRD User interface improved & data back-up system & SOPs implemented to mitigate impacts of cyberattacks and system failure				NS	OGCIO ESU / PLF	PLF
	Data input categories on IRD revised to align with LM Supply Management & Reintegration Strategy & linked to worker profiles				NS	LMSMRC ESU / PLF	PLF / PACER Plus
	Training provided to agents and area administrators on IRD and self-registration				NS	DoL PLF / DLA	PLF
Output 5	Data/info sharing integrations explored, SOPs developed and implemented for: - Police checks				NS	Police / ESU VAPJP / PLF / OGCIO	VAPJP
	Data/info sharing integrations explored, SOPs developed and implemented for: - Civil Registry Digital IDs / Identity Management				NS	ESU CRIM / RBV / OGCIO	VAPJP RBV
	Data/info sharing integrations explored, SOPs developed and implemented for: - VNPf registration & schemes opted for by worker				NS	DoL / VNPf PLF	VNPf
	Worker blacklisting SOPs developed for IRD				NS	ESU	PLF
	Data protection & privacy protocols incorporated into worker registration processes				IP	ESU CRIM / VPF / OGCIO	PLF
Output 6	Bi-annual data analysis reports published and distributed to LM Committees & NTDC				NS	ESU VNSO / OGCIO LMPIC / LMWG	World Bank

Pillar 3: Labour Mobility Supply Management and Reintegration Strategy									
Output 1	Development of the LM Supply Management & Reintegration Strategy, with identification of skills development opportunities receiving countries						NS	LMSMRC LMC / DoL	PACER Plus World Bank
	Comprehensive Economic Analysis on Labour Mobility (to support Strategy development / review) with consideration of official remittance data						NS	LMSMRC MFEM / DoL / MTTCNVB	World Bank ADB
	Labour Force Survey (to support Strategy development review)						NS	VNSO DoL / ILO / LMSMRC	PLF
	Development and launch of worker review system						NS	DoL PLF / LMPIC	PLF
	Implementation of Strategy						NS	TBD by LMSMRC	PACER Plus
	Review of data and Strategy						NS	LMSMRC	PACER Plus
	Increase Reintegration Officers within ESU and capacity building – incl. SOPs for reintegration case management & M&E						IP	ESU PSC / LMSMRC / PLF	Gov PLF
Output 2	Integrated Skills Recognition, E-learning and Recruitment Platform designed						IP	ESU OGCIO / VQA / Agents / PSET / MBIE	PLF
	First e-learning courses developed based on existing pre-departure training workshops						NS	ESU ESU VQA / PLF / PSET / VNWU	PLF
	Training provided to workers on using e-learning platform and digital literacy during pre-departure training						NS	ESU VQA / PSET / Agents / PLF	PLF
	Additional courses added by PSET Association members & Unions (VNWU)						NS	ESU VQA / PLF / PSET / VNWU	PLF / ILO

Pillar 4: Child-centred, family and community social protections							
Output 1	Expanded delivery and accessibility of effective pre-departure workshops helping workers and families mitigate the negative impacts of labour mobility participation (incl. addition information on women's health)				IP	ESU WVI / Child's Desk / DWA / MoH / Disability Desk LMWG	IOM
	Mandatory PDT training offered in online mode and self-paced through e-learning platform contextualised for ni-Vanuatu (development Year 2 – implementation – Year 3)				NS	ESU PLF / Agents LMWG	PLF
Output 2	Increased resources (human resources and capacity) to key agencies to effectively manage child welfare cases and carry out gender & social impact analysis				NS	MoJCS Child's Desk / DWA / VAPJP	VAPJP MFAT
	Gender & social impact assessments of labour mobility carried out every 2 years				NS	MoJCS DWA / VAPJP	VAPJP / UNDP / UN Women
	Support to Disability Desk / VSDP on increasing participation rates and opportunities for people with disabilities				NS	MoJCS Disability Desk / VSDP / ESU / Agents	GoV UNDP
Output 3	<p>Review of programme eligibility following gender & social impact assessment with consideration of:</p> <ul style="list-style-type: none"> - Effective monitoring and compliance mechanisms to restrict workers with children travelling at the same time as the other parent without approval from Childs' Desk following child protection assessment - Consideration of restrictions on number of contracts workers are eligible for under PALM Long (see also Output 7) - Reform of the spouse or parental letter of approval to participate in the programme to address gendered aspects limiting women's participation and parental approval for adult workers to participate - Introduction of requirements for child maintenance agreements in separated family situations 					DoET / Matvatumauri	

Output 4	Resources for communities to plan for and respond to natural disasters and adapt to climate change developed and incorporated into Pillar 3: Output 3 – Guidelines for communities			NS	DoL WVI / MoCC / IOM	GoV UNDP
	Training provided Area Administrators and at the community level on managing labour mobility and natural disasters and climate change adaptation (to be incorporated into Pillar 3: Output 3 – Guidelines for communities)			NS	DoL WVI / DLA / MoCC / IOM	IOM GGGI GoV
Output 5	SOPs developed in accordance with the Ministry of Education's Child Safeguarding Policy to notify and respond to child welfare cases involving children of labour mobility programmes			IP	MoET MoJCS / Child's Desk / ESU	UNDP GoV
	Awareness and communications campaign on implementation of SOPs			NS	MoET	UNDP
Output 6	Delivery of community awareness programmes facilitated by the Police in collaboration with community leaders on LM compliance reporting, alcohol and drug abuse, violence and other anti-social behaviours in connection to labour mobility participation			NS	VPF Malvatumauri / VCC / VAPJP	VAPJP
	Delivery of community awareness programmes facilitated by the Police in collaboration with community leaders			NS	VPF Malvatumauri / VCC/ VAPJP	VAPJP
Output 7	Temporarily stop recruitment of workers under the PALM Long (PLS) until the following activities are completed: <ul style="list-style-type: none"> Development of the Labour Mobility Supply Management and Reintegration Strategy Eligibility criteria and participation conditions for the PALM Long (PLS) Programme are reviewed. 			NS	DoL	GoV
	Review of Vanuatu's engagement in the PALM Long (PLS) to address long-term impacts of family separation (to be consistent with LM Supply Management & Reintegration Strategy) with consideration of: <ul style="list-style-type: none"> Promoting worker opportunities for with spouses without children, or families with children, to migrate together Restrictions on the number of times workers can engage in the PALM Long programme Requirements that PALM Long applicants have previous (short term) experience on LM programmes 			NS	LMSMRC DFAT / DoL	PACER Plus

	Changes to PALM Long - information and recruitment implemented.							
Pillar 5: Worker welfare and benefits								
Output 1	Deeds of Agreement, MOUs and visas/visa conditions attached to labour mobility programmes, as they align with international standards, as they apply to relevant sending and receiving countries, to increase benefits for ni-Vanuatu workers			IP	DoL / DoET DFAT / MBIE / MoH / Integrity Committee / LMWG	ILO Technical Assistance		
Output 2	Increased support to workers both pre-departure and in-country <ul style="list-style-type: none"> - CLOs increased to every State / Island - Improved in-country induction - Team Leader leadership capacity training - Pastoral Care, and its role, more clearly defined - SOPs for repatriating deceased workers - Increased or compulsory participation in pre-departure training for first time labour mobility workers - More equitable funding, resources and support for pre-departure and in-country training and educational development across programmes - Additional support to workers pre-departure on understanding employment contract terms and conditions - Additional support for workers to access superannuation funds in Australia and opting into superannuation in NZ - Pre-departure information on managing injuries, death, criminal charges or imprisonment 			IP	ESU PLF / MFAT / Agents / AEs / VNWU	PLF / MFAT		
Output 3	Rates, fees and services provided to ni-Vanuatu labour mobility workers are improved through negotiation with private sector and other service providers, with consideration of:			IP	VNPF / Agents ESU / PLF / Cooperatives	VNPF / Gov / Agents		

	<ul style="list-style-type: none"> - Standard / set-rate airfares to and from Vanuatu for LM workers and agents (with Air Vanuatu and other airlines to mitigate risks and damage to employer relationships and Vanuatu's reliability as a sending country due to airline issues) - Reduced (or standard) fees for money exchange and remittances from NZ, similar to what is in place in Australia - VNPF to further explore benefits of the Seasonal Worker Superannuation Pilot Scheme and other potential pilot schemes e.g. a school fees savings scheme for LM workers - Labour Mobility cooperatives schemes, for providing loans and support e.g. financial hardship funds, to workers while overseas 						
--	---	--	--	--	--	--	--

Risk Category	Risk Description	Effect on LMP	Management Measure	Risk Monitoring
Economic Risks	Inadequate funding to resource implementation of every activity under the Action Plan	<ul style="list-style-type: none"> Activities under Action Plan not implemented Negative impact on other Action Plan activities overlapping Outcomes not delivered as planned 	<ul style="list-style-type: none"> Allocate resource allocation committed for each activity in Action Plan Pre-determine resource support & commitments from stakeholders, including government & development partners / donors 	<ul style="list-style-type: none"> Annual budget review Action Plan adjustments Alternative funding identified by NTDC
	New priority activities identified in future without adequate funding to implement	As above	Identify additional resource support & provide stakeholder mapping for future support based on consultations	As above
Capacity Risks	Limited capacity to implement the LMP	<ul style="list-style-type: none"> Delays or inconsistent implementation Outcomes not achieved 	<ul style="list-style-type: none"> Recruit TAs to support implementation of Policy in both Dept. External Trade and Dept. Labour Prioritise organisational restructuring of DoL 	<ul style="list-style-type: none"> Review existing TA support and capacity requirements Regular meetings with LMWG on updates Reporting to NTDC on implementation issues
			<ul style="list-style-type: none"> Support continuation of LMWG and seek support when capacity risks arise Prioritise set up of institutional framework for Policy and ToRs for committees Support continuation of LMWG and seek support when capacity risks arise Prioritise set up of institutional framework for Policy and ToRs for committees 	

	Stakeholders and implementation partners not introduced to LMP adequately	<ul style="list-style-type: none"> Limited implementation and outcomes as seen with current Policy 	<ul style="list-style-type: none"> Policy workshop held immediately after CoM approval with stakeholders to familiarise with implementation arrangements and responsibilities included in Action Plan with funding Survey from key stakeholders on implementation and Policy measures taken after 12 months 	<ul style="list-style-type: none"> Regular meetings with LMWG on updates Reporting to NTDC on implementation issues
	New labour mobility issues and constraints beyond the scope of the LMP	<ul style="list-style-type: none"> Enhanced development impacts of labour mobility not realised 	<ul style="list-style-type: none"> Bi-annual reporting on implementation progress and M&E to NTDC to identify if directives or further resources are needed Labour Migration Council established 	<ul style="list-style-type: none"> Regular meetings with LMWG on updates Reporting to NTDC on implementation issues via Labour Migration Council
	Staff overturn and/or PSC structure not approved	<ul style="list-style-type: none"> DoL lacks human resource capacity implement activities 	<ul style="list-style-type: none"> Broader stakeholder network lobbying for support of PSC approval Reform of Seasonal Employment Act and DoL performance management Staff / Business Continuity Plan developed 	<ul style="list-style-type: none"> Regular meetings and updates with MoIA and PSC Regular DoL staff performance reviews Recruitment licenses and permits subject to performance and compliance with SE Act

<p>Political Risks</p>	<p>Lack of political commitment</p>	<ul style="list-style-type: none"> • LMP not approved by CoM • Lack of high-level support to drive implementation • Lack of high-level support for institutional arrangements • Lack of high-level support to allocate GoV resources 	<ul style="list-style-type: none"> • Presentation to CoM and DGs on revised LMP following consultations (pre-CoM submission) • Include key Ministers or advisers in consultations to build support • Induction of MPs and Parliamentary Committees to include topics on LM Policy 	<ul style="list-style-type: none"> • DoL to provide regular updates to Parliamentary Committees and CoM
<p>Political Risks</p>	<p>Political interference in implementation</p>	<ul style="list-style-type: none"> • Resources diverted from implementation for non-LMP activities • Political influence in programme implementation 	<ul style="list-style-type: none"> • Multi-stakeholder awareness of financial resource management for transparency • Safeguards revised in legislation and regulations 	<ul style="list-style-type: none"> • Reporting to NTDC on implementation issues via Labour Migration Council • DoL to provide regular updates to Parliamentary Committees and CoM
<p>Technological Risks</p>	<p>Disruption of internet or emails e.g. cyber attack</p>	<ul style="list-style-type: none"> • Reduced efficiency in recruitment and mobilisation processes • Delays to implementation of LMP 	<ul style="list-style-type: none"> • Ensure back-up plans are in place e.g alternative email addresses, cloud based data storage and internet connection for ESU • Maintain directory of stakeholder alternative emails & phone numbers e.g., Gmail addresses for government 	<ul style="list-style-type: none"> • OGCIO audits technology infrastructure every 6 months

	User uptake of technology used for data collection low	<ul style="list-style-type: none"> Limited data or reliable data to inform future policy decision-making Inadequate data for M&E of policy 	<ul style="list-style-type: none"> Adequate training provided to implementing teams, and incorporated into individual KPIs 	<ul style="list-style-type: none"> Review of implementation progress bi-annually and reported to NTDC
Natural Disasters & Pandemic Risks	Disruptions to government and development partners services	<ul style="list-style-type: none"> Delays to policy implementation Reduced capacity or budget to implement 	<ul style="list-style-type: none"> Essential Service SOPs development Recruitment Plan included in legislation 	<ul style="list-style-type: none"> Review of implementation progress bi-annually and reported to NTDC
	Emergency and response measures implemented	<ul style="list-style-type: none"> Changes to programme operations and policy implementation 	<ul style="list-style-type: none"> Essential Service SOPs development Recruitment Plan included in legislation 	<ul style="list-style-type: none"> Review of implementation progress bi-annually and reported to NTDC

Annex III: Recommendations on Policy Outputs

Pillar 1: Legislative and institutional reform recommendations

Policy Objective: To reform the existing legislation and institutional arrangements to provide for the effective implementation of this policy and improve the governance, transparency and accountability of the administration of labour mobility in Vanuatu

Policy Outputs:

1. Reform of the Seasonal Employment Act

- Establishing a Labour Migration Council to assess labour mobility recruitment licences and permits
- extending the license permit validity to 2 years
- limiting the number of licenses / permits that can be issued in one year with consideration of the how many workers are sent from Vanuatu each year, the number of workers processed by ESU and how many agents are required to process worker recruitment and mobilisation at the same efficiency rate as ESU
- criteria for assessing applications for agent licenses
 - o for renewal applications: compliance with mandatory worker registration on the IRD, complaints and investigations against licensee for exploitative practices, and other performance indicators to incentivise recruitment and worker selection processes that support the development goals of the Policy, are inclusive and transparent. Performance indicators could be monitored through the IRD (and cross-agency integrations) on:
 - workers recruited from rural areas and underrepresented communities
 - recruitment of unemployed, women and disability
 - recruitment linked to community or sector development programs
 - workers engaged in skills development or training opportunities
 - other future indicators under the Labour Mobility
 - o PDT compliance
 - o for new applications: location (with priority given to geographically limited rural recruitment applications in underrepresented areas); experience within the programmes; capacity to administer recruitment and mobilisation; marketing proposal; assessment results on key operational areas

- functions and responsibilities of agents and the ESU in direct recruitment, including clarification on their roles relation to worker welfare support, duty of care and other responsibilities
- Improved regulation or cessation of team leader recruitment
- Restrictions on ESU officers being involved in recruitment practices e.g. shortlisting candidates for direct recruitment and refocusing ESU involvement to facilitating access to Work Ready Pool for both agents and AEs that direct recruit to separate the functions currently existing within the ESU (regulatory role and direct recruitment support role) and reduce perceived conflicts of interest of those functions
- prohibitions on exploitative practices with offences and penalties for charging worker fees, demanding gifts, political voting requirements and unpaid labour
- Clarification of recruitment of workers currently employed in terms of eligibility (private sector and public service), and resignation requirements (and entitlements to severance if resigning without notice).
- Provisions to limit/cap the number of workers with regard to the Labour Mobility Supply Management and Reintegration Committee recommendations

2. Establishment of a Labour Migration Council regulating licencing and permits, and referring complaints and investigations to Police

- Labour Migration Council established through amendments to the Seasonal Worker Act
- Provide the Council with sufficient resources to:
 - o Meet regularly and effective secretariat support
 - o Assess applications for licenses to recruit
 - o Monitor license and permit compliance with the Act
 - o Receive and/or refer complaints in relation to beaches of the Act for investigation by Police
 - o Monitor and analyse recruitment performance of both agents and direct recruitment and make recommendations to the Ministerial Steering Committee
- Ensure there are adequate resources for the Police to investigate complaints under the Act

3. Registration of approved chiefs and church leaders and procedures for character reference letters, supported by MOUs with the Malvatumauri and Vanuatu Christian Council

- MOUs with Malvatumauri and VCCI

- functions and responsibilities of agents and the ESU in direct recruitment, including clarification on their roles relation to worker welfare support, duty of care and other responsibilities
- Improved regulation or cessation of team leader recruitment
- Restrictions on ESU officers being involved in recruitment practices e.g. shortlisting candidates for direct recruitment and refocusing ESU involvement to facilitating access to Work Ready Pool for both agents and AEs that direct recruit to separate the functions currently existing within the ESU (regulatory role and direct recruitment support role) and reduce perceived conflicts of interest of those functions
- prohibitions on exploitative practices with offences and penalties for charging worker fees, demanding gifts, political voting requirements and unpaid labour
- Clarification of recruitment of workers currently employed in terms of eligibility (private sector and public service), and resignation requirements (and entitlements to severance if resigning without notice).
- Provisions to limit/cap the number of workers with regard to the Labour Mobility Supply Management and Reintegration Committee recommendations

2. [Establishment of a Labour Migration Council regulating licencing and permits, and referring complaints and investigations to Police](#)

- Labour Migration Council established through amendments to the Seasonal Worker Act
- Provide the Council with sufficient resources to:
 - Meet regularly and effective secretariat support
 - Assess applications for licenses to recruit
 - Monitor license and permit compliance with the Act
 - Receive and/or refer complaints in relation to breaches of the Act for investigation by Police
 - Monitor and analyse recruitment performance of both agents and direct recruitment and make recommendations to the Ministerial Steering Committee
- Ensure there are adequate resources for the Police to investigate complaints under the Act

3. [Registration of approved chiefs and church leaders and procedures for character reference letters, supported by MOUs with the Malvatumauri and Vanuatu Christian Council](#)

- MOUs with Malvatumauri and VCCI

- Restricting character reference letters to Chiefs and Church Leaders registered and authorised with Malvatumauri and VCC
 - Establishing a standardised fee for character reference letters (500vt recommended paid by workers)
 - Recommending and monitoring effectiveness of community panels / committees for assessing character reference letter requests for Chiefs and Church Leaders to process
 - Requirements that workers only obtain character reference letters from Chiefs and Church Leaders located in the place of ordinary residency of the worker (residence for the past 2 years) or voter registration
 - Creating mechanisms and checks to monitor compliance of character reference letters with above systems
 - Development of character reference letter templates with information collection on specific criteria (or character qualities and behaviours) for use by Chiefs and Church Leaders to facilitate more efficient processes and accurate information
 - Uploading of character reference letters to the IRD by Area Administrators or Ward Administrators after receipt from Chiefs or Church Leaders / or Community Panels/Committees
4. *Government services linked to labour mobility registration accessible at provincial and area council levels with dedicated support from ESU provincial labour mobility officers*
- Expand access to services required to register to the labour mobility programmes to each of Vanuatu's provinces through the decentralisation network by:
 - o Creating positions for ESU Labour Mobility Officers in each province
 - o Promoting the use (and reliable functioning of) the VPF Policy Check App
 - o Equipping Provincial Headquarter with the capacity to accept passport applications and provide passport photo services (removing the passport photography monopoly arrangements in Port Vila will be required)
 - o Cooperating with development partners and receiving countries to increase accessibility and improve pre-departure medical assessment processes and services, particularly in relation to X-ray requirements in Australia and assessment of pre-existing medical conditions
5. *Training, workshops and business development support for agents*
- Creating a business support development programme specifically for agents through the VCCI with consideration of:
 - o Promoting access and participation in the existing free VCCI workshops
 - o Developing new agent training modules in collaboration with the ESU/PLF with that are available through the e-Learning platform

- o Training on using IRD to improve business and recruitment efficiencies
- o Business development support and mentoring (VCCI and VLAB)
- o Developing templates for agent / employer contracts, agent rates offerings, and other business efficiency processes

Pillar 2: Data collection and coordination recommendations

Policy Objective: To effectively coordinate the collection of data to improve programme accountability and compliance, and enable data-driven evidence-based decisions on the strategic direction of the labour mobility programmes

Policy Outputs:

1. *Mandatory registration of all labour mobility workers on the IRD pre-departure*

- Amend the Seasonal Worker Act to include requirements that all workers are fully registered on the IRD pre-departure, with consideration of:
 - o monitoring and reporting on agent compliance and including compliance rates as an indicator of performance for license renewal
 - o monitoring and reporting on ESU staff compliance and including compliance rates as a key performance indicator in job descriptions and performance appraisals
 - o integrating or creating linkages between visa application process and IRD registration, where viable
- Consider developing mechanisms to restrict direct recruitment of workers previously recruited by agents by the same employer

2. *Agents and Approved Employers access to Work Ready Pool for recruitment and worker selection promoted and supported*

- Providing access and promoting the recruitment and selection of workers to agents through the IRD Work Ready Pool to:
 - o increase recruitment of existing registered workers waiting for opportunities to travel
 - o encourage more transparent recruitment and worker selection processes based fulfilling specific job placement criteria
 - o reduce the costs of worker selection and recruitment in rural areas
 - o to improve the efficiency of recruitment processes for agents and provide agents with a greater selection of candidates beyond existing networks
- Cessation of ESU worker referrals to approved employers and transition to AEs to access Work Ready Pool directly for worker selection

3. *Assisted self-registration on the IRD Work Ready Pool available at the provincial and area council levels*

- Improve the functionality of the IRD to enable assisted self-registration to be available to workers at the Area Council level with support from Area Administrators (supported by Provincial LM Officer)
- Consider future development of a self-registration app support by online e-learning and user manual
- Provide resources for Area Council level assisted self-registration (tablets and training)

4. *User Interface of the IRD improved and revised data input categories*

- Improve the UI of the IRD to facilitate better user uptake, ease of use and efficiency
- Consider linkages or integrations between the IRD and single access platform for workers, agents, employers, ESU
- Data collection linked to workers' profiles in relation to:
 - skills (skills passport concept) and qualifications
 - sectoral or work experience interests
 - programme or training participation
 - LM scheme experience and participation rates
- Data and system backed-up to mitigate impacts of cyberattacks and system failures

5. *Integrated cross-agency data and information sharing facilitated, with appropriate data protection and privacy protocols in place*

- Police checks enhanced to provide additional information on any ongoing investigations or charges pending and child or family maintenance order
- Mechanisms identified and SOPs developed to enable VPF notifications of new investigations or charges, that have arisen since the Police Clearance, when workers are being mobilised or visas are applied for
- MOUs and SOPs developed between ESU and Civil Registry to integrate information into the IRD on:
 - Name changes (to enhance police checks)
 - Non-disclosure of children/dependents
 - Both parents of children (to enable notifications when both are being attempting to be recruited at the same time without appropriate child protection assessments having taken place)
- Mandatory reporting and recording of worker and employer issues by CLOs in the IRD
- Worker 'blacklisting' recorded in IRD to enable cross-programme consistency
- Cessation of ESU worker referrals to approved employers and transition to AEs to access Work Ready Pool directly for worker selection

3. *Assisted self-registration on the IRD Work Ready Pool available at the provincial and area council levels*

- Improve the functionality of the IRD to enable assisted self-registration to be available to workers at the Area Council level with support from Area Administrators (supported by Provincial LM Officer)
- Consider future development of a self-registration app support by online e-learning and user manual
- Provide resources for Area Council level assisted self-registration (tablets and training)

4. *User Interface of the IRD improved and revised data input categories*

- Improve the UI of the IRD to facilitate better user uptake, ease of use and efficiency
- Consider linkages or integrations between the IRD and single access platform for workers, agents, employers, ESU
- Data collection linked to workers' profiles in relation to:
 - o skills (skills passport concept) and qualifications
 - o sectoral or work experience interests
 - o programme or training participation
 - o LM scheme experience and participation rates
- Data and system backed-up to mitigate impacts of cyberattacks and system failures

5. *Integrated cross-agency data and information sharing facilitated, with appropriate data protection and privacy protocols in place*

- Police checks enhanced to provide additional information on any ongoing investigations or charges pending and child or family maintenance order
- Mechanisms identified and SOPs developed to enable VPF notifications of new investigations or charges, that have arisen since the Police Clearance, when workers are being mobilised or visas are applied for
- MOUs and SOPs developed between ESU and Civil Registry to integrate information into the IRD on:
 - o Name changes (to enhance police checks)
 - o Non-disclosure of children/dependents
 - o Both parents of children (to enable notifications when both are being attempting to be recruited at the same time without appropriate child protection assessments having taken place)
- Mandatory reporting and recording of worker and employer issues by CLOs in the IRD
- Worker 'blacklisting' recorded in IRD to enable cross-programme consistency
- Cessation of ESU worker referrals to approved employers and transition to AEs to access Work Ready Pool directly for worker selection

- VNPF and ESU integrations to monitor and analyse data on employed workers being recruited (to assist LM Supply Management & Reintegration Strategy development)
- Data protection and privacy SOPs developed by OGCIO
- 6. *Bi-annual disaggregated data analysis and reports published*
- On IRD data and other integrated / linked sources in relation to:
 - o Total number of workers in each LM programme
 - o Gender representation
 - o Age representation
 - o Disability representation
 - o Employment status participation rates
 - o Educational status participation rates
 - o Worker skills status (unskilled, low-skilled, semi-skilled) participation rates
 - o Employment opportunity skills requirements
 - o In-country training and skills development
 - o Both parents of children travelling
 - o Spouses travelling together (no children)
 - o Community participation rates (geographically defined)
 - o Pre-Departure briefing, training and other workshop participation
 - o Blacklisted workers
 - o Employer disengagement – from recruiting employer but within visa conditions
 - o Employer disengagement – in breach of visa conditions
 - o Visa extensions and change of status
 - o Worker welfare cases
 - o Agent recruitment numbers
 - o Direct recruitment numbers
 - o Employer and labour hire recruitment numbers
 - o Referrals to reintegration support services
 - o Employer / labour hire and worker numbers by location and sector
- Other data in relation to:
 - o Worker incomes and remittances (receiving country tax data & key money exchange service providers)
 - o Child welfare cases
 - o Agent or direct recruitment complaints
 - o Domestic labour market supply and shortages
 - o Domestic job vacancies (sectoral and skilled based)
 - o Post-school qualifications
 - o Non-citizen job holders
 - o Inflation rates
 - o Financial services uptake

Pillar 3: Labour Mobility Supply Management and Reintegration Strategy recommendations

Policy Objective: To strategically approach Vanuatu's engagement in labour mobility programmes to increase decent work opportunities, skills transfer and reintegration success to support sustainable livelihoods, community development and private sector growth

Policy Outputs:

1. *Labour Mobility Supply Management & Reintegration Strategy*

- Domestic labour market trends and analysis on skill shortages, economic sector growth and investment opportunities, qualification demands, population growth and labour mobility participation rates
- Key indicators to include in data collected through National Labour Market Surveys
- Development of labour reciprocity agreement goals in terms of increasing foreign workers in Vanuatu to support labour market and economic growth (see Output 5)
- Bi-annual data collection (as detailed in Pillar 2:6 above)
- Development of an international cooperation framework (as a component of the LM Supply Management Strategy) with agreement on objectives, mapping and roles of different stakeholders, G2G and domestic coordination and information sharing mechanisms in accordance with IOM Reintegration Handbook guidelines
- Development of a worker experience rating and review system that is accessible to applicant to make better decisions about recruitment and employment opportunities, potentially hosted on the DoL website, with set-criteria ratings based on real worker experiences (IRD registered workers but with no publication of identities and restricted access to worker identities linked to responses)
- Increase in reintegration coordinators within the ESU and capacity building to improve:
 - o referrals to reintegration support services
 - o contribute to the development of the LM community development guidelines in terms of reintegration
 - o explore reintegration investment options for returned workers in collaboration with other stakeholders
 - o increase awareness of reintegration options and support services to workers pre-departure, in-country and on return
 - o support the development and implement SOPs for reintegration case management, M&E and reporting for stakeholder coordination
 - o Agent or direct recruitment complaints
 - o Domestic labour market supply and shortages
 - Domestic job vacancies (sectoral and skilled based)
 - Post-school qualifications
 - Non-citizen job holders
 - o Inflation rates
 - o Financial services uptake

- Worker data on reintegration interests or priority areas recorded in IRD at time of registration
- 2. *Integrated Skills Recognition, E-Learning and Recruitment Platform*
 - E-learning modules and training to support self-driven reintegration planning and success and skills recognition, including economic, social and psychosocial dimensions of reintegration with Bislama language options
 - Improved networks between training providers, employers and agents
 - Mandatory PDT training offered in online mode and self-paced through an e-learning platform to enable workers to complete training prior to travelling to Port Vila and with sufficient time to complete or review/re-access when needed
- 3. *Guidelines and Training on Community Development through Labour Mobility*
 - Publication and distribution of LM Community Development Guidelines that incorporate voluntary, community-led reintegration processes and initiatives
 - Awareness and training workshops of the Community Development Guidelines at the village level, particularly in Pilot Project locations
 - ToT to Area Administrators and Area Secretaries
 - Accessible e-learning modules with blended in-person / online support
- 4. *Pilot Projects on Community Development & Private Sector Development through Labour Mobility*
 - Community Development Pilot Projects for SWP/PALM Short and RSE programmes – targeting group recruitment to selected employers, identified community development projects that workers can voluntarily contribute towards, extended pre-departure training (e.g. Work-i-redi, Family-i-redi), training on LM Community Development Guidelines, identification of sustainable recruitment models and processes that ensure fair distribution of opportunities and safeguard community structures (taking into consideration community work, climate change adaptation, and child-centred approaches); in-country training / education opportunities linked to identified community development needs. Development of E-learning modules on different capacity building components is also recommended.
 - Economic Development Pilot Projects for SWP/PALM Short and Long and RSE programmes – targeting youth entrepreneurs and skills development in labour market sectors with skills shortages and with greatest economic growth potential. Support provided should include pre-departure training (Wok-i-redi or APTC LM stream) and where relevant and available link to training providers for graduates of accredited courses. Pilot Projects should be considered for sectors included in Action Plan, incorporate a green & gender-mainstreaming strategy into the pilots with prioritisation of youth, women and people with disabilities. Development of E-learning modules on different capacity building components is also recommended.
- o Financial services uptake

- M&E of each Pilot Project including assessment on pilot project administration and operations costs/ investment versus economic or community development impacts; social impacts including youth, women and disability employment or other livelihood opportunities, maintenance of family and community structure or negative impacts; governance integrity and accountability

5. *Amendments to immigration and labour laws and regulations relating to issuance of work permits and visas, including review of the reserved occupations list*

- Review the Immigration Act and Work Permit Act to improve processing times, reduce fees and increase the length of work permits and residency visas to ensure local industry and private sector have access to workers to fill labour gaps.
- Review of the current reserved occupation to provide more flexibility to the industries and Business Houses within the Domestic labour market of Vanuatu to have access to foreign skilled workers to fill the labour gaps and skilled occupation.
- Amend the Immigration Act and Work Permit Act and subsidiary legislation / regulations based on the recommendations from the review.
- Review the Employment Act and develop regulations to support the establishment of apprenticeship opportunities within the domestic labour market.
- Work in partnership with training providers under the Ministry of Education to establish an apprenticeship scheme to combine vocational education with worked based learning for an occupational skilled to accommodate the needs of school leavers to be equipped with all employability skills and fill the labour shortage gap experienced by the private sector and business houses.

Pillar 4: Child-centred social protections

Policy Objective: To have social protection measures and safeguards in place to reduce the negative impacts of participation in labour mobility schemes on children, families and communities

Policy Outputs:

1. *Expanded delivery and accessibility of effective pre-departure workshops helping workers and families mitigate the negative impacts of labour mobility participation*
 - Prioritisation of resources to expand the Work Ready and Family Ready programmes, or other programmes that are family inclusive, to increase participation in terms of number of participants and number of communities accessing the training. Consideration should be given to e-learning and other blended modes of delivering the training to increase accessibility and utilising returned workers or team leaders to facilitate/ support training
 - Additional support and services to female workers to make informed women's health / family planning decisions pre-departure

2. *Increased resources (human resources and capacity) to key agencies to effectively manage child welfare cases and carryout gender and social impact analysis*
 - Additional Child's Desk Officers and resources to manage increasing child welfare case loads
 - Resources and technical expertise provided to Department of Women's Affairs to carryout biennial gender and social impact assessments
3. *Negative impacts of family separation mitigated through review and future changes to programme eligibility following initial gender and social impact assessment*
 - Review eligibility criteria of the labour mobility programmes to restrict workers with children travelling at the same time as the other parent without approval from Childs' Desk following child protection assessment
 - Reform of the spouse or parental letter of approval to participate in the programme to address gendered aspects limiting women's participation and parental approval for adult workers to participate
 - Review eligibility criteria and participation conditions for the PALM Long (PLS) Programme (see Output 7 below)
 - Exploring the introduction of requirements for child maintenance agreements in separated family situations
4. *Resources and training provided to communities to plan for and respond to natural disasters and adapt to climate change*
 - Publication and distribution of LM Community Development Guidelines that incorporate voluntary, community-led processes and initiatives in relation to planning for natural disasters and climate change adaptation
 - Awareness and training workshops of the Community Development Guidelines at the village level, in relation to planning for natural disasters and climate change adaptation
 - Study on linkages between inflation during disasters and LM remittances (RBV)
5. *SOPs developed in accordance with the Ministry of Educations Child Safeguarding Policy to notify and respond to child welfare cases involving children of labour mobility programmes*
 - Implementation of Policy with SOPs developed for addressing child welfare issues relating to children of LM workers
6. *Delivery of community awareness programmes facilitated by the Police in collaboration with community leaders on compliance reporting, alcohol and drug abuse, violence and other anti-social behaviours in connection to labour mobility participation*
 - Incentivising good behaviour within communities amongst youth by linking anti-social behaviour to loss of opportunities to participate in labour mobility programmes

- Review eligibility criteria of the labour mobility programmes in relation to raising the minimum age of participation to 21 or 25 years, following analysis of data on the incidences of issues with workers disaggregated by age groups, once available in the IRD
- Complaint and investigation mechanisms established by the Police for reporting compliance issues with recruitment and promoted during community awareness programmes

7. *Temporary cessation and review of Vanuatu's engagement in the PALM Long (PLS) to address long-term impacts of family separation*

Temporarily stop recruitment of workers under the PALM Long (PLS) until the following activities are completed:

- Development of the Labour Mobility Supply Management and Reintegration Strategy
- Eligibility criteria and participation conditions for the PALM Long (PLS) Programme are reviewed in relation to:
 - i. Promoting worker opportunities for with spouses without children, or families with children, to migrate together subject to evidence that the worker can earn enough to support their family in Australia and other accommodation and support systems (health care, education access etc) are in place
 - ii. Restrictions on the number of times workers can engage in the PALM Long programme
 - iii. Requirements that PALM Long applicants have previous (short term) experience on LM programmes

Pillar 5: Worker welfare and benefits

Policy Objective: To promote and advocate for better working conditions and contractual terms, in-country support, skills development opportunities and benefits for ni-Vanuatu workers engaged in labour mobility programmes

Policy Outputs:

- 1. *Deeds of Agreement, MOUs and visas/visa conditions attached to labour mobility programmes align with international standards, as they apply to sending and receiving countries, and increase benefits for ni-Vanuatu workers***
 - ILO Recommendations are reviewed and incorporated into the negotiations of the MOUs, Deeds and IAs, including alignment with the ILO Model Agreement on Temporary and Permanent Migration for Employment (Recommendation No. 86, Annex).
 - Joint processes for Approval to Recruit are agreed to with all receiving country Governments, with consideration from the Vanuatu government on criteria for employers based on skills development opportunities and in-country support (particularly opportunities linked to skills shortages in Vanuatu).

- Increasing receiving country support provided for inspections of workplaces, living conditions and accommodation fees increased to improve employer compliance and complaint mechanisms accessible to Government, Unions and workers for compliance/standards issues
- Further investigation and consideration of proposals for worker deductions and mobilisation costs to be partially subsidised by Government
- Restricting eligibility for change of visa status to increase worker return reintegration rates
- More feasible options for families to travel together for long-term contracts
- Visa conditions, particularly in relation to:
 - o Partial access to public health systems
 - o Medical check requirements (particularly in relation to Xray scans for TB)
 - o Access to educational providers and registered training organisation on domestic fee basis
 - o Restrictions on changing employers
 - o Reduced tax rates, particularly for PLS/ PALM Long
- Improved insurance coverage and fees with insurance brokers for workers overseas
- Temporary cessation of recruitment for the PLS/PALM Long while addressing issues relating to family separation and improving workers benefits (particularly reintegration linked / skills development focused benefits) under the scheme
- Contractual terms offered under the programmes are revised and monitored to ensure decent work opportunities are provided to ni-Vanuatu workers
 - o Clarification of permitted deductions
 - o Clarification on wages changes permitted within contract, based on piece rates and hourly rates
 - o Establishing minimum hours of work per week rather the average hours of work per week, particularly for the PALM schemes
 - o Restrictions on changes to contractual terms in-country without worker safeguards in place (e.g. CLO support/advice prior to agreement)
 - o Requirements for employer 'buy-in' into the development programme focus e.g. offer skills development opportunities, both in the workplace and through external training / education providers accessible to workers
 - o More equitable distribution of travel expenses between employers and workers, particularly with the Australian LM programmes

FootNotes

- Engaging in regional labour mobility strategy development to advocate for a collective regional voice on the above points to increase impact of negotiation efforts

2. Increased support to workers both pre-departure and in-country

- Country Liaison Officers are increased to support ni-Vanuatu workers in each state/island/region of receiving country – Australia (one in each State); NZ (one on each island)
- Team Leaders provided with training to increase capacity to support pastoral care and adequate compensation/higher salaries for increased responsibilities
- Pastoral care, and its role, is more clearly defined and priority given to culturally experienced pastoral care service providers
- Increased or compulsory participation in extended pre-departure training for first time labour mobility workers with additional consideration of:
 - o Issues around disengaging with employers
 - o Potentially engaging experienced returned workers in pre-departure training and information sessions
- More equitable funding, resources and support for pre-departure and in-country training and educational development across programmes
- Additional support to workers pre-departure on understanding employment contract terms and conditions
- Additional support for workers to access superannuation funds in Australia
- Development of more superannuation options for workers in New Zealand

3. Rates and fees services provided to ni-Vanuatu labour mobility workers are reduced through negotiation with private sector and other service providers

- Standard / set-rate airfares to and from Vanuatu for LM workers and agents (with Air Vanuatu and other airlines to mitigate risks and damage to employer relationships and Vanuatu's reliability as a sending country due to airline issues)
- Reduced (or standard) fees for money exchange and remittances from NZ, similar to what is in place in Australia
- VNPF to further explore benefits of the Seasonal Worker Superannuation Pilot Scheme, particularly in NZ, and other potential pilot schemes e.g. a school fees savings scheme for LM workers

Vanuatu National Labour Mobility Policy, 2019, Ministry of Foreign Affairs, International Cooperation and External Trade

IOM+ILO Handbook on Establishing Effective Labour Migration Policies in Countries of Origin and Destination

The IOM Reintegration Handbook

Regional position paper: Pacific Employers' and Business Membership Organizations (EBMOs) – A central stakeholder in Pacific Labour Mobility (ilo.org)

Labour migration: Factsheet: Labour Mobility for Sustainable Development and Climate Resilience in the Pacific project (ilo.org)

Policy Brief: Climate Change and Labour Mobility in Pacific Island Countries (ilo.org)

Labour migration: Seasonal worker schemes in the Pacific through the lens of international human rights and labour standards: Technical report (ilo.org)

Developing, negotiating and implementing bilateral labour migration agreements | ITCILO

Guidance on Bilateral Labour Migration Agreements, UN Network on Migration

UHCHR, 'Global Compact for Safe, Orderly and Regular Migration':

Vanuatu Skills Needs Survey Report, 2023, Vanuatu Chamber of Commerce and Industry

ILO, 'Seasonal worker schemes in the Pacific through the lens of international human rights and labour standards: Technical Report' (2022)



This policy Was developed with the support of the PACER Plus Implementation Unit.