



# EMPLOYERS' CODE OF PRACTICE & ACTION PLAN

FOR ELIMINATING CHILD LABOUR,  
FORCED LABOUR, MODERN  
SLAVERY AND HUMAN TRAFFICKING  
IN THE FISHING SECTOR OF GHANA





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MODERN SLAVERY AND HUMAN TRAFFICKING IN THE  
FISHING SECTOR OF GHANA**

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## LIST OF ABBREVIATIONS

CoP	-	Code of Practice
CAFGOAG	-	Canoe Fishers & Gear Owners Association of Ghana
FC	-	Fisheries Commission
GEA	-	Ghana Employers' Association
GIFA	-	Ghana Inshore Fishers Association
GITA	-	Ghana Industrial Trawlers Association
GMA	-	Ghana Maritime Authority
GNCFC	-	Ghana National Canoe Fishermen Council
GPHA	-	Ghana Ports and Harbour Authority
GTA	-	Ghana Tuna Association
HRD	-	Human Resource Development
ILO	-	International Labour Organization
LD	-	Labour Department
MDU	-	Maritime Dockworkers Unions
MELR	-	Ministry of Employment & Labour Relations
MNE	-	Multinational Enterprises
NAFAG	-	National Fisheries Association of Ghana
NDMW	-	National Daily Minimum Wage
NGO	-	Non-Governmental Organization
NICFC	-	National Inland Canoe Fishermen Council
NUSPAW	-	National Union of Sailors Port and Allied Workers

- OHS - Occupational Health and Safety
- PPE - Personal Protective Equipment
- TUC (GHANA) - Trades Union Congress (Ghana)





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## **1.0 PREAMBLE**

As key stakeholders in Ghana's fishing industry, we, the employers, recognize our pivotal role in fostering a sustainable and ethical labour environment. Our industry is integral to the livelihoods of countless communities and serves as a critical contributor to national economic growth and development. However, we acknowledge the vulnerabilities within the sector, particularly concerning exploitative labour practices such as child labour, forced labour, and human trafficking. These practices not only violate fundamental human rights but also undermine the integrity of our industry and the dignity of the fishers who support it.

This **Employers' Code of Practice and Action Plan** has been developed by the Ghana Employers' Association (GEA) in partnership with the National Fisheries Association of Ghana (NAFAG) and its constituent trade associations namely, Ghana National Canoe Fishermen Council (GNCF); National Inland Fisheries Council (NIFC); Ghana Inshore Fisheries Association (GIFA), Ghana Industrial Trawlers Association (GITA), and the Ghana Tuna Association (GTA), as well as Canoe Fishers & Gear Owners Association of Ghana (CaFGOAG) to ensure that employers take proactive responsibility for eradicating these harmful practices from the Fishing industry. This Code reflects our unwavering commitment to uphold the highest standards of decency, fairness, and safety for every worker engaged in the fishing sector.

By adopting this Code, we pledge to lead by example in promoting ethical recruitment, fair working conditions, and strong protections against exploitation. We are fully committed to not only complying with the provisions of this Code but also ensuring that our partners, subcontractors, and recruitment agencies operate in alignment with these principles. Together, we will create a safer, more equitable, and more sustainable fishing industry that benefits both employers and workers alike.

## **2.0 PURPOSE**

This Code of Practice and Action Plan provides a comprehensive framework that outlines the obligations of employers, workers, recruitment agencies, and all stakeholders within the fishing industry to eradicate child labour, forced labour, and human trafficking. The Code serves as a practical tool to guide actors in the industry in adopting ethical labour practices, ensuring compliance

with Ghanaian labour laws, and upholding international labour standards. Ultimately, the Code aims to create a safe, equitable, and sustainable work environment for both workers and employers in the fishing sector to thrive.

### **3.0 SCOPE**

This Code applies to all stakeholders in the fishing industry, including employers, recruitment agencies, contractors, and workers engaged in both small-scale and commercial fishing activities across Ghana. It encompasses a wide range of labour practices, including recruitment, working conditions, wages, health and safety, and worker welfare. The Code covers every stage of the employment cycle, from hiring to repatriation, ensuring that all activities within the fishing industry adhere to ethical standards. It also considers the unique challenges faced by the fishing industry, such as the nature of work at sea, the seasonal nature of employment, and the reliance on informal labour. The code focuses on preventing the exploitation of children, vulnerable adults, and migrant workers, setting forth obligations that align with Ghana's legal frameworks and international conventions such as the ILO Work in Fishing Convention (No. 188).

## 4.0 KEY DEFINITIONS

For the purposes of this Code of Practice, the following definitions shall apply:

a) **“Minimum Age”**: The minimum age for work on board fishing vessels is 16 years. However, individuals aged 15 may work on fishing vessels if they have completed compulsory schooling and the work is not likely to harm their health, safety, or morals. For hazardous work, the minimum age is 18 years, unless the young person is undergoing training or is otherwise exempted under national laws while being closely supervised<sup>1</sup>

b) **“Child Labour”**: Work that deprives children of their childhood, potential, and dignity, or that is harmful to their physical and mental development. This includes work that interferes with their schooling or is hazardous by nature<sup>2</sup>.

c) **“Forced Labour”**: All work or service that a person is compelled to undertake against their will, under the threat of punishment or coercion<sup>3</sup>.

d) **“Modern Slavery”**: Umbrella term encompassing practices such as forced labour, debt bondage, forced marriage, and human trafficking, where individuals are unable to refuse or leave due to threats, coercion, or abuse of power<sup>4</sup>.

e) **“Human Trafficking”**: The recruitment, transportation, transfer, harbouring, or receipt of persons through the use of force, fraud, or coercion for the purpose of exploitation<sup>5</sup>.

f) **“Decent Work”**: Work that is productive and delivers a fair income, ensures workplace security, social protection, and equality, and upholds workers' dignity and opportunities for personal development<sup>6</sup>.

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1 ILO (2007). *Work in Fishing Convention (No. 188)*. Geneva, Switzerland.

2 ILO (1999). *Worst Forms of Child Labour Convention (No. 182)*. Geneva, Switzerland

3 ILO (1930). *Forced Labour Convention (No. 29)*. Geneva, Switzerland.

4 Walk Free Foundation (2018). *Global Slavery Index 2018*. Perth, Australia

5 United Nations. (2000). *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Palermo Protocol)*. New York, NY: United Nations.

6 ILO (1999). *Decent Work Agenda*. Geneva, Switzerland.

g) **“Hazardous Work”**: Work that, by its nature or circumstances, is likely to harm the health, safety, or morals of workers, especially children<sup>7</sup>.

h) **“Safe manning”**: The minimum number of crew members required on a vessel to safely and efficiently perform its operations without endangering workers' health and safety<sup>8</sup>.

i) **“Exploitation”**: The unfair treatment of workers through excessive hours, inadequate wages, unsafe conditions, or coercion, taking advantage of their vulnerability<sup>9</sup>.

j) **“Human Rights Due Diligence”**: A process by which businesses identify, prevent, mitigate, and account for adverse human rights impacts associated with their operations, ensuring compliance with legal and ethical standards<sup>10</sup>

k) **“Occupational Health and Safety (OHS)”**: Policies and practices aimed at ensuring the physical, mental, and social well-being of workers in the workplace by minimizing hazards and promoting a safe working environment<sup>11</sup>.

l) **“Recruitment Agency”**: Any organization or individual that engages in the business of recruiting workers on behalf of employers, or facilitating employment placements.

m) **“Seasonal Work”**: Temporary employment that is dictated by the fishing seasons, typically lasting for a limited duration, during which workers are employed to meet the heightened labour demand during peak seasons.

n) **“Vulnerable Worker”**: A worker who is at greater risk of exploitation, abuse, or unfair treatment due to factors such as age, gender, migration status, socio-economic background, or lack of legal protections.

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7 ILO (1999). *Worst Forms of Child Labour Recommendation (No. 190)*. Geneva, Switzerland.

8 International Maritime Organization. (1999). *Guidelines for the Safe Manning of Ships*. London, UK.

9 ILO (2014). *Forced Labour Protocol (P029)*. Geneva, Switzerland.

10 United Nations (2011). *Guiding Principles on Business and Human Rights*. New York, NY: United Nations

11 ILO (1981). *Occupational Safety and Health Convention (No. 155)*. Geneva, Switzerland

o) **“Collective Bargaining”**: The process of negotiation between employers and workers’ representatives to establish fair terms and conditions of employment<sup>12</sup>.

p) **“Forced Overtime”**: The practice of compelling workers to work beyond the agreed-upon hours without their consent, often through threats, intimidation, or the withholding of wages, which is a violation of workers’ rights.

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<sup>12</sup> ILO (1949). *Right to Organise and Collective Bargaining Convention (No. 98)*. Geneva, Switzerland.

## 5.0 PROVISIONS OF THE CODE

### 5.1 ETHICAL RECRUITMENT AND EMPLOYMENT PRACTICES

#### 5.1.1 Recruitment Standards

Employers and recruitment agencies must conduct recruitment in a transparent manner, free from deception, coercion, or exploitation. Recruitment agencies should be licensed and regulated by the appropriate authorities, and employers must ensure that any third-party agencies used for recruitment comply with the following provisions:

- **Transparency:** All terms of employment must be clearly communicated to workers during the recruitment process, including job duties, wages, working hours, and living conditions. This information must be provided in a language that the worker understands.
- **Prohibition of Fees:** Recruitment fees and related costs must not be borne by workers. Employers must cover all expenses related to the recruitment process, including travel, documentation, and placement fees.
- **Documentation:** All workers must be provided with written individual contracts outlining their rights and responsibilities not later than 72 hours prior before departure. Contracts should be individually signed before departure for work and reviewed regularly to ensure they remain in compliance with legal standards.
- **Non-Discrimination:** Employers and recruitment agencies must ensure that recruitment practices are free from discrimination based on gender, race, ethnicity, religion, or other protected characteristics.

#### 5.1.2 Minimum Age Requirements

In compliance with the ILO Work in Fishing Convention 2007 (C188), no person below the age of 16 shall be employed in any capacity within the fishing sector. Hazardous work, which includes deep-sea fishing, shall only be carried out by individuals who are at least 16 years old and undergoing training, and under strict supervision.

- **Verification of Age:** Employers and recruitment agencies must verify the age of all potential workers through official identification documents, such as birth certificates, passports, or Ghana Cards.
- **Prevention of Child Labour:** If underage workers are found in the workforce, immediate steps must be taken to remove them from hazardous conditions and provide them with appropriate rehabilitation and support services.

### 5.1.3 Employment Contracts

Employers must ensure that all workers have an individual formal employment contract that complies with Ghana's Labour Act, 2003 (Act 651) and Ghana shipping (maritime labour) regulations, 2015 (L.I. 2226) and international standards.

- **Contents of Contracts:** Contracts must include but not limited to the worker's role, location of work, duration of daily work, compensation, and conditions under which the contract can be terminated. It should also specify health and safety provisions, grievance procedures, and the worker's rights to leave and rest.
- **Voluntary Consent:** Workers must not be coerced into signing contracts under threat or deceit. Their consent must be informed and given voluntarily, without any undue pressure from employers or recruiters.

### 5.1.4 Wages and Compensation

Employers must ensure that workers directly receive in full, wages that meet or exceed the National Daily Minimum Wage (NDMW), with clear documentation and no illegal deductions.

- **Fair Compensation:** Overtime work must be voluntary and compensated at a premium rate collectively determined by the employer and the worker. Employers must provide written statements to workers that detail hours worked, wages earned, and deductions (if any).
- **Prohibition of Wage Withholding:** Employers must not withhold wages as a means to control workers or force them to remain in employment. Any deductions for accommodation, food, or other services



must be reasonable, lawful, and agreed upon in the employment contract.

### 5.1.5 Working Hours and Rest Periods

Employers must comply with the working hours and rest periods regulations as stipulated in Ghana Shipping (Maritime labour) Regulations, 2015 (L.I 2226) to prevent exploitation through excessive working hours.

- **Rest Periods:** Fishers must be entitled to 10 hours rest in a 24-hour period and 77 hours in a week. The rest period shall not be divided by more than two and in cases where it is divided into two, one should not be less than six hours.
- **Leave Entitlements:** Workers must be provided with annual leave, sick leave, and other statutory entitlements as outlined in the Labour Act, 2003 (Act 651). These provisions must be clearly communicated and enforced without discrimination.

### 5.1.6 Freedom of Association and Collective Bargaining

Employers must respect the rights of workers to form and join trade unions or other representative organizations of their choosing and to bargain collectively. No worker should face retaliation for exercising these rights.

- **Non-Retaliation:** Workers must not be penalized or dismissed for engaging in union activities, raising concerns about working conditions, or participating in collective bargaining.
- **Access to Representatives:** Employers should facilitate reasonable access for union representatives to communicate with workers about their rights and entitlements under Act 651.

### 5.1.7 Grievance Redress and Confidentiality

Employers must ensure that all workers have access to effective, confidential, and accessible grievance mechanisms to raise concerns related to recruitment, employment conditions, and any form of exploitation or abuse. Employers must establish a fair and transparent process for addressing grievances.

- **Confidentiality in Reporting:** All grievance mechanisms must guarantee complete confidentiality for workers. Employers must ensure

that there are secure, confidential channels for workers to report issues related to exploitation, abuse, or forced labour. These should include anonymous reporting options such as helplines.

- **Independent Third-Party Oversight:** When dealing with sensitive issues such as abuse or forced labour, employers should refer cases to independent third-party bodies, such as labour inspectors or NGOs, to ensure impartiality in investigations.
- **Protection Against Retaliation:** Employers must implement strong anti-retaliation policies, ensuring that no worker is punished or dismissed for reporting grievances or violations. This should be clearly communicated to workers in training sessions and company policies.

## 5.2 OCCUPATIONAL HEALTH AND SAFETY (OHS)

### 5.2.1 Medical Examinations

Employers must ensure that all workers undergo comprehensive medical examinations, both pre-employment and periodic, to ascertain their fitness to work in the fishing sector. These examinations must align with the requirements of the Work in Fishing Convention, 2007 (No. 188) and the Joint ILO-IMO Guidelines on the Medical Examination of Fishers (2024).

- **Pre-Employment Screening:** All prospective employees must undergo a thorough medical examination before being deployed. Examinations must include assessments of vision, hearing, physical capabilities, and potential medical conditions that could be aggravated by work at sea. The results must be recorded in a standardized medical certificate issued by a qualified and recognized medical practitioner.
- **Periodic Medical Check-ups:** Regular health assessments must be conducted to ensure that every worker remains fit for duty, with evaluations tailored to the nature of fishing work, including emergency and routine duties.

- **Fitness Certification:** Medical certificates must state whether a worker is fit for all duties, fit for some duties with restrictions, or unfit for duty, based on the examination findings. Certificates must include details on any limitations and be issued in a format consistent with international standards.
- **Confidentiality of Medical Records:** Employers must ensure the confidentiality of medical records, which must be securely stored and used only for fitness assessments or emergencies. Workers should have the right to access their medical records upon request.
- **Special Provisions for Small Vessels:** Workers on vessels under 24 meters or operating for less than three days at sea may be subject to exemptions based on GMA regulations, provided these do not compromise their safety or health.
- **Responsibility for Costs:** Employers must cover all costs related to medical examinations, ensuring no financial burden is placed on workers.

### 5.2.2 Working Conditions

Employers are required to maintain minimum standards for working conditions to safeguard workers' physical and mental well-being and to prevent excessive strain or risks.

- **Physical Demands:** Employers must provide tools, equipment, and mechanisms to reduce the physical demands on workers, such as mechanical aids for lifting and handling heavy equipment. Work assignments must be organized to rotate physically demanding tasks among crew members to prevent injury.
- **Weather Conditions:** Employers must monitor weather forecasts regularly and ensure workers are not exposed to hazardous weather conditions. Fishing operations must be suspended during extreme weather, such as storms or high seas, to prioritize the safety of workers.

### 5.2.3 Safety Equipment and Training

Employers must ensure that workers are provided with the necessary safety equipment and training to minimize the risk of accidents, injuries, and fatalities.

- **Provision of Safety Equipment:** Employers are responsible for providing personal protective equipment (PPE) to all workers at no cost. This includes but not limited to life jackets, helmets, gloves, and protective footwear. Employers must ensure that all types of equipment are maintained in good shape or condition and regularly inspected for wear and tear. Employers must ensure the mandatory wearing/use of all safety equipment by workers in the course of their work
- **Safety Training:** All workers must receive safety training as prescribed by the competent Authority before starting work, covering topics such as emergency procedures, use of safety equipment, fire prevention, first aid, and safe work practices on fishing vessels. Training should be refreshed at regular intervals, and workers should have access to ongoing safety education.
- **First Aid and Emergency Medical Care:** Employers must ensure that all **Fishing vessels have a medical chest**, equipped with first aid supplies as prescribed by the competent authority and at least one crew member should be trained in basic first aid. Emergency medical plans should be in place, including procedures for medical evacuation in the case of serious injuries or illnesses while at sea.

### 5.2.4 Vessel Safety and Inspections

Employers must ensure that all vessels used in fishing operations meet national and international safety standards.

- **Vessel Inspections:** All vessels must undergo regular safety inspections by certified authorities to ensure they comply with safety standards. Inspections should include checks on the vessel's structure, fire safety equipment, life-saving appliances, and navigational aids.
- **Emergency Preparedness:** Fishing vessels must have emergency protocols in place (in conformity with national and international

standards), including evacuation plans and procedures for responding to accidents at sea. Workers must be trained in emergency drills, such as fire evacuation, man-overboard recovery, and abandoning ship.

### 5.2.5 Reporting of Accidents and Near Misses

Employers must implement a robust reporting system for reporting accidents, injuries, and near-miss incidents.

- **Accident Reporting:** All accidents and injuries must be reported immediately to the employer, relevant regulators and documented. The employer must cooperate with relevant regulators and security agencies to investigate all incidents and take appropriate corrective actions to prevent future occurrences.
- **Near Miss Reporting:** Near misses, or incidents that could have resulted in injury but did not, should also be reported and investigated. This helps in identifying potential hazards before they lead to accidents.
- **Data Collection and Analysis:** Employers and relevant institutions must collect and analyze data on accidents and near misses to identify patterns and improve safety measures. This information should be shared with workers, along with any steps being taken to mitigate risks.

### 5.2.6 Worker Representation and Safety Committees

Employers must facilitate the formation of safety committees, which include worker representatives.

- **Worker Representation:** Workers should have the right to elect representatives to participate in safety committees. These representatives will have the authority to raise safety concerns, recommend safety improvements, and participate in investigations of accidents and hazards.
- **Safety Committees:** Safety committees should meet regularly to review safety performance, discuss potential hazards, and propose solutions. The employer must support the implementation of recommendations made by the safety committee.

## 5.3 PREVENTION OF FORCED LABOUR AND EXPLOITATION

### 5.3.1 Protection Against Abuse

Employers must endeavour to protect workers from exploitation as well as any form of physical, psychological, and sexual abuse.

- **Retention of Documents:** Employers and supervisor must not confiscate or retain workers' identity documents (e.g., passports, Ghana cards, work permits) as a condition of employment or to restrict workers' freedom of movement.
- **Safe Keeping Option:** If workers request assistance in safeguarding their documents, employers may offer secure storage options, but this must be voluntary, and workers must have access to their documents at any time.
- **Psychological and Physical Abuse:** Employers and supervisors are prohibited from using threats, intimidation, or physical violence against workers as a form of control or punishment. Any report of abuse must be investigated swiftly, and perpetrators held accountable.

### 5.3.2 Voluntary Work and Right to Leave

- **Voluntary Work:** No employers should require a worker to work against his/her-will. Workers must enter into employment agreements freely and have the right to terminate their contracts with reasonable notice as outlined in the employment agreement.
- **Freedom of Movement:** Employers must not impose unreasonable restrictions on workers' freedom of movement. Workers must be allowed to disembark and take necessary rest periods without fear of punishment.
- **Repatriation Rights:** In cases where workers wish to return home in conformity with the terms of the agreement, employers are responsible for facilitating their safe return, especially in the case of foreign or migrant workers. Repatriation must occur at no cost to the worker, and employers are obligated to make provisions for workers to leave the vessel or fishing operation safely and with dignity.

### 5.3.3 Clear and Transparent Recruitment Practices

Employers must ensure that the recruitment process is governed by clear, fair, and verifiable agreements. The following principles apply:

- **Provision of Clear Employment Contracts**

Employment contracts must be presented in a language that the worker understands and must specify the terms and conditions of employment, including wages, working hours, and job responsibilities. Contracts should be issued well in advance of the commencement of employment to allow for review and informed consent.

- **Prevention of Misrepresentation**

All information provided during the recruitment process must be truthful and accurate. Workers must not be misled about their job roles, conditions of work, or entitlements, ensuring alignment with the terms outlined in the employment contract.

- **Prohibition of Contract Substitution**

The employment terms agreed upon during recruitment must not be altered without the worker's consent. Any changes to contracts should be documented and signed by both parties, ensuring transparency and mutual agreement.

### 5.3.4 Grievance Redress Mechanism

Every employer must put in place a robust grievance redress system to address any allegations of forced labour or exploitation.

- **Grievance Procedures:** Employers must ensure that workers have access to grievance mechanisms that are transparent, confidential, and unbiased. Workers must be informed of how to file complaints and assured that there will be no retaliation.

- **Third-Party Mediation:** Where necessary, independent third parties may be involved in resolving grievances, ensuring impartiality in the investigation and resolution of complaints.

- **Resolution Timelines:** Complaints regarding forced labour or exploitation must be resolved within seven (7) days to ensure that workers are protected from ongoing harm.

## 5.4 SOCIAL PROTECTIONS AND WORKER WELFARE

### 5.4.1 Accommodation, Food, and Water

Workers in the fishing sector often live and work on boats for extended periods. Therefore, employers must provide adequate accommodation, food, and potable water to ensure their safety, health, and well-being in conformity with national and international standards.

- **Accommodation Standards:** Employers are responsible for ensuring that workers have access to safe, clean, and habitable living quarters, whether on land or aboard vessels. Sleeping areas should be sufficiently ventilated, spacious, and equipped with basic sanitation facilities such as toilets and washrooms. These facilities must be maintained in good condition and inspected regularly for compliance with health and safety standards by the relevant regulators.
- **Food Provisions:** Employers must ensure that workers are provided with regular, nutritious meals that meet basic dietary requirements. Employers should ensure that food is prepared and stored in a hygienic manner, free from contamination. In cases where workers are employed on long-term fishing expeditions, employers must ensure that provisions are available for the entire duration of the trip.
- **Access to Clean Water:** Employers should provide workers with safe, clean and potable water for drinking, cooking and hygiene purposes throughout their employment, both at sea and on land.

### 5.4.2 Social Security

Employers in the fishing sector must contribute to social security schemes and ensure that all workers are enrolled and entitled to the benefits provided under the law.



- **Employee Benefit:** Employers are mandated to provide sickness benefits, old-age benefits, maternity leave, disability and survivors' benefits, and employment injury benefits to recruited fishermen.
- **Access to Benefits:** Employers should provide clear guidance and support to workers in navigating and understanding their social security system and entitlements/benefits.

### 5.4.3 Worker Well-being Programs

Employers are encouraged to implement broader welfare programs aimed at enhancing worker well-being, which contributes to both productivity and long-term job satisfaction.

- **Mental Health Support:** Employers should provide access to mental health services, including counselling and support for workers facing stress, trauma, or other psychological issues.
- **Recreational Activities:** When possible, employers should facilitate recreational activities for workers during downtime, particularly during extended sea voyages. These activities can help reduce stress, foster camaraderie, and improve overall morale among workers.
- **Family and Social Support Networks:** Employers should promote strong communication between workers and their families, particularly for workers employed on long-term fishing expeditions. Allowing regular contact with families and ensuring that workers are able to address family emergencies contributes to their overall well-being.

## 5.5 PROTECTION FROM HUMAN TRAFFICKING

### 5.5.1 Prevention of Deceptive Recruitment

Deceptive recruitment practices, including false promises of job opportunities, wages, or conditions of work, contribute to the trafficking of vulnerable individuals into forced labour. To combat this, the following measures are mandated:

- **Accurate Job Descriptions:** Recruitment agencies and employers must provide potential workers with a truthful and accurate description of the job, the nature of the work involved, and the risks, if any, associated with the job.
- **Document Verification:** All employment-related documents, including contracts, identity documents, and permits, must be verified for authenticity. Workers must not be required to surrender their identity documents at any stage of the employment process, and withholding of passports or other legal identification is strictly prohibited.

### 5.5.2 Safe and Legal Migration

Migrants are particularly vulnerable to human trafficking and exploitation in the fishing sector. To safeguard migrant workers, this Code outlines the following protections:

- **Legal Migration Channels:** All recruitment of migrant workers must be conducted through legal channels. Employers must ensure that migrant workers have valid work permits and legal authorization to work in Ghana.
- **Informed Consent:** Migrant workers must provide informed consent to the terms of their employment, with full knowledge of their legal status, rights, and obligations.
- **Non-Discrimination:** Employers must treat migrant workers with the same level of respect and fairness as local workers. Discrimination based on nationality, ethnicity, or immigration status is strictly prohibited.

### 5.5.3 Repatriation Guidelines

In cases where workers are found to have been trafficked or placed in exploitative conditions, employers must ensure their safe return to their home countries. The following procedures must be followed:

- **Employer Responsibility:** Employers are responsible for the repatriation costs of trafficked or exploited workers, including transportation, accommodation, and feeding expenses related to the worker's return to their home country.

- **Repatriation in Dignity:** Workers must be repatriated in a manner that respects their dignity and ensures their safety. Employers must work with relevant authorities and NGOs, where necessary, to facilitate the safe return of trafficked workers.

## 6.0 ENFORCEMENT AND COMPLIANCE

This Code of Practice is a guiding framework for employers in the fishing sector of Ghana to promote ethical and lawful practices in eliminating child labour, forced labour, modern slavery, and human trafficking. It does not establish a separate enforcement regime but supports compliance with existing Ghanaian national laws, regulations, and international labour standards.

- **Alignment with National Legislation**

Employers are required to adhere to all relevant Ghanaian laws and regulations governing labour practices, including the Labour Act 2003 (Act 651) and the Human Trafficking Act 2005 (Act 694). Compliance with this Code should be seen as complementary to these statutory requirements.

- **Oversight by Regulatory Authorities**

Enforcement and monitoring are the responsibilities of designated national authorities, such as the Labour Department, Ghana Maritime Authority and other relevant enforcement bodies. Employers must cooperate fully with inspections, audits, and investigations conducted by these entities.

- **Internal Implementation Mechanisms**

Employers are encouraged to establish internal mechanisms to ensure compliance with this Code, including:

- Adoption of workplace policies that reflect the principles of the Code.
- Training programs for workers and management on their rights and responsibilities under the Code and applicable laws.
- Monitoring and reporting systems to identify and address potential risks of non-compliance.

- **Reporting and Accountability**

Employers must maintain accurate records of employment practices and make them available for review upon request by the relevant authorities.

Any identified breaches of national laws should be reported promptly to the appropriate regulatory body.

- **Collaboration with Social Partners**

Employers are encouraged to collaborate with workers' organizations, community groups, and government agencies such as the Labour Department (LD), Fisheries Commission (FC), Ghana Maritime Authority (GMA), and Ghana Ports and Harbour Authority (GPHA), among others, to promote awareness and compliance with the principles of this Code. Such collaboration fosters a culture of shared responsibility for decent work.

- **Remedies for Violations**

In instances where violations are identified, enforcement actions will be determined and executed in accordance with existing Ghanaian laws. This may include penalties, corrective action mandates, or other legal remedies as prescribed by such relevant legislation.

## **7.0 MONITORING AND EVALUATION**

The monitoring and evaluation of this Code of Practice will focus on compliance, awareness, internal mechanisms, collaboration, and outcomes. Key indicators include the existence of employer policies, the frequency of training sessions, worker and manager knowledge, the availability and use of grievance mechanisms, and reductions in reported labour violations. Verification methods will involve reviewing inspection reports, training assessments, grievance records, and stakeholder feedback. The evaluations will assess the Code's impact, with findings used to refine practices and ensure alignment with Ghanaian legislation and international standards. Continuous improvement will be driven by stakeholder engagement and evidence-based updates to the Code.

## 8.0 IMPLEMENTATION PLAN FOR THE CODE (JANUARY 2025 – DECEMBER 2026)

Objective	Strategic Activities	Responsible Parties	Timeline		Expected Outcome
			2025	2026	
<b>Establish Governance and Oversight</b>	Form an Implementation and Monitoring Task Force with representatives from the fishing industry, government, trade unions, NGOs, and community leaders to oversee and drive implementation.	GEA, NAFAG, CAFGOAG, MDU, NUSPAW, FC, LD, NGOs, GMA, Community Leaders	Q1		A well-defined task force ensures coordinated efforts and accountability for all activities.
<b>Conduct Industry-Wide Training and Capacity Building</b>	Organize regional workshops on the Code's provisions, focusing on ethical recruitment, child and forced labour prevention, and grievance handling. Prioritize high-risk areas and small-scale operators.	GEA, ILO, CAFGOAG, NICFC, NAFAG, LD	Q2-3		Enhanced understanding of Code standards among employers, workers, and community stakeholders.
<b>Develop Customized Compliance Toolkits</b>	Create compliance toolkits with practical resources, including templates for employment contracts, grievance procedures, and OHS checklists tailored to the fishing industry.	GEA, LD, Industry Experts	Q3-4		Employers have standardized, industry-specific tools to meet Code requirements.
<b>Implement and Strengthen Grievance Mechanisms</b>	Set up accessible, confidential grievance channels in both formal and informal work settings. Conduct awareness drives to ensure all workers know how to use these mechanisms safely.	Employers, NUSPAW, MDU, LD, NGOs	Q1-4	Q1-4	Workers can safely report violations, leading to quicker resolution and increased trust.
<b>Strengthen Institutional collaboration for implementation</b>	Hold dialogue sessions between GMA and Fishing EBMOs to discuss pertinent regulatory and compliance challenges and identify common solutions to the challenges	GMA and all the EBMOs in the fishing sector	Q1		Potential conflicts between the regulatory agencies and employers resolved

Objective	Strategic Activities	Responsible Parties	Timeline		Expected Outcome
			2025	2026	
<b>Launch Public Awareness and Community Campaigns</b>	Engage local media, community leaders, and NGOs in campaigns about labour rights, ethical recruitment, and child labour laws. Run outreach programs in high-risk communities.	GEA, NAFAG, NGOs, Media Outlets	Q4	Q2	Heightened awareness in fishing communities reduces vulnerability to exploitation.
<b>Monitor Recruitment Agency Compliance</b>	Develop a certification system for recruitment agencies adhering to ethical standards. Conduct biannual compliance audits on registered agencies.	LD, GEA, Recruitment Agencies	Q4	Q3-4	Only certified agencies operate, ensuring ethical recruitment practices.
<b>Conduct the First Compliance Audit and Publish the Findings</b>	Carry out a comprehensive audit of compliance with the Code, particularly focusing on recruitment, wages, working hours, and child labour prevention. Publish findings and action points.	LD, GEA, Compliance Officers	Q4		Transparency in compliance, identifying gaps, and adjusting strategies as needed.
<b>Conduct Mid-Term Review and Strategy Adjustment</b>	Hold a stakeholder meeting to assess progress, share findings from audits and inspections, and adjust the implementation strategy based on identified challenges.	GEA, NAFAG, GMA, Task Force, LD	Q4	Q1	Strategic adjustments ensure responsive, adaptive implementation.
<b>Conduct a Final Compliance Audit and Report</b>	Perform a final audit covering the full scope of the Code, including OHS, recruitment, grievance handling, and community engagement. Share the report with all stakeholders.	GEA, GMA, NAFAG, LD, Compliance Officers		Q4	Comprehensive assessment of Code compliance; lessons learned for future initiatives.
<b>Evaluate Success and Plan for Long-Term Sustainability</b>	Evaluate the two-year plan's success, document lessons, and establish ongoing support for the Code, possibly transitioning responsibilities to local community and industry leaders.	GEA, GMA, Task Force, LD		Q3-4	Sustained impact and local ownership of Code implementation practices.



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