

Labour and human rights legislation – Embudu Village

1. National Legislation: Maldives

The Maldives has developed labor laws and regulations that protect the rights of workers, including those in the tourism sector. Key laws include:

- **Employment Act (2008):** This is the primary labor law governing employment in the Maldives. It ensures fundamental rights for employees, including fair wages, working hours, overtime, leave entitlements (such as annual, maternity, and sick leave), and safety standards. The law also requires contracts that outline job roles and salary details.
- **Maldives Immigration Regulations:** Since the tourism industry relies heavily on both local and international workers, this law governs foreign employment, requiring work permits, residence visas, and compliance with labor laws. Employers must provide fair wages, benefits, and working conditions as per local standards.
- **Anti-Human Trafficking Act (2013):** This law addresses human trafficking issues by criminalizing forced labor, exploitation, and coerced work. Resorts are mandated to ensure that employment practices, especially regarding migrant workers, are ethical and transparent to prevent exploitation.
- **Gender Equality Act (2016):** This law mandates equal rights for men and women in the workplace, prohibiting discrimination based on gender. Employers are required to provide equal opportunities in hiring, promotion, and benefits, contributing to a diverse and inclusive workforce.

2. Regional Legislation: South Asian Region

While each country within the region has its own labor laws, several South Asian cooperative frameworks have introduced regional standards for ethical employment practices.

- **South Asian Association for Regional Cooperation (SAARC) Framework:** SAARC countries, including the Maldives, promote regional collaboration on labor rights and human rights through non-binding resolutions. These include promoting gender equality, fair labor practices, and social protection standards across the region.
- **International Labour Organization (ILO) Conventions:** Although these are international standards, the Maldives, as part of South Asia, has ratified several ILO conventions that impact the tourism sector. This includes conventions on forced labor, minimum wage standards, working conditions, and rights to association, applicable to both local and migrant workers.

3. International Legislation and Agreements

- **Universal Declaration of Human Rights (UDHR):** The UDHR sets universal human rights standards, including labor rights. It mandates fair wages, safe working conditions, and the right to rest and leisure. While not a binding law, it is widely respected in resort operations, ensuring ethical treatment and respect for human dignity.
- **International Labour Organization (ILO) Standards:** The Maldives is a member of the ILO, adhering to its labor standards. Key conventions affecting the tourism sector include:
 - **Convention No. 87 (Freedom of Association):** Allows workers to join unions or associations.
 - **Convention No. 98 (Right to Organize and Collective Bargaining):** Promotes collective bargaining for better working conditions.
 - **Convention No. 100 (Equal Remuneration):** Requires equal pay for equal work, regardless of gender.
 - **Convention No. 111 (Discrimination in Employment):** Prohibits employment discrimination, promoting inclusivity and diversity.
 - **Convention No. 182 (Worst Forms of Child Labor):** Prohibits child labor and protects youth from exploitation.
- **United Nations Guiding Principles on Business and Human Rights:** Known as the "Protect, Respect, and Remedy" framework, these principles encourage businesses to respect human rights and ensure ethical practices. Resorts are encouraged to avoid human rights abuses, provide fair employment, and resolve grievances, especially among migrant and temporary workers.

Implementation and Compliance at Embudu Village Resort

Embudu Village Resort aligns its employment practices with these national and international standards in the following ways:

- **Fair Employment Contracts:** Employment contracts specify job roles, compensation, and benefits, as mandated by Maldivian law, promoting transparency and fair working conditions.
- **Non-Discrimination Policies:** The resort adheres to the Gender Equality Act, providing equal pay for equal work and ensuring that hiring practices are free from discrimination based on race, gender, religion, or nationality. This inclusivity aligns with both local and ILO standards.

- **Work-Life Balance and Leave Entitlements:** Following the Maldives Employment Act, the resort provides leave entitlements, rest breaks, and fair working hours. Workers are informed of their rights and have access to these benefits.
- **Safety and Well-being:** Occupational safety standards are observed, with regular safety training and provisions for protective equipment, ensuring that working conditions are secure and healthy for all employees.
- **Migrant Worker Protections:** Given the reliance on migrant labor, Embudu Village ensures foreign workers have the required work permits, fair wages, and humane living conditions, adhering to both national laws and ILO conventions to prevent labor exploitation.
- **Grievance Redressal Mechanisms:** Employees have access to grievance procedures that allow them to report issues or conflicts, in alignment with the UN Guiding Principles on Business and Human Rights, fostering a respectful and responsive workplace.

Summary

By complying with these labor and human rights laws, Embudu Village Resort upholds ethical employment standards, ensures fair treatment, and supports worker rights, contributing to a positive and equitable work environment. This compliance not only meets legal obligations but also enhances the resort's reputation as a responsible employer in the Maldives' tourism industry.