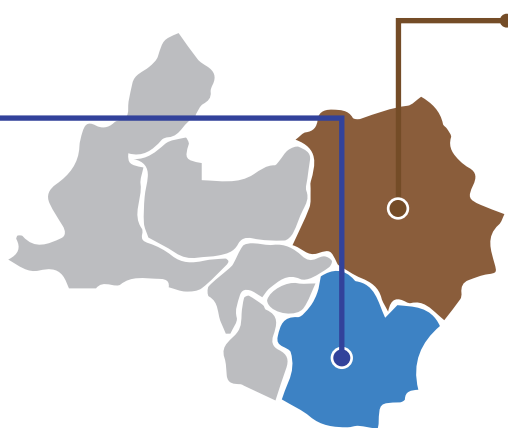


Welcome to the fifteenth **Citizen Insider**! Citizen Helpdesks is a group of young volunteers known as Community Frontline Associates (CFAs) who gather and disseminate information on critical issues affecting Nepali citizens to eliminate information gaps between the government, the media, donor organizations and communities; and improve collective decision-making.

Questions

PANAUTI, KAVREPALANCHWOK

"I have heard that the pregnant and breast-feeding women are restricted by the government from going to Gulf Countries for foreign employment. Is it true?"



BALEFI, SINDHUPALCHWOK

"I have heard that women are leaving behind their infants up to 2-3 months and going for foreign employment. What government provisions are in place for such circumstances?"

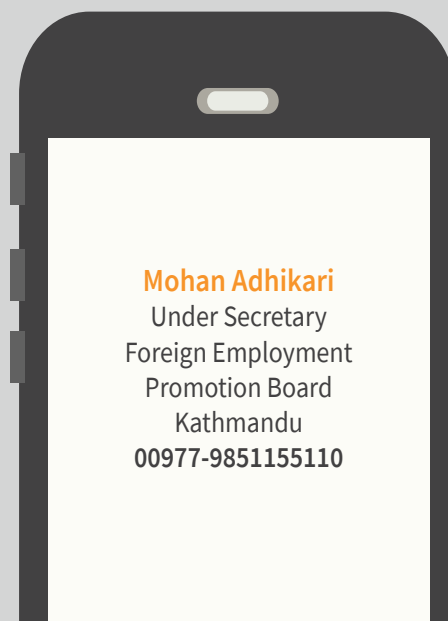
Facts

The Government of Nepal has not made any laws restricting breast-feeding women from going for foreign employment till date.

However, there is a provision that restricts women from receiving the work permit if they are found to be pregnant during the medical checkup, which is mandatory for pursuing foreign employment.

An aspiring migrant worker is not required to provide information related to his/her family background and personal details other than the following documents in the process to pursue foreign employment:

- Passport
- Medical report of medical tests done from an authorized medical institution
- Insurance documents
- Contract between the worker and company he will be working with at the destination
- Certificate of pre-departure orientation training provided by the Department of Foreign Employment
- Skills training certificate of the work to be done at the destination if available



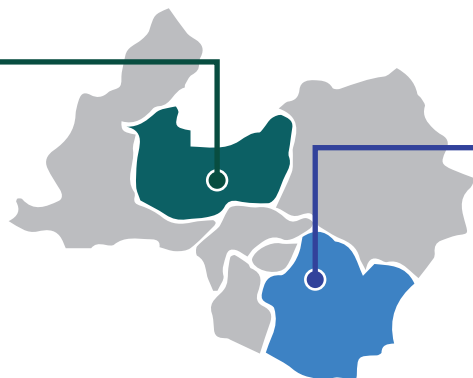
Mohan Adhikari

Under Secretary
Foreign Employment
Promotion Board
Kathmandu
00977-9851155110

Questions

BIDUR, NUWAKOT

“We work from 8 am to 5 pm as wage laborers for our employer. Hasn’t government made any rules for wage laborers like us?”



PACHHKHAL, KAVREPANCHOWK

“Are there any special provisions for female wage workers, especially the pregnant and breastfeeding ones?”

Answers

The sub-article 1 of article 24 in the Nepal-Labor Act 2074 states that an employer is not allowed to make a wage laborer work for more than 8 hours per day / 48 hours per week.

With regard to the women with children below 3 years of age, they have been entitled to half an hour of extra break time at once or in tranches as per the sub-article 2 of article 28 in the labor law. This extra 30 minutes needs to be considered as a work hour.

The sub-article 2 of the article 28 in the Labour Act 2074 states: the workers must be provided half an hour of break after 5 hours of continuous work.

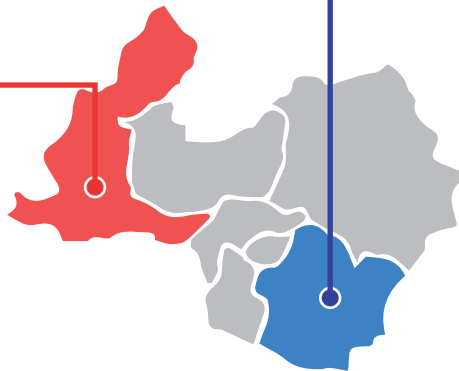
SOURCE

Labor Act, 2074

Concerns

JWALAMUKHI, DHADING

“They say that Singhadurbar [federal administrative unit located at Kathmandu] has been decentralized to all the villages, and there will be multi-sectoral development in the villages. We are not aware about who is going to make the development plans? Who is going to create development?”



DHULIKHEL, KAVREPALANCHWOK

“The budget was presented. They say certain amounts of budget have been allocated for different municipalities. Who will allocate the budget for our place?”

Answers

The municipalities and rural municipalities need to fulfill the 7 stages of the planning process to create their annual development goals at the local levels. They are as follows:

1. Budget Pre-Panning
2. Resource estimation and budget scale limitation
3. Selection of community level plans
4. Selection of ward level plans and prioritization
5. Drafting the budget and programs
6. Budget and program approval from municipal executive
7. Budget and program approval from municipal council

The selection of community level plans should ensure representation and prioritization of all classes and groups in the community (women, Dalit, tribal groups, Madhesi, Tharu, Muslim, minorities, marginalized, youths, children, senior citizens, LGBTQ+ and persons with disabilities).

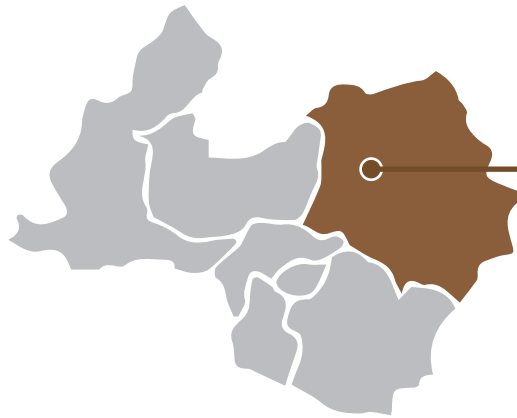
Based on the needs of the inclusively derived plans, the priorities are set, the budget is allocated, and the program gets implemented.

SOURCE

Local Government Operation Act, 2074

Insights

Story from the Field



Samsheer Tamang **Balefi, Sindhupalchowk**

It is generally known in Nepal for people to go abroad for foreign employment for survival. These days, every household has a member who has gone for foreign employment. Three members of Nima Dorje's family from ward 5 of Balefi rural municipality went to three different countries. His wife went to Kuwait to work as a domestic worker and his son and brother went to Malaysia as laborers for construction company. Nima is aware that those three members of his family have not received compensation, despite what they were promised prior to their departures. However, he does not have any documents for the three of them and cannot do anything by himself in Nepal to change this.

Sadly, his brother went missing in Malaysia. His brother, Samsheer Tamang, had paid 2 lakhs rupees to go to Malaysia. He was in contact for a year but has since been contactless. Dorje sought help from cousins, friends, and even the villagers who have gone to Malaysia, but all in vain. Now, Nima Dorje does not have any documents except for his brother's blurry photo, and that has made the search difficult.

Speaking in the community meeting organized by a Citizen Helpdesk's Community Frontline Associate, Naniram Nepal, in the Balefi municipality attended by his fellow villagers, Dorje said, "My brother who went to work is missing. Even though I have gone to various organizations for help, it was no use because I didn't have copies of my brother's work and identification documents. So, I encourage everyone here to have at least a copy of the documents of any family member before he or she travels for foreign employment. I have not been able to find my brother (who has been missing from 5 years now) because we didn't know that migrant workers need to leave copies of their documents at home for safekeeping."

Know Before You Go - the latest Government Decisions

- 117 Manpower agencies blacklisted ([Link](#))
- Guidelines regarding migrant workers' legal defense, 2075 ([Link](#))
- Application template for the migrant worker's family member to apply for medical treatment support. ([Link](#))

The sources of information, rumours and issues presented here are collected from CFAs, community meetings, development agencies and face-to-face discussions in communities with over 1143 people in 4 districts between 1st June – 31st July 2018. The issues highlighted are chosen on the basis of prevalence and relevance. The information presented here is correct at the time of issue.

Citizen Helpdesks Bulletin is brought to you by **Accountability Lab**.

