

COMPLIANCE CHECK: CAMBODIA: ONLINE LABOUR COMPLIANCE SELF-DECLARATION

The Ministry of Labour and Vocational Training (**MLVT**) issued a notification No. 022/22 MLVT/NOTIF.DLI on 25 May 2022 requiring employers to declare on a semi-annual basis through an online system whether they are compliant with labour laws (**Notification**).

Labour Self-Inspection

The Notification requires owners and directors of all enterprises registered in Cambodia that are covered by the Labour Law to complete a self-declaration through the MLVT's [online](#) system. This declaration must be completed twice a year, no later than 30 June and 31 December every year starting from June 2022.

There are 31 items that need to be declared, including compliance with the obligation to:

- prepare, register and publish work rules;
- pay minimum wages to employees on probation and to regular employees;
- make severance payment to employees on fixed term contracts;
- make overtime payments;
- ensure non-discriminatory hiring and adherence to the 'same pay for same work' principle;
- prevent sexual harassment;
- obtain quota to employ foreign employees;
- not terminate the employment of employees who are pregnant or in labour solely on account of their pregnancy;
- obtain approval to employ children below 18 years old;
- provide first aid boxes, provide ventilation in buildings, provide safety emergency exits and display work safety and health signs;
- register with the National Social Security Fund; and
- pay contributions for occupational risks and health care schemes.

Owners and directors of all enterprises are also required to cooperate with local authorities to promote and arrange COVID-19 vaccination for their employees and to provide information relating to their employees' COVID-19 vaccination status in the online system.

Failure to complete the declaration or any refusal to adhere to the requirements under the Notification will attract fines or other legal actions.

Key Takeaways

Employers will have to carry out regular employment audit well in advance of the 30 June/31 December deadline to ensure that their submissions are accurate.

Herbert Smith Freehills can advise on employment compliance requirements across Asia, including conducting employment compliance due diligence, assessing compliance risks, recommending corrective actions and advising on regulatory compliance investigations. To find out more, contact fatim.jumabhoy@hsf.com.