

Employers avoid signing work contracts 15 year-old Stepan from Meghri has been working at a car wash since November of last year. The car wash belongs to the boy's neighbor. After school Stepan helps out washing cars and rugs. He works without a contract. Stepan doesn't realize that by doing so his rights as prescribed by the labor code are being violated. "Why do I need a contract, my parents' permission, or anything else? My mom and dad know where I am and that's enough for me," Stepan says. The boy gives most of what he earns to his parents, sometimes spending a bit on cigarettes. "I don't smoke that much, just occasionally to calm my nerves. I can't take it when the drivers take me for a simpleton," says Stepan. His parents used to work at the Agarak copper-molybdenum plant but they were given mandatory leave. The family can hardly cover the costs of Artak's sister who studies in Yerevan. Even the owner of the car wash, who preferred not to give his name, was unaware of the labor law on the books. "I don't want any problems. If that's the law, I won't let Stepan come and work here. Why do I need a contract? So that later on I have to pay the government money? No, my friend, I don't need it," said the owner of the car wash. Mrs. Satenik, who works as a waitress in one of Kapan's cafes, also doesn't blame the business owner. "Perhaps many of them don't know that you have to sign a contract, an agreement with the parents. For example, I bring my son Tigran, who's in the ninth grade, here in the summer to help me out. We don't sign any contract. After work, we go home together," says Satenik. She also has a girl in the eleventh grade. Her husband has passed away and she was forced to put her son to work in order to pay for the private lessons that her daughter attends. Mrs. Satenik has also noticed something else. "People from the labor department also come to the caf, from the child welfare board, etc. Tigran also waits tables. Why don't they say that he shouldn't work if it's illegal?" asks Satenik. Tigran really isn't in to waiting tables, but he's the only male in the family. "If I don't pitch in and help, who will?" asks Tigran Gevorgyan, to no one in particular. He remembers the one time he dropped a serving tray, breaking dishes and three bottles of beer. "My boss kept three thousand drams from my pay. I cried and felt down in the dumps. It was in August. I was ready to buy my school supplies," recounts Tigran. According to the boy, when the school's teachers frequent the caf he attentively waits on them and they give him good grades come September. According to Article 17 of the RoA Labor Code: a worker is a capable citizen of an age defined by the labor code who performs certain work based on a work contract, according to a specific profession, job description or office. Adolescent citizens between the ages of fourteen and sixteen who work based on a labor contract agreed to in writing by one parent, an adoptive parent or guardian, are also considered workers. According to Article 3, Part 1, Point 2, of the RoA Labor Code, forced labor is prohibited. "The RoA has assumed such an obligation due to a number of international treaties it has accepted." Officials confess reporting problems We were officially informed by the State Labor Department's regional branch in Syunik that the number of working adolescents doesn't appear in the reports submitted by employers. "Employers report total numbers of workers. There is no available method to ascertain how many are working illegally," stated deputy department head Vahram Avanesyan, adding that they haven't received complaints of this nature. Naira Avanesyan, who heads the Syunik Regional Authority's Children's Rights Defense Division, also hasn't received complaints from parents of working adolescents. Contrary to other officials, however, she doesn't deny that the problem exists. "It occurs right before our eyes. We see it especially in the summer, how children are working in amusements parks, operating carousels," states Mrs. Avanesyan. She has presented a proposal to the labor department that modifications be made to the regulations and that a column be added to their report forms. "After spot inspections, the column will note how many employers have signed contracts with an adolescent, who has violated the RoA code, etc. I believe that my suggestion will be approved over time," says the children's rights defender. Hasmik Hambarzumyan, a teacher and biologist with many years experience, states that, "It's money that interests them. However much you try to teach with interactive tools, they are not up to learning. According to her it is useless to talk to the parents because they clearly have a different approach to the matter. Psychologist Narineh Kyureghyan is convinced that, "Who cares if the children get tired from working? The parents need an extra bread winner and the kids lighten the social load." In her view, such children have a disrupted childhood leading to numerous psychological scars and wounds. Nevertheless, in the opinion of pedagogues and psychologists, the laws on the books must change. Either, adolescents shouldn't be allowed to work or the methods used to monitor the actions of employers must be tightened. All the professionals we spoke to couldn't say what all of this would change for families who find themselves in dire socio-economic situations. Attorney Davit Tumanyan believes that sufficient legislation exists on an international as well as national level but what's lacking is a low level of public awareness regarding the law. In his opinion, the people aren't aware when it comes to the issue of their rights and responsibilities. "In many cases children often end up working, sometimes forcibly, because the parents are allegedly unaware of the law," states Mr. Tumanyan. All the cases of adolescent working children that we studied show that the primary reason that they are working is the dire socio-economic condition of the family. All the children are working with the full knowledge and consent of the parents. Even though the RoA labor laws are designed to guarantee the rights of working adolescents, the corresponding state structures are incapable of effectively defending those rights. The only such structure in Syunik Marz, the Regional Authority's Children's Rights Defense Division, has received not one actual complaint or application and it doesn't attempt to register cases of children's rights violations on its own. It appears that parents, the kids and employers have all come to an arrangement to solve this basic set of social problems. For indigent families not knowing where their next meal will come from, references to the law, however laudable, are met with more than a fair share of derision and mockery. "This investigation is done with support from the Danish Association for Investigative Journalism /

Scoop.”