

**Statement at Launching of Recruitment & Selection Regulation by MoLHR Minister
BCCI Conference Hall, 20th July 2012 (Friday)**

Hon'ble Members of Parliament
Government Secretaries
Dashos, Aums
Distinguished Guests
Ladies and Gentlemen

First of all, on behalf of my colleagues from the Ministry of Labour and Human Resources and on my own, I would like to join Director Jamyang Galey, in extending our most heartfelt welcome and gratitude to all the distinguished guests from various agencies – representing government, non-government, corporate and private sectors, for kindly joining us in this very important event.

What you have just witnessed is the launching of the four documents, namely:

1. Regulation on Recruitment and Selection;
2. Guideline for University Graduates Internship Programme;
3. Guideline for Pre-Employment Engagement Programme, that is for school leavers; and
4. Guideline for Apprenticeship Training Programme.

The first two are new documents while the latter two are the revised versions. Each of these documents has its own purposes and importance. I am not going to explain all of them. I wish to dwell only on the first – that is the Regulation on Recruitment and Selection. This is because with the launching of this Regulation today, we expect to usher a landmark transformation in the Bhutanese labour market.

Let me first explain its scope and jurisdiction. According to the Labour Force Survey Report 2012, released by us just a week back, our total Labour Force today stands at 336,391. Of this, 329,487 are employed and 6904 are unemployed, which translates to an unemployment rate of 2.1%. Of the total employed, civil service and security force together accounts for around 15% and the rest 75% are in other sectors like private, corporate, NGO and other sectors, including still a large percentage in agriculture.

This Regulation will specifically apply to this 75% of the working population, which translates to around 252,293 persons. However, as the Labour and Employment Act is a general law

governing all matters pertaining to labour and employment in the country, in general, it will apply to the entire labour force, irrespective of sectors of employment.

With profound admiration and reverence, I would like to reckon here that our leaders and the Bhutanese people in general have always held the values and principles of equity, transparency, fairness and meritocracy very close to their hearts and therefore, those have been the integral fabrics of our long established systems and organizational culture. Nonetheless, we will also all agree that allegations of unfair treatments in recruitment, selection, transfers, training, promotions and dismissals have also not been so uncommon, though I must say that we the Bhutanese generally shy away from filing formal complaints. I am sure most of you will agree with this.

But in a nutshell, what this indicates is the clear and compelling need for the redressal of the system. Denis Waitley, an American writer, inspirational speaker and a counselor to many leaders advises that in such a case, the solution does not lie in dwelling on what went wrong in the past, instead focusing on what to do next and spend our energies on moving forward into the future.

Now, that in this 21st century, not only that in anyway respecting and upholding the universal human values, rights, liberties and freedom have reached a heightened awareness and therefore become of paramount importance, but also with the enactment of Labour and Employment Act and even more so, with the introduction of democracy through the adoption of the Constitution, all these sacred values and principles are now guaranteed by laws to every citizen of Bhutan.

Therefore, in a move to move forward, in a move to further institutionalize and mainstream the beliefs, values and principles into concrete trustworthy systems and practices, we have documented the various aspects of Human Resource actions, particularly on Recruitment and Selection, in the form of a very clear and a handy Regulation.

My Ministry is deeply pleased to bring out the first Recruitment and Selection Regulation. We are empowered and duty-bound to do this as per sections 11 and 234 of the Labour and Employment Act, 2007.

Section 11 of the Act states: An employer and an employment agent shall not discriminate against employees or job applicants for vacancies in connection with recruitment, dismissal, transfer, training and demotion.

Section 234 empowers the Ministry to make rules and regulations necessary to carry out its functions economically, efficiently and effectively to prevent and ensure that the conducts and treatments such as above do not occur.

The objectives of the Regulation are:

1. To establish a uniform framework and system for transparent and effective recruitment and selection;
2. To ensure as far as possible that the best qualified candidates with right aptitude for the right job are recruited through transparent, open, fair and merit-based recruitment and selection processes, and a system that is free from any discrimination, bias or prejudice; and
3. To attract, develop and retain the best qualified individuals in all areas of employment.

My two colleagues will make short presentations on the Regulation and one of the Guidelines later. Let me highlight here only three aspects of the Regulation, which I think are particularly important to note.

1. First is that the Regulation, among others, prescribes four criteria to be mandatorily be observed. Those are transparency, fairness, open-competition and merit-based system.
2. Second, as much as the Regulation is aimed at helping employees and job seekers, it is aimed at the helping the employers and business enterprises also through helping them to recruit, develop and retain the best of the best talents from the open market and thereby enhancing the productivity and competitiveness of their enterprises.
3. Third, no discrimination whatsoever is permitted either directly or indirectly on the grounds of race, colour, sex, marital status, look, pregnancy, religion, political opinion, social origin, involvement in worker's association and as OHS representative. One new element you might have noticed here is 'look' – meaning physical appearance. This may sound interesting. But it should not. It is important. We have included this based on the emerging phenomenon in some countries where it is difficult to get job unless one undergoes plastic surgery. It is unfortunate that the world is becoming that indiscriminate. We don't want such a situation here.

I would like to acknowledge that we are fully recognizant and appreciative of the fact that prominent companies and organizations have fairly well-established HR systems. Nonetheless, in the absence of a general Regulation such as this, most companies, enterprises, organizations and individual entrepreneurs alike have been conducting recruitment and selection in an unorganized manner.

With putting this Regulation in place, it is our earnest endeavour and hope that it will not only bring uniformity in recruitment and selection system across all sectors in the country but also make the labour market more organized, efficient, predictable and most importantly, trustworthy to the Bhutanese job seekers.

I want to make crystal clear here that the core principle the Regulation is striving to promote and uphold is the right to equal access and opportunity and fair treatment of all employees and job applicants.

We have no doubt that government organizations and public corporations fully understand the importance of this. But should the private companies and employers have any doubt, the answer is almost the same. The answer lies in the rationale that as much as your business is the fruit of your hardwork and private resources, in ultimate analysis, it is done on the courtesy of state resources and that state resources belong equally to the citizens of Bhutan. You know that the very first line of the very first article of the Constitution talks about Bhutan being a sovereign kingdom and the sovereign power belonging to the people of Bhutan.

The minimum procedures and requirements prescribed in the Regulation must be complied with by all the employers and employees, and more so by the employers. Of course, it shall be in the full awareness of all concerned that non-compliance will attract penalties and legal actions commensurate to the degree of violations involved.

But we are hopeful and indeed, we implore all agencies and organizations to kindly fully respect and comply with the Regulation.

Before concluding, just a short remark on the three Guidelines. We in the Labour Ministry and Government are pleased and happy that with the unemployment rate reduced to 2.1% this year, we have already surpassed our 10th Plan target of 2.5% a year ahead. However, with the number of job seekers projected to increase annually, for example this year around 20,000 and next year 22,000, in no way it is time for us to lose our focus and attention, let aside be complacent or relax. I can confirm to you that with our median age of just 25 years, unemployment and

particularly youth unemployment will continue to be the biggest challenge for the Royal Government for around next one decade.

It is a straightforward matter that the ultimate mantra, the ultimate solution will lie firstly, in the robust expansion and acceleration of economic activities as the Royal Government does today. Secondly, in getting the acts of all the agencies – government, private, corporate, NGOs and individuals alike together as a team and in synergy. And thirdly, this must be complemented by a dynamic, inclusive, favourable and efficient labour market system. This is what this Regulation and Guidelines intend to complement to.

On behalf the Royal Government and my Ministry, I hereby humbly seek the kind support, cooperation and stewardship of you all in these endeavours. We appeal to everyone to be very compassionate and generous in providing internship and employment opportunities to our own people, particularly the youth.

Finally, I would like to inform that our top priority in the coming year will be to reduce the unemployment further or at least maintain below 2.5%. With strong support and stewardship of all agencies, and complimented by huge experience and wisdom and most importantly, unwavering commitment of my colleagues in the Ministry, I am optimistic about the future.

I thank you for your kind attention.

Tashi Delek!

Note: Kindly check against actual delivery.