



# Evaluation Summaries

## *Comprehensive training programme for legal representatives of the labour justice system in Central America*

### Quick Facts

**Countries:** *El Salvador, Guatemala, Honduras, Nicaragua, and the Dominican Republic*

**Mid-Term Evaluation:** May 2008

**Mode of Evaluation:** *Independent*

**Technical Area:** *Labour legislation*

**Evaluation Management:** *SRO- San Jose / NORMES*

**Evaluation Team:** *Dan O'Brien, Emilio M. Valenquela*

**Project Code:** *RLA/06/08/USA*

**Donor:** *United States (2,000,000.00 US\$)*

**Keywords:** *Training, labour legislation, judiciary*

### Background & Context

#### **Summary taken from the Executive Summary of the report**

A mid-term evaluation was conducted for the Labor Justice Strengthening Project (Proyecto de Fortalecimiento de la Justicia Laboral en América Central y República Dominicana) between April 7 and May 2, 2008. The evaluation included document reviews, visits to Costa Rica, Honduras, El Salvador, and the Dominican Republic, and final report writing. The purpose of the evaluation is to assess the overall progress made by the project including the achievement of project objectives and outputs, implementation, and its current and anticipated impact. The evaluation team found that the project is well managed and

executed; most of its immediate objectives have been or will be met by the end of the project; and it has achieved impressive results in less than two years. The evaluation team also found that two years is a very short timeframe to achieve and demonstrate much impact. Based on a multitude of interviews with ILO technical trainers, judges and magistrates, Ministry of Labor officials, representatives from employer and employee organizations, and university law professors, the overwhelming impression is that the project's capacity building interventions were timely and effective.

However, the interviewees also believe much more needs to be done to build the capacity of the labor justice professionals that did not benefit from the project's interventions and more needs to be done to provide on-going capacity building. The ILO International Labor Standards training exceeded project targets and has been consistently evaluated highly by course participants and singled out as the most important training they received. It was well received because the ILO labor standards training filled an important knowledge gap among judges, magistrates, lawyers, Ministry of Labor personnel, and others working in the labor justice system. The project also has provided technical training on the admission of evidence and drafting and legal foundations, which have been well received and evaluated highly by participants. It plans to provide additional training in these areas as well as legal writing and case preparation in before the project ends. The evaluation team believes that these training courses will also meet or exceed targets and be as successful as previous ones including the application of the newly acquired skills to labor disputes. The one exception is the use of oral

proceedings in the admission of evidence. There appear to be too many structural and attitude barriers to expect that oral techniques can be effectively used in most countries. In addition to the training noted above, the project is focusing on the systemization of jurisprudence and harmonization of criteria. These components have proven to be very labor intensive and difficult to complete. While the systemization of jurisprudence will likely be finished by the end of the project, the harmonization of criteria will not.

The project intended to address delays and court case backlogs through training in alternative dispute resolution techniques such as “conciliación” and “mediación”. Although labor justice professionals involved in “conciliación” and “mediación” processes have been included in training events, they have not been specifically trained in alternative dispute resolution, which is a critical need in most countries, especially Central America. The evaluation team has made the following recommendations in an attempt to help the project focus its efforts and resources in the final months and maximize and sustain its impact on the labor justice system.

- The project should develop a comprehensive sustainability plan as soon as possible that includes the products and activities that will be sustained, the institutions that will use the products and continue providing labor justice capacity building interventions, steps to sustain the selected products and activities including institutional agreements, project personnel who will be responsible for transferring the products and activities to the partner institutions, and resources necessary to implement the sustainability plan.
- The work the project is doing on the systemization of jurisprudence is very valuable and should be completed. In addition, the project should facilitate communication between the national consultants in the different countries working on systemization of jurisprudence so they can serve as resource persons to each other and conduct an end of project workshop to compare the systemization of jurisprudence outputs and make sure they are consistent.

- The project should cancel the harmonization of criteria output and allow the national consultants to focus their efforts on completing the systemization process including their publication and dissemination within the labor justice system in each country, which is the priority.
- The project’s information system has been able to accurately document inputs, activities or processes, and outputs or products. However, it has been less effective at documenting the application of the new knowledge and skills in work settings. The project should develop a methodology and plan to collect and analyze behaviour change data on the application of knowledge that participants attained during the various training courses.
- The project should conduct regular collaborative meetings with the USAID Labor Justice Strengthening Project that is focusing on many of the same themes as the ILO Strengthening Labor Justice Project. Collaboration between the two projects can create synergy and increase the impact as well as sustain key products and activities.