

Role and importance of the inspection function in labor law at the regional level. Lambayeque, Peru



Original Article

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ABSTRACT

This study is oriented to analyze the inspection function in labor law at regional level, with a focus in Lambayeque Region (Peru). First, the regulatory framework of labor inspection and its role of labor oversight is contextualized. Then, the business scenario of the region is examined, identifying factors that affect regulatory compliance. In addition, official figures about violations and complaints, highlighting their impact on the defense of socio-labor rights. Likewise, the challenges that faced the oversight and the strategies to strengthen its effectiveness are addressed, showing that the inspection function is fundamental to ensuring decent working conditions, requiring structural improvements to optimize its scope and effectiveness in the protection of workers.

Keywords: labor inspection; working conditions; socio-labor rights; regularization; inspectorate.

Rol e importancia de la función inspectora en el derecho del trabajo a nivel regional, Lambayeque, Perú

RESUMEN

Esta investigación se orienta a analizar la función inspectora en el derecho del trabajo a nivel regional, con un enfoque en la región de Lambayeque (Perú). En primer lugar, se contextualiza el marco normativo de la inspección del trabajo y su papel en la fiscalización laboral. Luego, se examina el escenario empresarial de la región, identificando factores que afectan el cumplimiento normativo. Además, se presentan cifras oficiales sobre infracciones y denuncias, resaltando su impacto en la defensa de los derechos sociolaborales. Así mismo, se abordan los retos que enfrenta la fiscalización y las estrategias para fortalecer su efectividad, y se evidencia que la labor inspectiva es fundamental para garantizar condiciones laborales dignas, requiriendo mejoras estructurales para optimizar su alcance y eficacia en la protección de los trabajadores.

Palabras clave: inspección laboral; condiciones de trabajo; derechos sociolaborales; formalización; inspectoría.

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INTRODUCTION

The inspector function in labor law constitutes an essential tool to guarantee compliance with labor regulations and the protection of workers' fundamental rights. In the regional context of Lambayeque, Peru, the oversight work acquires particular relevance due to the productive structure of the region and the challenges that persist in the formalization of employment, labor stability, and workplace safety. Labor inspection, in its preventive and sanctioning role, is not only aimed at correcting violations but also at generating an environment in which respect for labor regulations is an ingrained practice in business management. In this sense, the present article analyzes the impact of the inspection work in the region, addressing its scope, limitations, and opportunities for improvement to strengthen its effectiveness.

The developed analysis is based on a detailed study of the inspector function, considering both its normative framework and its practical application in Lambayeque. The regional business panorama and its relationship with labor oversight are examined, highlighting the importance of having an efficient inspection system that allows intervention in critical sectors and addresses recurring problems. Likewise, official figures provided by the Regional Office of the National Superintendency of Labor Inspection (SUNAFIL) in Lambayeque are presented and analyzed, obtained through the current administration, which make it possible to evaluate the dynamics of inspections and their impact on the defense of sociolabor rights. These figures are addressed in different sections of the article in order to offer a comprehensive view of the current state of labor inspection and its results in the region.

Thus, for the development of the article, the normative framework of labor inspection is addressed first, in order to contextualize its importance and the principles that govern its actions. Subsequently, a diagnosis of the business scenario in Lambayeque is presented, analyzing its structure and the challenges it faces in terms of formalization and compliance with labor regulations. Next, figures on the protection of sociolabor rights are examined, breaking down key aspects such as compliance with regulations and access to inspection work. The impact of complaints attended in labor oversight is also studied, evaluating their effectiveness as a mechanism for workers' defense. Finally, the challenges and perspectives for strengthening the inspector function are proposed, identifying areas for improvement and strategies that allow for consolidating a more efficient and effective oversight in the region.

Finally, the article seeks to contribute to the understanding of the inspector function as a fundamental pillar of labor law, emphasizing its role in building a more equitable and safe work environment. Through the analysis of data and the evaluation of the current situation in Lambayeque, it intends to provide inputs for debate and the formulation of proposals that allow improving the inspection work and ensuring effective protection of labor rights in the regional scope.

General and Regulatory Aspects of Labor Inspection

The International Labour Organization (ILO, 1947), an agency of the United Nations, plays a key role in the protection of labor rights at the international level, by promoting equal employment opportunities and establishing minimum standards so that countries adapt their labor regulations and strengthen labor inspection. Peru has been a member state since 1919 and has ratified several of its conventions, among which is Convention No. 81 (Convention on Labor Inspection, 1947). In this regard, Peru, in order to adapt its Labor Inspection

System (SIT) to the parameters provided by Convention No. 81, enacted the General Labor Inspection Law - Law No. 28806 (2006) and its regulations approved by Supreme Decree No. 019-2006-TR (2006), which establishes a regulatory framework in which the structure, organization, and functioning of the inspection system in Peru are regulated. In addition, there is the Occupational Health and Safety Law, Law No. 29783 (2011), and its regulation, Supreme Decree No. 005-2012-TR (2012), which establish the regulatory framework regarding occupational health and safety.

At the national level, SUNAFIL is the entity that plays an important role in the protection of labor rights, being a public body attached to the Ministry of Labor and Employment Promotion (MTPE). However, it has autonomy in the exercise of its functions; thus, according to Article 1 of the Law that creates the National Superintendency of Labor Inspection, Law No. 29981 (2013), this entity is responsible for the promotion, supervision, and inspection of compliance with labor and occupational health and safety regulations, ensuring that workers' labor rights are respected.

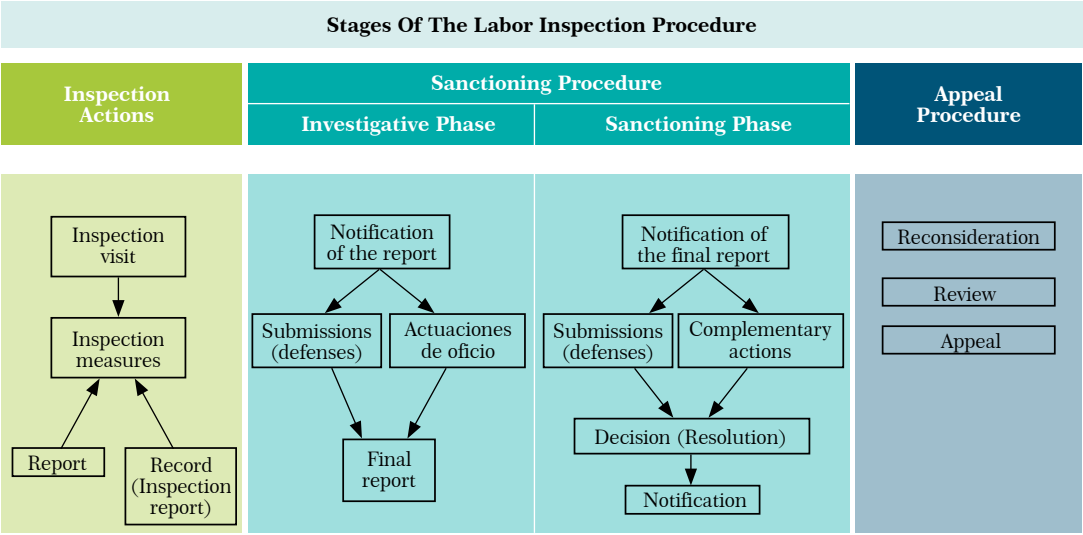
For its part, the SIT in Peru has a set of regulations, public officials, and bodies that contribute to the full compliance with labor, health, and occupational safety regulations, and also ensure the enforcement of resulting administrative responsibilities. Its organizational structure, according to Article 19 of Law No. 28806, includes as the central authority SUNAFIL and the organic units of each regional government that depend functionally and technically on it in labor inspection matters. Regarding the MTPE, it is responsible for preparing, approving, supervising, and evaluating public policies framed within compliance with labor regulations.

Therefore, due to the proper fulfillment of its functions, SUNAFIL allows for the protection of labor rights, guarantees social justice, and consequently contributes to the sustainable economic development of the country by promoting employment formality. According to Ciudad (2008), the importance of strengthening the SIT lies in its preventive character and the resolution of conflicts arising in the workplace, since through inspection and the respective sanction, compliance with labor legislation is increased. These inspections are carried out by different inspectors who are part of SUNAFIL, who have the authority to conduct unannounced visits to different workplaces nationwide, seeking to regularize companies regarding their situation, acting based on Law No. 28806 and its respective regulations.

According to the General Labor Inspection Law, an unannounced visit carried out by SUNAFIL is part of the labor inspection procedure, which begins with: the inspection actions stage, during which the inspector verifies whether the employer has committed any violation of labor regulations. If so, a notice of violation is issued; however, there may be non-compliances that are subject to correction within the period indicated. Otherwise, or if it is a very serious offense, the notice of violation is referred to the competent authority. It then proceeds to the sanctioning procedure, comprising two phases, instructive and sanctioning, in which, if a sanction is applicable and the infringer considers it pertinent, the appeal procedure is initiated, which guarantees the employer's right of defense.

In this line of thought, SUNAFIL ensures an improvement in the quality of employment in Peru, promoting the reduction of labor informality, which deprives workers of their rights and social benefits, so that they can perform their functions under dignified working conditions, protecting their rights through the instrument of inspection in workplaces, which, depending on each case, marks the beginning of the labor inspection procedure, under the regulation of Law No. 28806 and its respective regulations (see Figure 1).

Figure 1
Stages of the labor inspection procedure



Business Scenario in Lambayeque

The business environment in Lambayeque during 2024 was marked by a series of contrasting dynamics that reflect both the economic potential of the region and its persistent structural challenges. The most recent data show a labor market in constant fluctuation, with a significant decrease in formal employment in the private sector during the first quarter of the year and a subsequent recovery in September, suggesting a reconfiguration of the business and labor fabric.

According to the Ministry of Labor and Employment Promotion (2023), in December 2023, the contraction of the formal labor market in Lambayeque became evident with a 13.5% reduction in formal employment in the private sector compared to the previous year, which implied the loss of 21,707 jobs. This deterioration impacted both the employed economically active population (EAP), which decreased to 657,641 people, and the unemployed EAP, which increased to 48,648 individuals, reaching an unemployment rate of 6.9%. Although informality showed a reduction in absolute terms, with 478,647 workers in this condition, this phenomenon did not necessarily reflect an improvement in the quality of employment, but rather an increase in unemployment and greater precariousness in the labor market.

For the Ministry of Labor and Employment Promotion (2024), in February 2024, the situation continued to show signs of contraction, with a 1.3% reduction in formal employment in the private sector, which meant the loss of an additional 1.721 jobs. This phenomenon especially affected the agricultural and service sectors, where companies with more than 101 employees concentrated 62.0% of formal employment. The high dependence of the labor market on a limited number of large employers highlights a structural vulnerability, as any sectoral crisis could translate into a significant loss of formal jobs.

However, in September 2024, a change in trend was observed with a 15.8% increase in formal employment compared to the same month of the previous year, generating 21,082 new jobs and reaching a total of 154,853 workers in the private sector. This growth was mainly driven by the agricultural and service sectors, which represented 36.3% and 34.6% of formal employment, respectively. The concentration of formal employment in large-scale companies

remained high, with 66.4% of workers performing in these economic units, reaffirming their central role in the regional productive structure.

The evolution of the labor market has been accompanied by a marked business preference for temporary labor contracts, to the detriment of labor stability. In December 2023, fixed-term accidental contracts represented 38.6% of the total, with 53,868 workers under this modality. In February 2024, this figure remained high with 49,729 workers (38.3%), while indefinite-term contracts reached only 25.9%. By September 2024, the concentration of temporary contracts intensified further, with accidental contracts representing 43.5% of the total. These data show a systematic use of flexible contractual modalities, which limits workers' access to broader labor rights and perpetuates instability in formal employment.

In the economic context, according to the National Institute of Statistics and Informatics of Peru (INEI, 2024), Lambayeque has been influenced by sectoral performance, where some sectors have shown notable growth, while others have experienced sharp declines. In the agricultural sector, sugarcane production reached 114,160 tons in March 2024, representing a 91.9% growth compared to the same month of the previous year. However, other strategic crops, such as yellow corn and mango, registered contractions of 48.1% and 45.3%, respectively. Despite these setbacks, the growth of products such as blueberries (135.2%) and avocado (381.9%) suggests an export diversification that could generate new economic opportunities for the region.

In industrial terms, and considering the Departmental Economic Overview prepared by the INEI (2024), manufacturing grew 5.1% year-on-year in September 2024, driven by the primary sector, especially sugar production, which increased by 14.2%. However, non-primary manufacturing experienced a 7.1% decline, reflecting difficulties in the articulation between agricultural production and the manufacturing industry. The 23.6% decrease in fruit juice production illustrates this lack of integration, which limits value-added generation and reduces opportunities for stable employment in the manufacturing sector.

On the other hand, according to the Foreign Trade Society of Peru (2024), informality remains a structural problem in the Lambayeque economy. ComexPerú indicates that 86.3% of productive units in the region are informal micro and small enterprises, which restricts their access to financing, technology, and formal markets. This situation not only affects business competitiveness but also negatively impacts tax collection and the State's capacity to design and implement more effective employment policies.

According to the INEI (2024), regional exports reached 122.4 million dollars in September 2024, with an increase of 62.3% compared to the previous year. This growth was led by blueberries, whose exports increased by 95.8%, and coffee, which grew by 21.9%. However, the concentration in products of high international demand also implies a significant risk, as any variation in global prices or market preferences could negatively impact the local economy and, therefore, employment. Despite higher public investment, which reached 149.7 million soles in September 2024 and was directed to road infrastructure and medical facilities, the benefits in terms of formal employment have been limited. Persistent labor informality, which affected 68.9% of the employed EAP in 2022, continues to be a barrier to structural improvement in the labor market.

The challenge for the business sector in 2025 not only consists of expanding production and improving export levels but also in transforming the relationship with its workers. The excessive dependence on temporary contracts and high informality indicate the need to promote labor stability and formalization in order to guarantee conditions that favor the sustainable development of the labor market in Lambayeque.

Figures on the Protection of Sociolabor Rights

It is important to start by mentioning that:

It is no secret that labor relations have a high rate of violation of workers' rights. And this is because the power of management carries a strong presumption of legitimacy [...]. This leads to that, [...] during the execution of the employment contract, violations of fundamental rights may also occur, commonly disguised in demotions, transfers, delayed payments, etc. Unfortunately, [...] violations of fundamental rights in hiring and during the execution of the contract also lack adequate procedural avenues. (Arce Ortiz, 2012, pp. 3, 6)

On the other hand, compliance with sociolabor rights constitutes a fundamental pillar for guaranteeing dignified and equitable working conditions. The regulations in this area not only establish obligations for employers, but also configure a protection framework that seeks to safeguard workers against potential violations. In this sense, respect for labor and occupational safety provisions is a key indicator of the level of development and formalization of the labor market in a given region.

Under this premise, De Lama Laura (2021) states that what is described is evidenced in our legal system, by noting that the work of labor inspection finds support of the highest legal rank, due, in large part, to the Social State clause that is recognized in our constitutional text, to the mandate of respect for workers' constitutional rights, provided in Article 23 of the same norm, and to our international obligations, assumed through the adoption of ILO Convention 81.

In this context, the inspection work emerges as an essential mechanism for monitoring compliance with regulations and correcting business practices that contravene current legislation. Labor inspection not only has a sanctioning function but also plays a preventive and guiding role, promoting voluntary compliance with regulations by employers. The capacity of this system to identify, record, and correct violations is decisive to ensure that labor rights do not become mere formal statements, but tangible realities within workplaces.

In the case of Lambayeque, the business scenario shows a productive structure marked by the concentration of employment in specific sectors, the prevalence of temporary contracts, and high informality, factors that directly impact the capacity of the labor inspection system to guarantee effective compliance with regulations. Overall, the correct application of these norms depends on a combination of factors, among which stand out the willingness of employers, the level of knowledge and empowerment of workers regarding their rights, and the efficiency of the SIT system. When any of these variables present deficiencies, gaps are generated that affect employment stability and quality, fostering scenarios of precariousness and labor unprotection.

That said, in the region, the relationship between the business structure and worker vulnerability has highlighted the need to strengthen monitoring mechanisms, particularly in sectors with a high incidence of contractual and occupational safety irregularities. Analyzing compliance with sociolabor regulations and access to inspection work as a monitoring tool allows understanding the current challenges in the protection of labor rights and evaluating the effectiveness of the strategies implemented.

It is therefore an analysis developed in the following sections, allowing a structured interpretation of the data in relation to compliance with regulations and inspection work as a monitoring mechanism (see Table 1).

Table 1
Violation notices by inspected subjects and scope in Lambayeque, from 01/01/2024 to 31/12/2024

N.º	Economic Activity	Violation of Sociolabor Regulations	Violation of Inspection Work	Total
1	Labor	650	279	929
2	Various	575	240	815
3	Occupational Health and Safety	534	232	766
4	Child Labor	64	24	88
5	Employment	43	14	57

Note. The table shows the information collected from the Labor Inspection Information System – Ministry of Labor and Employment Promotion (2024).

Compliance with Sociolabor Regulations

For Goicochea Díaz and Marcelo Puente (2022), business decisions are influenced by labor regulations, although the incentives generated may vary and even be contradictory, depending on the size of the company. For example, the deterrent effect of labor inspections should be reflected in a higher level of compliance, especially when the enforcement effort increases due to the perception of companies, which perceive a greater probability of being supervised and sanctioned. In the words of the authors themselves, “On the other hand, the increase in labor costs due to a higher level of compliance may lead some companies to reduce the size of their workforce” (p. 25).

In this sense, compliance with sociolabor regulations, at the national level, faces significant challenges that reflect the structural conditions of the labor market in the region. Particularly, in Lambayeque there is a high prevalence of temporary contracts; additionally, informality and employment precariousness have contributed to creating an environment in which violations of labor rights are recurrent. In this scenario, the intervention of the SIT is crucial to ensure that labor regulations are effectively respected and that workers enjoy an adequate protection framework. However, the persistence of violations evidences the need to strengthen monitoring and sanction mechanisms, as well as to promote a greater culture of compliance among employers.

According to the report of violation notices corresponding to 2024, provided by the Regional Office of Lambayeque (IRE), a total of 1,866 violations of sociolabor regulations were recorded in Lambayeque. This data reflects the magnitude of non-compliances detected in the business sphere and highlights the relevance of SUNAFIL’s supervisory work. The distribution of these violations by sector also allows identifying patterns and assessing which areas require priority attention in terms of supervision and control.

The sector with the highest number of violations corresponds to general labor conditions, with 650 notices issued. This result indicates the recurrence of problems related to the payment of wages, labor stability, and respect for social benefits. The magnitude of these violations underlines the existence of business practices that do not adequately guarantee the minimum rights of workers, which affects their well-being and the stability of the regional labor market.

In second place are the violations classified under the “various” category, with 575 notices. This group, although heterogeneous in content, covers a series of non-compliances ranging from omission of contractual rights to improper practices in the labor relationship. The diversity of these violations suggests that, although clear regulations exist in sociolabor matters, their application is not homogeneous and presents gaps that require more rigorous supervision.

Occupational health and safety represents another critical axis in labor supervision, with 534 violations recorded in 2024. This data reflects that, despite the importance of safe conditions in workplaces, non-compliances still persist in the implementation of safety protocols and preventive measures. The high incidence of this type of violation correlates with the findings presented in the section on the business scenario in Lambayeque, where it was shown that working conditions in sectors such as agriculture and services remain precarious and highly vulnerable to irregularities.

The analysis of violations in the sociolabor sphere reveals that, although the labor inspection system plays a decisive role in identifying non-compliances, structural challenges still limit its effectiveness. It is necessary to strengthen monitoring and sanction policies, as well as to promote a greater culture of compliance among employers. Employment formalization and the reduction of labor precariousness depend not only on efficient inspection work but also on the implementation of preventive and awareness strategies, which allow reducing the incidence of violations of labor rights.

Access to Inspection Work as a Monitoring Tool

Effective access to inspection work constitutes a determining factor in the protection of labor rights, as it guarantees the State's capacity to intervene in situations of regulatory non-compliance. In Lambayeque, the supervisory work faces significant challenges, not only in terms of scope and coverage, but also regarding the resistance of certain business sectors to comply with inspection processes. This resistance manifests in various forms, from obstruction of inspection work to the refusal to provide key information for the development of supervision procedures.

According to the 2024 violation notice report, a total of 789 violations related to inspection work were recorded. This data shows the magnitude of the problem and highlights the difficulties faced by labor inspectors in the exercise of their functions. The refusal to allow inspections or the non-compliance with administrative requirements not only delays the adoption of corrective measures but also generates a climate of impunity that undermines the effectiveness of the labor supervision system. The highest number of violations in this area has been identified in the labor sector, with 279 cases recorded. This indicates that obstruction practices are particularly frequent regarding the verification of contractual conditions and labor benefits. The persistence of these behaviors suggests that certain employers consider labor inspection a threat rather than a legitimate mechanism to guarantee compliance with current regulations.

The figures also reveal that the lack of cooperation with inspection processes not only affects the workers directly harmed by the violations but also limits the State's capacity to enforce its regulations effectively. In this scenario, it is imperative to reinforce the sanctions applicable to those who obstruct inspection work and strengthen supervisory tools to ensure that inspections are carried out independently and effectively.

At this point, the overall analysis of the figures on the protection of sociolabor rights in Lambayeque reveals the persistence of multiple challenges in the application of labor regulations and in the effectiveness of the inspection system. With a total of 2,655 violation notices recorded in 2024, it is evident that a significant proportion of employers still fail to fulfill their legal obligations, directly affecting employment stability and quality in the region. The high incidence of violations in sociolabor regulations and inspection work highlights the need to strengthen monitoring and sanction mechanisms to ensure a more rigorous compliance with legal provisions

Although inspection work has managed to identify and document a considerable number of violations, its real impact depends on the system's capacity to impose effective sanctions and generate structural changes in business behavior. For this, it is imperative to implement strategies that promote greater formalization of employment and reinforce the culture of regulatory compliance. Only through effective supervision and comprehensive preventive measures will it be possible to consolidate a fairer and more equitable labor environment in Lambayeque.

Labor Complaints Addressed in Labor Supervision and Their Impact on the Defense of Workers' Rights

Through the attention to labor complaints, it is possible to investigate and impose sanctions as appropriate on the offenders; however, the origin of inspection actions does not always begin with a complaint, and this is determined by Article 12 of Law No. 28806, which establishes as causes for inspection, by order of the competent authorities of the Ministry of Labor and Employment Promotion (MTPE) or public administration bodies, at the duly justified request of any judicial or public sector body, by decision of the SIT, on the inspector's initiative, or when, in actions carried out in compliance with an inspection order, at the request of the employer, worker(s), or trade union and business organizations.

Among the inspection powers recognized by Law No. 28806, it is the inspector's responsibility to monitor and enforce compliance with sociolabor regulations, and in the exercise of their functions they are authorized to request judicial authorization to enter the workplace in order to carry out proceedings if the employer's conduct justifies it. In this sense, the law divides inspection actions into two types: on the one hand, investigation, which will be conducted prior to the sanctioning procedure, carried out ex officio to verify employers' compliance with sociolabor regulations; on the other hand, consultation actions, which are focused on technical advice aimed at compliance with sociolabor regulations.

In this sense, inspection orders are issued by management and fall within the first stage, as in the case of inspection actions; moreover, such orders designate the inspectors and the inspection team to initiate the procedure. The inspection visit is carried out without prior notice, with employers required to allow entry to the workplace within a maximum waiting time of 10 minutes. Then, the appearance of the inspected party before the inspector is necessary to provide the required documentation, as applicable. If non-compliance with sociolabor regulations is verified, the inspector adopts the appropriate inspection measures, such as recommendations, warnings, requirements, modifications related to Occupational Health and Safety (OHS), or temporary closure, suspension, or prohibition of continuing operations.

Therefore, after this investigation stage, if the infraction has not been verified or if the company has remedied it within the period granted by the inspector, an Inspection Action Report is issued. Otherwise, an Infraction Notice is issued, which gives rise to the second stage, the sanctioning procedure, which includes an instructive phase, in which the facts and evidence collected by the inspector are already known. Nevertheless, the offender's right to present their defense is respected; subsequently, the final instruction report is issued, in which it is declared whether or not the infraction under dispute exists. The second phase is the sanctioning phase, where, based on the final instruction report, the application of the sanction is decided, also allowing the offender to present their defense, and the corresponding resolution is issued, taking into account the actions performed. The last stage is the appeal phase, which contemplates administrative remedies for reconsideration, appeal, or review.

In 2024, SUNAFIL registered a total of 6,758 inspection orders opened in Lambayeque, ending the year with 6,385 orders closed. Therefore, it can be observed that there are inspection subjects, such as “labor,” focused on labor rights, such as wages or social benefits, among others, with 146 inspection orders pending. Regarding “occupational health and safety,” this subject verifies that safe conditions are met in the workplace, that personal protective equipment is used, that risk prevention measures are followed, among other aspects, with 110 pending orders. Likewise, “child labor” has 15 pending orders; “employment,” referring to issues such as labor inclusion, has 4 pending; and “various,” covering aspects not included in specific subjects, has 98 pending inspection orders. Altogether, they total 373 pending inspection orders in the region at the end of 2024, according to the SUNAFIL report.

From the figures presented above, it is evident that the highest number of inspection orders in the Lambayeque region falls under “labor,” indicating a significant workload in this area, as well as in “occupational health and safety,” with a wide variety of labor conflicts. Likewise, “labor” is the subject with the highest number of pending inspection orders, suggesting that there are still unfinished inspection procedures and reflecting the main labor problems in the region, as well as areas to be strengthened due to the high workload, such as the waiting time for attending complaints, especially in subjects with a high incidence of cases, such as “labor” or “occupational health and safety,” which affects the effectiveness of SUNAFIL’s functions in the Lambayeque region.

Given the above, the fact that the highest number of inspections was carried out in labor and occupational health and safety reveals two crucial aspects of the Lambayeque labor environment. First, the prevalence of conflicts related to compliance with contractual conditions and minimum labor benefits suggests that employers continue to apply hiring schemes that do not always comply with current legislation. Informality and the extensive use of temporary contracts, documented in other sources, reinforce this problem and explain why workers resort to labor inspection as a mechanism to demand compliance with their rights.

Second, the volume of inspections in occupational health and safety reflects the importance of this dimension within labor supervision. With 1,973 cases closed, it can be inferred that a significant proportion of complaints respond to inadequate safety conditions in workplaces, highlighting the need to strengthen compliance with risk prevention protocols. The existence of 2,722 pending complaints indicates that the supervision system faces challenges in operational capacity to address existing demand and ensure timely responses to submitted complaints.

Complaints related to child labor constitute a critical point within the analysis of sociolabor protection in Lambayeque. With 283 inspection orders addressed, this issue persists as a serious violation of fundamental rights that requires a coordinated response between SUNAFIL and other competent entities. The number of closed cases (268) indicates that most of these complaints have been resolved, although the fact that there are still pending cases shows that work in this area has not been fully effective in eradicating the problem.

Thus, SUNAFIL’s role in this scenario is decisive for guaranteeing sociolabor rights, as its supervisory work constitutes the State’s main tool to sanction non-compliance and promote a culture of respect for labor regulations. However, although the institution has managed to close a significant number of cases, the existence of 870 pending complaints suggests the need to strengthen mechanisms for attention and follow-up to prevent violations of workers’ rights from remaining unpunished or delayed over time. Moreover, it is crucial that inspections result in effective sanctions and the implementation of structural corrective measures within companies so that irregularities do not become recurring practices (see Table 2).

Table 2
Inspection Orders by Inspected Subjects in Lambayeque, from 01/01/2024 to 31/12/2024

No.	Subject	Opened	Closed
1	Labor	2261	2115
2	Occupational Health and Safety	2,083	1,973
3	Various	1,994	1,896
4	Child Labor	283	268
5	Employment	137	133
	Total	6758	6385

Note. The table shows the information collected from the Labor Inspections Information System – Ministry of Labor and Employment Promotion (2024).

It can thus be said that there is still a way to go regarding effective labor inspection. In this sense, Vilela (2016) mentions the need for administrative and labor law compliance functions to be centralized, since SUNAFIL, according to labor regulations, grants regional governments competencies aimed at the supervision and sanctioning of microenterprises in labor inspection matters. However, it is necessary to reflect on whether there is qualified personnel to carry out the labor inspection procedure; likewise, he questions the fact that regional governments were empowered for this type of inspection, when it should have been entrusted to the regional directorates of the MTPE. On the other hand, according to the figures presented in previous paragraphs, it is impossible not to question the fact that there were pending processes at the end of 2024, which reveals an insufficient outlook regarding SUNAFIL's inspection capacity, due to the number of inspectors hired, as the workload exceeds the labor inspection capacity.

In this regard, among some of SUNAFIL's strengths in terms of the inspection work addressed, it contributes to the protection of workers' labor rights, who are in a disadvantaged position relative to their employer, a situation that can be exploited to limit access to their social benefits, severance pay, legal minimum wage, among others. Similarly, it promotes compliance with labor regulations in the workplace through the application of sanctions, aids in employment formalization, and contributes to the country's sustainable economic development; however, there are still aspects to improve in order to achieve effective inspection work, remembering the nature of the entity, which is not only punitive but also advisory, as it seeks prevention and guidance for employers.

Challenges and Perspectives for Strengthening the Inspection Function

Strengthening the inspection function in Lambayeque represents a crucial challenge to guarantee compliance with sociolabor rights and improve the conditions of the regional labor market. Throughout the previous analysis, it has been evidenced that the business environment in Lambayeque is marked by a high incidence of informality, the predominance of temporary contracts, and the persistence of violations in occupational safety and health. In addition, the figures on sociolabor infringements and resistance to the inspection function have highlighted the need to strengthen monitoring and sanctioning mechanisms. In this context, technical assistance operations constitute a fundamental tool to complement the sanctioning work with prevention and guidance strategies that foster a culture of regulatory compliance.

According to the most recent data, during 2024, 207 technical assistance operations were carried out in Lambayeque, covering various key aspects of labor regulations. Of these, 78 were focused on sociolabor regulations, 76 on occupational safety and health, 25 on fundamental rights, and 28 on labor formalization.

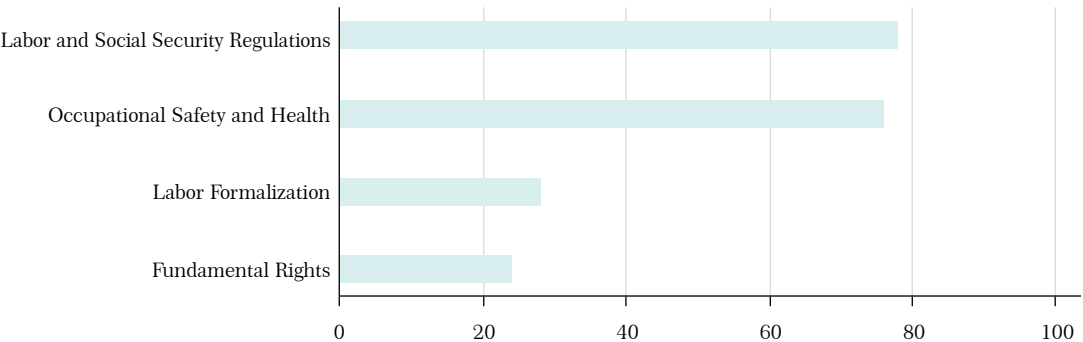
Precisely, these figures reflect a significant effort by the authorities to provide technical support to companies, but they also reveal gaps in the effective adoption of regulations. The predominance of assistance in sociolabor regulations, as well as in occupational safety and health, suggests that these continue to be the areas with the greatest challenges in terms of compliance, requiring constant monitoring.

The preventive approach of technical assistance seeks not only to sanction noncompliance but also to generate a structural change in labor management within companies. However, the number of assistances in labor formalization (28 in total) shows that informality remains a persistent challenge in the region. This aligns with the previous analysis of the business environment in Lambayeque, where high informality and temporary hiring were identified as determining factors in employment precariousness. The low number of assistances in fundamental rights (25) also indicates the need to strengthen actions aimed at eradicating child labor, workplace discrimination, and other essential aspects of worker protection.

Another crucial aspect in strengthening the inspection function is optimizing the operational resources and capacities of labor inspection. While technical assistance operations have allowed for improved knowledge and application of regulations by employers, their reach is still limited compared to the magnitude of recorded infringements. The number of assisted companies is insufficient in relation to the total economic units in the region, highlighting the importance of expanding the coverage of these interventions. For the impact of labor inspection to be more effective, an increase in personnel and logistical resources is required, as well as the development of innovative methodologies that allow greater reach in supervision and employer guidance.

In terms of perspectives, strengthening the inspection function should focus on articulating comprehensive strategies that combine sanction and prevention. It is imperative that technical assistance operations not only continue but also expand in number and coverage, prioritizing sectors with the highest noncompliance rates. Likewise, the digitalization and modernization of inspection systems can contribute to improving the efficiency of monitoring, which would allow better oversight of repeat offenders and facilitate the identification of noncompliance patterns. The challenge lies not only in sanctioning those who violate regulations but also in transforming business culture so that formalization and respect for labor rights become an inherent part of the region’s economic development (see Figure 2).

Figure 2
Operational technical assistance, from 01/01/2024-12/12/2024



Note. The table shows the information collected from the Labor Inspections Information System – Ministry of Labor and Employment Promotion (2024).

In short, the analysis of technical assistance operations in Lambayeque shows that, although efforts have been made to strengthen the inspection function, gaps still persist that limit its impact. The concentration of assistance in labor regulations and occupational health and safety confirms that these remain the main areas of vulnerability in the labor market. To consolidate a fairer and more equitable work environment, greater investment in human and technological resources for inspections is required, as well as the design of strategies that integrate supervision with technical support and the promotion of good business practices. Only through comprehensive and sustained intervention will it be possible to advance toward an effective and sustainable regulatory compliance model in Lambayeque.

CONCLUSIONS

The Labor Inspection System (SIT) is an important mechanism as a guarantee of workers' rights, which bases its operation on the labor and occupational health and safety regulatory framework, especially the current social security regulations, which prove to be solid. However, given an overload of complaints, some rights remain unprotected; on the other hand, if the inspection system is efficient, the protection of workers' rights is strengthened, thus promoting a fairer and safer work environment.

The inspection system has a dual role, both punitive and preventive; however, there must be a balance between both so that it can provide effective compliance with labor regulations without creating a purely punitive environment. Instead, it should raise awareness for voluntary compliance, promoting formality, increased business investment, and, consequently, a stable economy.

That said, the business environment in Lambayeque reveals structural challenges that impact the effectiveness of labor inspection. High informality, widespread use of temporary contracts, and the concentration of employment in certain economic sectors have created an environment prone to violations of labor rights. These factors demonstrate the need for a more rigorous and coordinated approach in labor supervision to ensure that the inspection function can help eradicate poor practices and promote dignified and stable working conditions.

The figures on the protection of socio-labor rights also show that regulatory noncompliance remains a persistent problem in the region. While the inspection work has allowed for the sanctioning and correction of irregularities, the volume of detected violations highlights the need to reinforce inspection strategies and increase supervisory presence in high-incidence sectors. In this sense, ensuring greater access to inspection as a supervisory tool is essential to strengthen trust in the system and consolidate a culture of respect for labor rights.

The challenges and perspectives for strengthening the inspection function in Lambayeque require a comprehensive intervention that combines effective supervision with preventive strategies. Modernizing processes, expanding human and technological resources, and strengthening inter-institutional coordination are fundamental measures to improve the efficiency of labor inspection. Only through a structural and sustained approach will it be possible to consolidate an inspection system that not only sanctions noncompliance but also fosters real transformation in business culture and the protection of workers' rights.

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