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## Green Employment Policies and Legal Frameworks in Developing Economies: Towards Sustainable Labor Governance

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### Abstract

*The growing urgency of the global climate crisis compels developing economies to redesign their labor governance systems to integrate environmental sustainability. This study examines the extent to which legal frameworks in developing countries can promote green employment as part of sustainable governance reform. Using a normative juridical approach combined with comparative legal analysis, the research explores statutory provisions and policy instruments from selected countries in Asia, Africa, and Latin America. The data were obtained through legislative interpretation and document review focusing on the convergence between environmental law and labor regulation. The findings reveal that despite strong policy narratives on green growth, the implementation of sustainable labor governance remains fragmented due to weak institutional coordination, limited enforcement, and inadequate legal integration. The study argues that establishing an integrated legal framework linking environmental standards with labor rights is essential to ensure a just transition toward green employment. Such a framework should emphasize coherence, accountability, and cross-sectoral collaboration to achieve inclusive, sustainable economic development.*

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## INTRODUCTION

The escalating threat of climate change has fundamentally reshaped the relationship between environmental protection and economic development, particularly through its implications for future labour markets and sustainable development agendas. In developing economies, where industrial expansion and employment creation remain central to national policy agendas, environmental considerations are frequently subordinated to short-term economic priorities, a dynamic that complicates the policy formulation process (Mathieu, 2024). This imbalance generates structural challenges in labor governance, particularly in designing policies capable of sustaining economic productivity while preserving ecological integrity, which scholars have noted is a central tension in green job transitions. The urgency of this issue is no longer abstract, as evidenced by the prominence of green employment in global development discourse and its potential role in bridging environmental and economic goals (Pratomo et al., 2024).

Despite the growing recognition of green growth as a development imperative, developing countries continue to face significant difficulties in translating these ideals into enforceable legal frameworks, particularly due to fragmented regulatory approaches. National labor laws largely remain focused on conventional protections such as wages, occupational safety, and social security, while environmental sustainability is treated as a peripheral policy concern rather than a normative component of labor governance, as documented in recent analyses of labor and environmental law intersections. As a result, environmental considerations have yet to be institutionalized as binding labor-law obligations, exposing a legal gap between environmental policy and labour regulation (van Schadewijk,

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2024). This legal and institutional gap weakens policy coherence and undermines accountability mechanisms that are essential for the effective implementation of green employment initiatives, a challenge that has been highlighted in recent multidisciplinary studies on green job governance (Pratomo et al., 2024).

Empirical evidence further illustrates the magnitude of this challenge. According to recent research databases on green jobs, the prevalence of green occupations varies significantly across regions, indicating that many developing countries lag in transitioning employment sectors toward environmental sustainability. These results underscore the vulnerability of existing labor systems and reveal the inadequacy of current regulatory frameworks in addressing climate-induced labor risks, particularly for vulnerable and climate-sensitive sectors of the labour market (Winkler et al., 2024).

National experiences demonstrate the fragmented nature of green employment governance in developing economies. In Indonesia, labor regulations emphasize industrial relations and occupational safety but do not impose environmental responsibilities within workplace management, aligning with recent findings on the absence of integrated green job regulation (Nasri & Keindahan, 2024). Similarly, Kenya's green jobs initiatives under its National Climate Change Action Plan primarily rely on investment incentives, without embedding environmental standards into labor-law enforcement mechanisms, a pattern noted in broader analyses of policy implementation gaps across developing regions. These cases indicate that, despite political commitment to sustainability, the absence of integrated legal architecture continues to impede the realization of sustainable labor governance (Pratomo et al., 2024).

Existing scholarship consistently emphasizes the importance of policy coherence between environmental and labor sectors, especially as climate policy intersects with employment regulation, a theme widely discussed in contemporary labour and environmental law research (van Schadewijk, 2024). However, empirical and doctrinal studies examining how developing countries operationalize such integration within labor-law frameworks remain limited, revealing a significant research gap that this study seeks to address (Pratomo et al., 2024).

This article introduces a comparative legal model that demonstrates how environmental protection standards can be operationalized as enforceable components of labor governance in developing economies, rather than remaining aspirational policy objectives. The novelty of this study lies in its explicit focus on translating environmental sustainability into concrete labor-law obligations—including rights, duties, compliance mechanisms, and accountability structures—while preserving core labor protections. Building on this contribution, the central problem addressed in this research concerns the persistent absence of integrated legal frameworks that connect environmental sustainability with labor regulation in developing countries. Specifically, the study examines how gaps within existing labor laws prevent environmental considerations from functioning as binding governance norms, how environmental standards can be incorporated into labor-law systems without weakening established labor rights, and how institutional coordination among labor authorities, environmental regulators, and industry actors can be structured to ensure accountability in the implementation of green employment programs. Through a comparative analysis of selected developing economies in Asia, Africa, and Latin America, this research seeks to clarify the legal and institutional conditions necessary for constructing an integrated legal architecture capable of supporting just transitions toward green employment.

## METHODOLOGY

This study employs a normative juridical approach supported by comparative legal analysis, which are widely recognized as the most appropriate methods for examining the legal

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construction, coherence, and enforceability of frameworks that integrate environmental sustainability into labor governance. Normative juridical research focuses on legal norms, principles, and institutional designs rather than empirical measurement of policy outcomes, making it particularly suitable for assessing how sustainability principles are embedded, integrated, or omitted within legal frameworks governing labor and environmental protection. According to Collins and Collins (2019), normative legal research is essential when the aim is to interpret the internal logic, authority, and normative content of legal rules, especially in areas that intersect multiple legal domains such as labor and environmental law (Negara, 2023). Complementing the normative approach, this study adopts a comparative legal methodology to identify convergences, divergences, and best practices across developing economies in Asia, Africa, and Latin America. Comparative legal analysis enables the researcher to explore how different legal traditions, regulatory capacities, and governance structures institutionalize—or fail to institutionalize—environmental norms within labor law. As comparative approaches are vital for generating transferable legal insights and policy recommendations that are not limited by the socio-legal particularities of a single jurisdiction (Creutzfeldt et al., 2016; Herklotz, 2020). This research relies exclusively on doctrinal legal materials as its primary data sources. Primary sources include national labor legislation and employment statutes, environmental protection laws and sustainability-related regulations, government regulations, policy instruments (such as national climate action plans and employment strategies), as well as relevant international legal instruments and soft-law frameworks, including conventions, recommendations, and guidelines on labor and environmental governance issued by organizations such as the International Labour Organization.

Meanwhile, secondary sources consist of scholarly books and peer-reviewed journal articles on labour law, environmental law, and sustainable development, legal commentaries and doctrinal analyses, reports and policy publications from international organizations (e.g., World Bank, UNEP, ILO), and comparative law studies that address green employment governance. The collected legal materials are systematically examined through a combination of established legal analysis techniques. First, systematic legal analysis is used to assess the internal coherence of labour and environmental norms within each jurisdiction, identifying structural gaps or overlaps between regulatory regimes. Second, deductive reasoning is applied by deriving evaluative criteria from overarching legal principles such as sustainable development, environmental justice, and labour rights—criteria which are then used to assess national legal frameworks. Third, legal hermeneutics is employed to interpret statutory provisions, regulatory texts, and policy documents in light of their objectives, values, and socio-environmental context, particularly where sustainability obligations are implicit rather than explicit. Finally, comparative content analysis is undertaken to identify patterns, similarities, and divergences across jurisdictions concerning the integration of environmental standards into labour governance, thereby enabling cross-country learning and normative generalization. By combining these doctrinal techniques within a structured methodological design, the study ensures analytical rigor while remaining aligned with its normative objective: to propose a legally grounded, comparative model for integrating environmental sustainability into labour governance frameworks in developing economies. This methodological design is

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consistent with best practices in legal research on intersecting regulatory domains (Pichlak et al., 2025; Zhao, 2024).

## RESULTS AND DISCUSSION

The findings of this study indicate that the core challenge in implementing green employment policies in developing economies is the persistent normative and institutional misalignment between labour law objectives and environmental governance principles. Labor legislation in many developing countries continues to emphasize conventional goals—such as employment absorption, wage protection, and productivity enhancement—while environmental regulation prioritizes long-term ecological preservation, sustainable resource management, and broader sustainability objectives. This divergence creates a fragmented legal landscape in which labour governance and environmental law operate in largely parallel but disconnected regulatory regimes, impeding the integration of sustainability norms into labour law systems. Recent legal and policy research highlights similar fragmentation, showing that regulatory frameworks often fail to synergize cross-sectoral sustainability aims with labour market regulation, resulting in limited institutional accountability and enforcement capacity for sustainability standards within employment governance (Nasri & Keindahan, 2024; Shchukina, 2025).

From a theoretical perspective, sustainable development law emphasizes the need for coherent legal frameworks that balance economic, social, and environmental objectives; however, empirical evidence from this study demonstrates that economic imperatives continue to dominate legal design in many developing economies. While sustainable development discourse underscores that environmental protection should not be treated as external to economic regulation, contemporary analyses reveal that environmental obligations are frequently siloed in separate legal instruments or policy arenas, detached from labour law enforcement mechanisms. This creates legal and institutional separations in which environmental sustainability remains an external regulatory constraint rather than an intrinsic component of labour governance, diminishing the potential effectiveness of green employment policies at the statutory and implementation level (Mariska, 2024; Shchukina, 2025).

The country-specific comparative analysis further illustrates how these misalignments manifest in diverse legal systems. In Indonesia, for example, labour governance under Law No. 13 of 2003 on Manpower—with a strong focus on occupational safety, health, and worker welfare—lacks provisions requiring employers to assume environmental responsibilities as part of employment relations. Environmental duties, in contrast, are governed separately by Law No. 32 of 2009 on Environmental Protection and Management, which mandates pollution prevention and environmental impact mitigation but does not embed these duties within labour-law enforcement structures. The result is that initiatives such as the Low Carbon Development Strategy and green industry standards largely remain policy aspirations rather than binding legal obligations enforceable through labour inspectors or employment tribunals, reinforcing gaps in institutional accountability (Nasri & Keindahan, 2024).

Similarly, in Kenya, the Employment Act 2007 sets out minimum employment standards and workplace safety without reference to environmental performance criteria, while climate governance is governed by the Climate Change Act 2016, which mandates climate

mainstreaming in national planning. Despite this mandate, environmental performance indicators and sustainability criteria are not integrated into employment regulation, and labor inspectors are not empowered to enforce environmental standards. Consequently, implementation of green jobs under the National Climate Change Action Plan hinges on project-based initiatives and incentive schemes rather than an integrated regulatory architecture, revealing a weak institutional interface between the Ministry of Environment and the Ministry of Labor. These observations are consistent with policy analyses highlighting similar institutional disconnects in developing country governance structures, where sustainability mandates are unevenly distributed across ministries and regulatory agencies (Mariska, 2024).

In Brazil, although the Constitution’s Article 225 guarantees the right to an ecologically balanced environment and the National Policy on Climate Change promotes low-carbon development, labour relations under the *Consolidação das Leis do Trabalho (CLT)* remain largely disconnected from these environmental mandates. While green industries benefit from environmental licensing and fiscal incentives, compliance with environmental standards is not required as part of employment governance, and enforcement at the subnational level varies widely. This indicates that legal sophistication alone—such as constitutional environmental rights—does not automatically translate into substantive integration within labour law, affirming that decentralized enforcement and the absence of synchronized legal instruments constrain the realization of sustainability outcomes through labour governance (Nasri & Keindahan, 2024).

Overall, these results suggest that institutional fragmentation, regulatory silos, and the absence of legal mechanisms to embed environmental norms within labor law constitute significant obstacles to operationalizing green employment policies. The study’s findings support broader scholarship on sustainable legal integration, which calls for coherent policy frameworks, strong inter-agency coordination, and cross-sectoral accountability mechanisms to ensure that environmental sustainability is effectively reflected in labor governance structures. By revealing these structural impediments, our analysis contributes to an enhanced understanding of why green employment policies remain largely programmatic and underscores the need for integrated legal reforms that bridge the normative gaps between labor legislation and environmental governance in developing contexts (Shchukina, 2025).

#### Comparative overview of legal fragmentation

Country	Labor Law Focus	Environmental Law Focus	Explicit Environmental Duties in Labor Law	Key Governance Gap
Indonesia	Employment protection, OSH (Arts. 86–87 Manpower Law)	Pollution control, prevention (Arts. 67–69 Env. Law)	None	Separation of enforcement regimes
Kenya	Wages, safety, working conditions (Employment Act 2007)	Climate mainstreaming (Climate Change Act 2016, s.10)	None	Weak inter-ministerial coordination
Brazil	Worker protection (CLT)	Environmental rights (Const. Art. 225; Law 12.187/2009)	None	Decentralized and inconsistent enforcement

This table systematizes the comparative findings and makes clear that none of the examined jurisdictions explicitly integrate environmental sustainability as a binding norm within labour law.

The empirical findings of this study lend strong support to the theory of institutional legal pluralism, which explains how overlapping mandates, fragmented regulatory authorities, and sectoral silos generate enforcement vacuums and undermine policy coherence in complex governance settings. Recent legal scholarship confirms that in developing economies, the coexistence of labor law and environmental law within separate institutional domains often results in weak cross-sectoral accountability and limited enforceability of sustainability standards (Dwiprigitaningtias et al., 2024; Rollnik-Sadowska, 2023). In Indonesia and Kenya, this fragmentation is primarily structural, rooted in the formal separation between labor institutions and environmental authorities, each operating under distinct statutory mandates and enforcement mechanisms. In Brazil, by contrast, fragmentation emerges predominantly at the implementation stage, where decentralization of regulatory authority leads to uneven enforcement of environmental obligations across subnational jurisdictions. Across all cases, the absence of a unified legal framework that explicitly links environmental obligations to labor governance consistently weakens institutional accountability and limits the operationalization of green employment policies (Nasri & Keindahan, 2024).

From the perspective of public value theory, this fragmentation significantly constrains the state's capacity to generate collective value through labour regulation. Contemporary applications of Moore's public value framework emphasize that policy legitimacy depends not merely on output indicators such as employment quantity, but on the broader societal outcomes produced by governance interventions, including environmental quality, social equity, and long-term resilience (Bryson et al., 2014). When labour policies are assessed solely in terms of job creation or productivity gains, without accounting for environmental degradation and intergenerational social costs, they risk eroding public trust and undermining long-term welfare. In this context, public value can only be realized when labour regulation is designed to simultaneously advance decent work, environmental protection, and intergenerational equity, a conclusion increasingly echoed in recent interdisciplinary studies on sustainable labour governance (Bracarense & Costa, 2022).

Recent comparative legal research demonstrates that jurisdictions which integrate environmental duties directly into labor and employment law achieve stronger compliance outcomes than those relying solely on separate environmental regulation (Kovačević, 2024; van Schadewijk, 2024). Legal studies show that where labor law is aligned with environmental protection norms, such as through explicit statutory mandates linking worker safety obligations with ecological performance criteria, enforcement mechanisms are more coherent and violations less frequent (Sudiana et al., 2025). Conceptual analyses further argue that labour law has intrinsic potential to address environmental damage through integration of environmental protection rules into occupational safety and health frameworks (Widiastiani, 2024), underscoring the need for legal harmonization to transform sustainability from policy aspiration into obligations enforceable through labor governance systems. In regional contexts, recent statutory reform such as Indonesia's Job Creation Law mandates environmental considerations in broader legal drafting processes, illustrating a movement toward cross-

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sectoral legal harmonization in national legal orders. Moreover, emerging research on workers' environmental rights highlights the importance of legally recognizing environmental protection as integral to labour rights, suggesting that harmonized legal frameworks can strengthen both employment protections and ecological outcomes (Arabadjieva & Tomassetti, 2024).

Second, environmental standards should be systematically incorporated into occupational safety and health regimes, industrial licensing systems, and workforce training frameworks. Empirical studies show that mandatory training in energy efficiency, waste management, and sustainable production practices enhances environmental compliance while simultaneously improving labour productivity and skill formation (Jordan & Tenzing, 2024). Linking employment licensing and enterprise certification to environmental audits further strengthens compliance incentives and embeds sustainability considerations into everyday labour-market operations. These mechanisms enable sustainability norms to function not merely as external constraints, but as integral components of labour governance.

Empirical observations from recent policy evaluations further suggest that when fiscal incentives for green enterprises are combined with enforceable monitoring and sanctioning mechanisms, governments are more likely to achieve dual outcomes: improved environmental performance and enhanced labour welfare. Studies in emerging economies indicate that such hybrid regulatory approaches reinforce institutional accountability, reduce regulatory arbitrage, and stimulate innovation in green sectors by aligning economic incentives with legal obligations (Nasri & Keindahan, 2024). This reinforces the argument that green employment policies are most effective when embedded within coherent legal architectures rather than implemented as isolated programs.

In conclusion, the findings reaffirm that sustainable labour governance in developing economies requires legal integration, institutional coordination, and theory-informed policy design. Aligning labour law with environmental governance operationalizes the three interdependent pillars of sustainable development—economic growth, social inclusion, and environmental protection—within enforceable legal frameworks. At the same time, such alignment fulfils contemporary interpretations of public value by ensuring that labour regulation contributes to long-term collective welfare rather than short-term economic gains alone (Bryson et al., 2014). Only through integrated legal frameworks that connect environmental sustainability with labour governance can developing economies move beyond fragmented regulation toward a governance model in which each job created contributes simultaneously to economic resilience, social justice, and ecological preservation.

## **CONCLUSION AND SUGGESTION**

This study finds that the effectiveness of green employment policies in developing economies depends fundamentally on the presence of a coherent and integrated legal framework that aligns labor governance with environmental protection principles. The analysis demonstrates that existing labor laws largely remain focused on conventional objectives—such as job creation, wage protection, and productivity while environmental standards are regulated through separate legal regimes. This structural separation results in fragmented implementation, weak institutional coordination, and limited legal accountability, preventing sustainability from becoming an operational norm within employment systems. Consequently,

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green employment initiatives in developing countries tend to remain aspirational and policy-driven rather than legally binding and enforceable.

Based on these findings, future research should explore concrete legislative models for integrating environmental obligations into labor law, including sector-specific amendments, enforcement mechanisms, and inter-ministerial coordination frameworks. Further empirical and comparative studies could also examine how subnational implementation, labor inspection systems, and judicial practices influence the effectiveness of green employment governance. Expanding the geographical scope and incorporating interdisciplinary perspectives such as political economy or regulatory impact analysis would deepen understanding of how integrated legal frameworks can support just transitions toward sustainable and inclusive labor markets in developing economies.

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