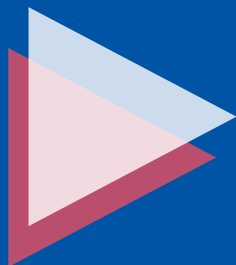


RESOURCE KIT
FOR THE DESIGN
OF LEARNING
ACTIVITIES ON
LABOUR RIGHTS



About this Resource Kit

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Resource Kit for the Design and Learning Activities on Labour Rights / International Labour Organization, , International Training Center of the ILO (ITC-ILO). Geneva: ILO, 2020.

ISBN: 9789220328873 (Web PDF); International Labour Organization; Fundamental Principles and Rights at Work Branch, International Training Center of the ILO. Also available in Uzbek: ISBN 9789220328880; and Russian: ISBN 9789220328897

ACKNOWLEDGEMENTS

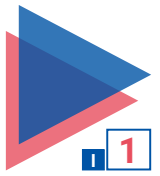
This Resource kit was prepared by Giselle Mitton (ITC-ILO) and Olena Vazhynska (ITC-ILO). Funding for this ILO publication is provided by the United States Department of Labor (USDOL) under cooperative agreement number IL-26629-14-75-K-11 Support for Implementation of the Decent Work Country Programme of Uzbekistan Project (UZB/14/01/USA). One hundred percent of the total costs of the project is financed with Federal funds, for a total of \$6,000,000.00 US dollars.

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Acknowledgements

This “Digital Resource Kit for the Design of Learning Activities on Labour Rights is the result of a collaboration between the International Training Centre of the ILO (ITC-ILO-Turin), the project “Support for Implementation of the Decent Work Country Programme in Uzbekistan” and the ILO Decent Work Technical Support Team and Country Office for Eastern Europe and Central Asia (DWT/CO-Moscow). This resource kit has been prepared under the supervision and coordination of Giselle Mitton, Olena Vazhynska and Margarita Lalayan, ITC Turin, and Anastasia Dubova, Anton Hausen, Valeriya Kogay and Mirza Muleskovic, Decent Work Country Programme in Uzbekistan, with the support of Lejo Sibbel, DWT/CO-Moscow. Invaluable input has also been provided by Sylvain Baffi, Veronique Basso, Alessandro Chiarabini, Horacio Guido, Luiz Antonio Machado, Benedetta Magri, Svetlana Mandzhieva, Maura Miraglio, Ahmet Ozirmak, Jasmina Papa, Jose Maria Ramirez, Carola Sajem, Alistair Smith, and Lisa Wong.

Disclaimer

The selection of international labour standards (ILS) included in this tool was exclusively guided by the specific needs identified through the activities of the project “Support for Implementation of the Decent Work Country Programme in Uzbekistan” for the purpose of assisting a wide range of stakeholders to develop learning activities on contemporary labour rights. This selection does not reflect any official ILO classification or statement of priority. All the references to the relevant ILO instruments are non-official summaries provided for information and learning purposes only. The official texts of the selected Conventions are available through the ILO NORMLEX database¹. Further reference tools, materials and ILO publications are collected and can be consulted under the Box 3 of the resource kit.

1 NORMLEX is the ILO database on international labour standards, the contents of which include the texts of the key documents and instruments, ratification information, reporting requirements, and comments from the ILO supervisory bodies



About this resource kit

This resource was designed and developed by the International Training Centre of the ILO on behalf of the project “Support for the implementation of the Decent Work Country Programme in Uzbekistan”, funded by the US Department of Labour. It is intended to support public sector institutions (e.g. Ministries of Labour, Health, Education and other relevant line ministries) to promote the realization of Fundamental Principles and Rights at Work and selected ILS through training for capacity enhancement of the staff of these institutions.

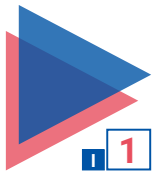
The tool can be used as an online resource, or downloaded and printed if internet connectivity is limited.

The contents of this tool were drawn almost entirely from ILO publications and resource material. All materials, including the texts of the Conventions, Recommendations and Protocols referred to in the narratives, statistics, reports, brochures and other digital materials are readily accessible on the ILO’s official website (www.ilo.org).



Introduction and background

ILO’s International Labour Standards are legal instruments, formulated, endorsed and adopted by the ILO’s constituents (governments, employers and workers). They are either Conventions, which are legally-binding international treaties or Recommendations, which serve as non-binding guidelines. These instruments consist of principles and rights and focus on world of work issues such as fundamental principles and rights at work , employment policy and promotion, wages, occupational safety and health, vocational guidance and training, skills development, labour administration and inspection, social security, indigenous and tribal people, and migrant workers and a number of other areas. For a complete list of instruments by subject and status please consult: <https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12030:0::NO::>



International labour standards also contribute to the advancement of the 2030 Agenda for Sustainable Development. It is globally recognized that the main driver of sustained, inclusive and sustainable economic growth is the transformation of low productivity and poorly rewarded work into higher productivity decent jobs, as reflected in Goal 8 which aims to “promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all”. Each of the 17 Sustainable Development Goals’ targets is linked to various thematic areas of work of the ILO, including the ILO’s policy outcomes to achieve decent work and related international labour standards. Explore ILO’s Decent Work for Sustainable Development (DW4SD) platform: https://www.ilo.org/global/topics/dw4sd/theme-by-sdg-targets/WCMS_558153/lang-en/index.htm

Given the number of Conventions and Recommendations that have been adopted since the ILO was established in 1919 (to date there are 190 Conventions, 206 Recommendations and 6 Protocols) it is imperative for government officials, representatives of employers and workers organizations, as well as any enterprise, organization or individual dealing with labour issues, to have a sound understanding of their provisions, scope and application. In addition, changing economic conditions, employment trends and social developments at the global, regional and local levels necessitate up to date knowledge of principles and standards, which, in turn require regular training and capacity enhancement of responsible bodies enabling them to meet their joint obligations and safeguard everyone’s rights.

Purpose of this resource kit

Experience gained from past capacity enhancement efforts of the ILO and its partners has demonstrated that focused and practical training on any of the issues covered by the international labour standards enhances the capacity of stakeholders to take action in support of their application. This resource kit has been developed with the broad purpose of providing support to public institutions who are seeking to raise their staff’s awareness of fundamental principles and rights at work (FPRW) by conducting sensitization trainings in the workplace. It

provides the user with an overview of the key contents of each of the four fundamental principles and rights at work as well as other selected international labour standards (ILS).

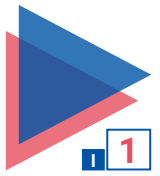
Who is this resource kit for

This resource kit is intended for the managers or other officials responsible for staff development activities in public sector institutions (e.g. Ministries of Labour, Health, Education, Agriculture) and who would like to develop and offer awareness raising activities for the staff of their institutions on fundamental principles and rights at work or select international labour standards.

How to use this resource kit

This resource kit contains essential information distilled into a series of brief modules found in Boxes 1 and 2, that the user can utilize to develop and deliver learning activities to further sensitize staff about fundamental principles and rights at work and other select topics (social dialogue, fair recruitment, social security and maternity protection and working time) relevant for the world of work.

Introductory modules on international labour standards and adult learning as well as guidance to help the user to plan, prepare and deliver short training sessions have been provided. As have stand-alone modules on each of the four fundamental rights at work, and on selected subject areas such as social dialogue, fair recruitment, social security and maternity protection and working time. These modules also contain sample plans for the delivery of participatory activities aimed at building understanding of the practical application of the provisions from ILS as well as key definitions and concepts. These plans have been conceived for basic as well as more advanced levels of discussion and contemplation in small groups. Each of these modules ends with the



details of a number of key reference documents should the user wish to further deepen their knowledge.

In Box 3 the user will find a number of tools utilized by the ILO to deliver training on the world of work that can be used as a source of inspiration and guidance to develop and plan sensitization trainings in the workplace.

Lastly, the resource kit has been designed with flexibility in mind and offers a possibility to use thematic modules on a standalone basis by downloading or consulting online the material of interest, or to follow the suggested logical sequence of the modules and use them one by one for a series of adult learning activities. The modules in the tool are not presented in any specific order as they are meant to be used as stand-alone resources.

All the materials are downloadable individually or as a package, should there be need to consult them in an absence of the internet connection.



Structure and content of the resource kit

The resource kit is composed of three boxes:

Box 1 which contains two introductory modules:

1. International Labour Standards and Fundamental Principles and Rights at Work
2. Adult Learning

Box 2 which contains 8 modules on technical subjects:

1. Social Dialogue;
2. Fair Recruitment;

3. Freedom of Association and Collective Bargaining;
4. Forced Labour;
5. Child Labour;
6. Equality and Non-Discrimination;
7. Social Security and Maternity Protection;
8. Working Time.

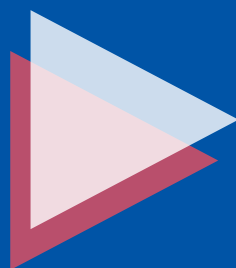
Each module contains a short narrative providing salient information on each international labour standard. Two complimentary sample session plans for use in conducting participatory exercises in small groups are provided for users intending to use the contents to develop and deliver short (2 hours) awareness raising training sessions using face-to-face modalities. These session plans may be adapted to fit a particular group size or knowledge level at the discretion of the user. One sample session plan is designed to cover the essential contents of the module while the second sample session plan is more advanced and treats the subject matter in greater detail. Both session plans are for activities with a duration of approximately one hour. Each plan contains a list of tips to guide and assist the trainer on how to practically carry out the participatory exercises.

Box 3

Box 3 contains more information about **how to use this resource kit** in learning activities, a **compilation of additional reference material**, and, a **Step-by-Step Guide** on how to consult ILO HQ, ILO DWT/CO-Moscow and ITCILO webpages.

The contents of this resource kit have been developed such that they can easily be transformed into material for use in training activities (e.g. lecture notes, powerpoint presentations, guidance for group exercises, handouts, etc).

This section contains a number of tools utilized by the ILO to deliver training on the world of work. These can be used as a source of inspiration and guidance should the user wish to design and prepare a training activity tailored to a specific audience making reference to the contents of each of the thematic modules.



An introduction to the International Labour Organization, International Labour Standards and Fundamental Principles and Rights at Work

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ISBN: 9789220328873 (Web PDF); International Labour Organization; Fundamental Principles and Rights at Work Branch, International Training Center of the ILO. Also available in Uzbek: ISBN 9789220328880; and Russian: ISBN 9789220328897

ACKNOWLEDGEMENTS

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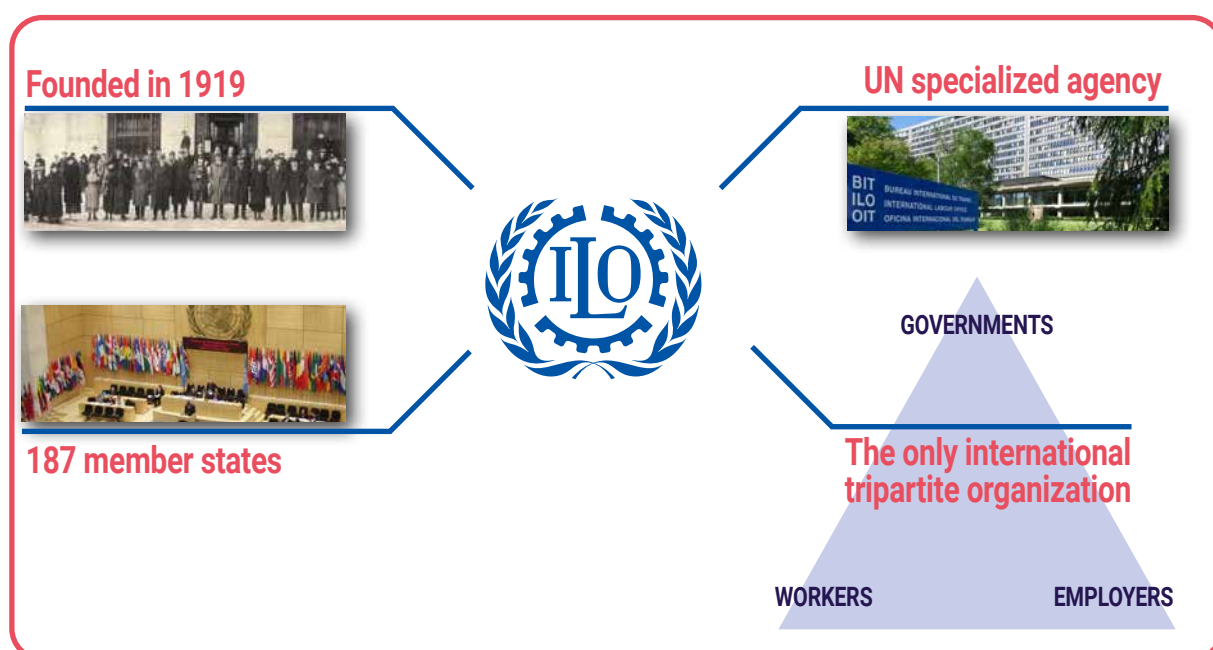
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What is the International Labour Organization (ILO)?

ILO is a specialized agency of the United Nations. Since 1919, the Organization has been bringing together governments, employers and workers from around the world to promote prosperity and social justice. The ILO's founders recognized that the global economy needed clear rules in order to ensure that economic progress would go hand in hand with social justice, prosperity and peace for all. The Organization established a system of international labour standards – international Conventions (or Protocols) and Recommendations – drawn up by representatives of governments, employers and workers from around the world- covering all matters related to work¹.

Today representatives from 187 member States are united under the unique tripartite structure of the ILO, which gives an equal voice to workers, employers and governments. The tripartite structure of the Organisation ensures that the views of all the actors are reflected both in international labour standards and in shaping policies and programmes.



¹ ILO, The Rules of the Game, Centenary Edition (2019) page 12

▶ Advancing social justice, promoting decent work

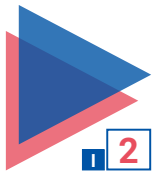
The ILO's quest for social justice, defined as the aspirations of every working man and woman to be able to freely claim on the basis of equality of opportunity their fair share of the wealth they have helped to create, is as relevant today as when the ILO was created.

One of the main principles expressed in the preamble of the Declaration of Philadelphia, one of the ILO's ILO founding documents²: labour is not a commodity. This principle reaffirms that people should not be treated as a resource or factor of production. Each person shall work in freedom, safety and dignity.

Today the strategic aims of the ILO are to promote rights at work, encourage decent employment opportunities, enhance social protection and strengthen dialogue on work-related issues.



- 2** Versailles Treaty, establishing the International Labour Organization, Article 427 - https://www.ilo.org/wcmsp5/groups/public/---dgreports/---jur/documents/genericdocument/wcms_441862.pdf
 ILO Constitution - https://www.ilo.org/dyn/normlex/en/f?p=1000:62:0::NO:62:P62_LIST_ENTRIE_ID:2453907:NO
 Declaration of Philadelphia 1944, reestablishing the ILO under the United Nations and reaffirming the first principle that labour is not a commodity - <https://www.ilo.org/legacy/english/inwork/cb-policy-guide/declarationofPhiladelphia1944.pdf>



The ILO Decent Work Agenda summarizes the aspirations of everyone to obtain decent work through the promotion of social dialogue, social protection and employment creation, as well as respect for international labour standards. It entails the provision of work that is productive and delivers a fair income, security in the workplace and social protection for families, better prospects for personal development and social integration, freedom for people to express their concerns and to organize and participate in the decisions that affect their lives, and, equality of opportunity, and equal and fair treatment for all women and men. The realization and respect for fundamental principles and rights at work is one of the pillars of Decent Work.

Decent work has become a universal objective and has been included in major human rights declarations, UN Resolutions, and outcome documents of major world conferences. It is also at the heart of the UN 2030 Agenda for Sustainable Development (2015). Moreover, the principles elements of decent work are reflected in many of the targets of the 16 Sustainable Development Goals.

One of these declarations, the ILO Declaration on Social Justice for a Fair Globalization, adopted in June 2008 by governments, expressed at the time the contemporary vision of the ILO's mandate in the era of globalization. It emphasizes a holistic and integrated approach by recognizing that employment, social protection, social dialogue and fundamental rights at work are "inseparable, interrelated and mutually supportive". It further reiterates the role of international labour standards as a means of achieving these objectives as well as the constitutional objectives of the ILO itself.

Fundamental Principles and Rights at Work³

Historically the ILO has considered certain categories of rights at work to be fundamental. They are:

1. The right to freedom of association and the effective recognition of the right to collective bargaining;

3 These four categories of principles and rights will be described in more detail in Module 2

2. The right to freedom from all forms of forced or compulsory labour;
3. The right to freedom from child labour; and
4. The right to freedom from discrimination in respect of employment and occupation.

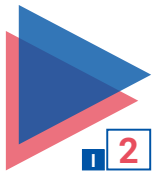
In 1998 the ILO adopted the Declaration on Fundamental Principles and Rights at Work and its Follow-Up in response to the ill effects of the opening up of global markets, and, particularly the effects of globalization on the respect for core labour standards.

The Declaration makes it clear that these rights are universal, and that they apply to all people in all States - regardless of the level of economic development. It declares that all Members, even if they have not ratified the Conventions in question, have an obligation arising from the very fact of membership in the Organization to respect, to promote and to realize these core labour standards. It particularly mentions groups with special needs, including the unemployed and migrant workers and further states that economic growth alone is not enough to ensure equity, social progress and to eradicate poverty.⁴

The Future of Work

Global developments, including the technological change, increased participation of women in the labour market, accelerated globalization of trade, fragmentation of value chains, expansion of the on-demand economy, increasing demand for new skills, etc., find its reflection in the ILO Centenary Initiative on the Future of Work. The ILO Centenary Declaration for the Future of Work, adopted in 2019 at the 108th session of the International Labour Conference, not only reaffirms the ILO's fundamental principles¹, but also applies a human-centered approach to shape the path toward fair, inclusive and secure future of work, with full, productive and freely-chosen employment and decent work for all.

⁴ The Declaration recalls and reaffirms the aims, purposes, principles and mandate set out in the ILO Constitution and the Declaration of Philadelphia (1944) and underlines the importance of the ILO Declaration on Fundamental Principles and Rights at Work (1998) and the ILO Declaration on Social Justice for a Fair Globalization (2008)



Today there remains a strong international commitment to address violations of these fundamental human rights. Respect for core labour standards is also a feature of a growing number of Free Trade Agreements.

Throughout its 100 years history, the ILO has developed a system of international labour standards (ILS) covering a wide range of subjects in the world of work and backed by supervisory mechanisms designed to address all sorts of problems in their application at the national level. Today as well as in the future international labour standards continue giving the responses to the changes influencing the world of work.

How does the ILO work?

To pursue its aims, the ILO

- ▶ adopts international labour standards covering a wide range of subjects backed by a unique system to supervise their application;
- ▶ formulates international policies and programmes to promote basic human rights, improve working and living conditions, and enhance employment opportunities;
- ▶ cooperates with its constituents in member countries to help them put these policies into practice; and
- ▶ undertakes training, education and research activities.

The adoption of international labour standards is one of the means utilized by the ILO to achieve the objective of social justice set forth in the Preamble to its Constitution⁵.

5 https://www.ilo.org/dyn/normlex/en/f?p=1000:62:0::NO:62:P62_LIST_ENTRIE_ID:2453907:NO

The ILO accomplishes its work through three main bodies:

The tripartite **International Labour Conference**⁶ which establishes international labour standards and broad ILO policies. It meets annually in Geneva, Switzerland. Providing spaces for exchanging the views among the tripartite constituents, the Conference is also a forum for discussion of key social and labour questions.

The **Governing Body**⁷ is the tripartite executive council. It meets three times a year in Geneva. It takes decisions on ILO policy and establishes the programme and budget, which it then submits to the Conference for adoption. The Governing Body also plays an important role in supervising the application of international labour standards.

The **International Labour Office**⁸ is the permanent secretariat of the Organization. It is the focal point for its overall activities, which it prepares under the scrutiny of the Governing Body and the leadership of the **Director-General**⁹. Based in Geneva, the Office has a field structure: through a number of field offices direct contacts are maintained with governments, employers and workers.



What are international labour standards?

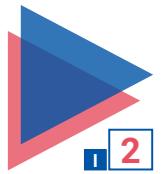
International labour standards (ILS) are the products of discussions among governments, employers and workers. The ILS represent the international consensus on how a specific issue in the world of work may

6 <https://www.ilo.org/ilc/AbouttheILC/lang--en/index.htm>

7 <https://www.ilo.org/gb/about-governing-body/lang--en/index.htm>

8 <https://www.ilo.org/global/about-the-ilo/how-the-ilo-works/departments-and-offices/lang--en/index.htm>

9 <https://www.ilo.org/global/about-the-ilo/how-the-ilo-works/ilo-director-general/lang--en/index.htm>



be tackled at the global level. ILS also reflects knowledge and experience that the constituents are bringing from all parts of the world.

The universal and flexible nature of ILS allows them to be translated into national law and practices, while taking into account peculiarities of national legal systems and administrations. ILS are traditionally addressed to governments, which use them as models and targets for drafting their labour laws and social policies, to improve administrative structures, including labour inspection, labour administration, employment services and social security. ILS also provide invaluable guidance in other contexts, e.g. to enterprises engaging in Corporate Social Responsibility (CSR) initiatives, supporting the process of “due diligence” for the achievement of decent work, to domestic courts and tribunals for settling labour disputes or as models for collective agreements. ILS are also tripartite, with employers’ and workers’ organizations playing an important role in drafting, adopting and implementing them.

International labour standards can be either:

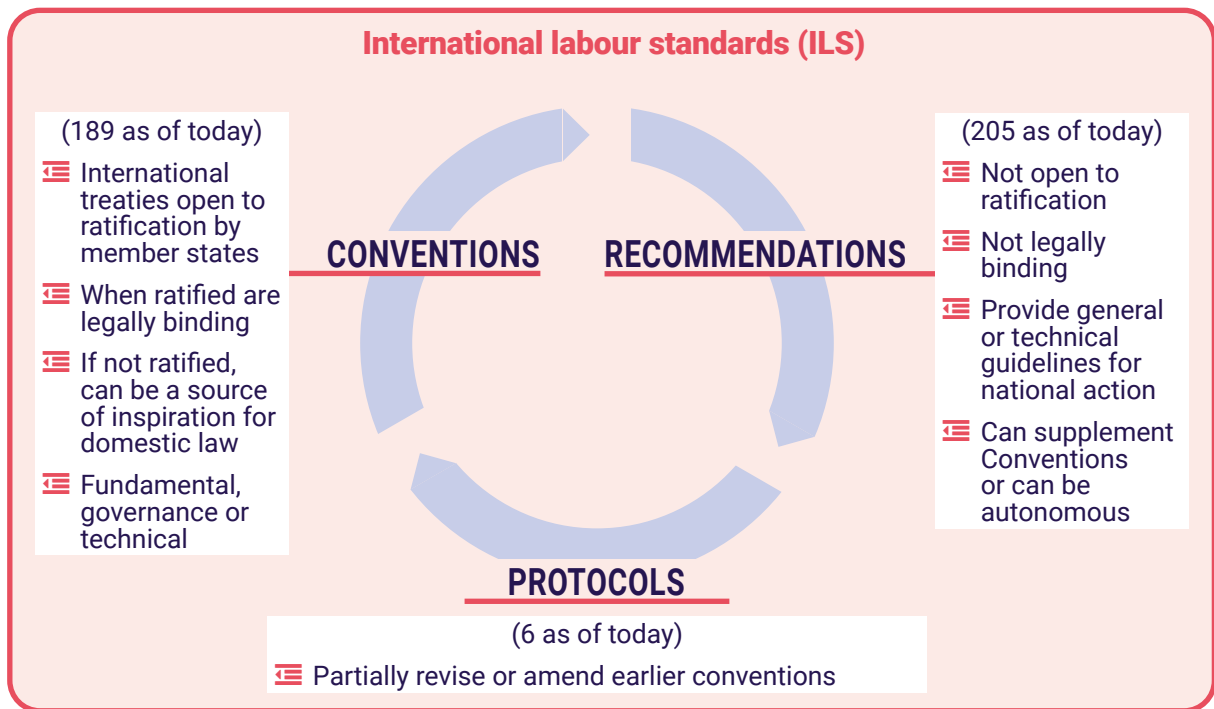
- ▶ **Conventions**¹⁰, which are legally binding international treaties that may be ratified by member States,
- ▶ **Recommendations**, which serve as non-binding guidelines, or
- ▶ **Protocols**, which are used to adapt existing Conventions.

In many cases, a Convention lays down the basic principles to be implemented by ratifying countries, while a related Recommendation supplements the Convention by providing more detailed guidelines on how it may be applied. Recommendations can also be autonomous, meaning not linked to any Convention.

The NORMLEX database offers comprehensive information on international labour standards and their application. Consulting the NORMLEX, you will find the full texts of the ILO:

- ▶ ILO Conventions (190 at the time of publication);
- ▶ ILO Recommendations (206 at the time of publication);
- ▶ Protocols (6 as of today).

10 ILO Conventions are grouped as follows: fundamental Conventions; priority or governance Conventions; and technical Conventions.

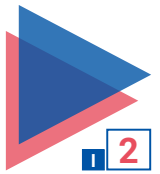


▶ Conventions by type

- ▶ 8 Fundamental Conventions
- ▶ 4 Governance (priority) Conventions
- ▶ 178 Technical Conventions

Fundamental Conventions

The ILO Governing Body has identified **eight** “fundamental” Conventions, covering subjects that are considered to be fundamental principles and rights at work:



Freedom of association and the effective recognition of the right to collective bargaining

- C087** the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)
- C098** the Right to Organise and Collective Bargaining Convention, 1949 (No. 98)

Elimination of all forms of forced or compulsory labour

- C029** the Forced Labour Convention, 1930 (No. 29)
- P029** Protocol of 2014 to the Forced Labour Convention, 1930
- C105** the Abolition of Forced Labour Convention, 1957 (No. 105)

Effective abolition of child labour

- C138** the Minimum Age Convention, 1973 (No. 138)
- C182** the Worst Forms of Child Labour Convention, 1999 (No. 182)

Elimination of discrimination in respect of employment and occupation

- C100** the Equal Remuneration Convention, 1951 (No. 100)
- C111** the Discrimination (Employment and Occupation) Convention, 1958 (No. 111)

Governance Conventions

The ILO Governing Body has also designated another four Conventions as governance (or priority) instruments, thereby encouraging member States to ratify them because of their importance for the functioning of the international labour standards system:

Employment policy

C122 the Employment Policy Convention, 1964 (No. 122)

Labour inspection

C081 the Labour Inspection Convention, 1947 (No. 81)

C129 the Labour Inspection (Agriculture) Convention, 1969 (No. 129)

Tripartite consultation

C144 the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)

Technical Conventions

A wide range of subject areas are covered by ILO technical Conventions:

Freedom of association, collective bargaining and industrial relations	Vocational guidance and training	Maternity protection
Forced labour	Employment security	Migrant workers
Elimination of child labour and protection of children and young persons	Social policy	Seafarers
Equality of opportunity and treatment	Wages	Fishers
Tripartite consultation	Working time	Dockworkers
Labour administration and inspection	Occupational safety and health	Indigenous and tribal peoples
Employment policy and promotion	Social security	Specific categories of workers



Applying and promoting international labour standards

Under article 19 of the ILO Constitution, once international labour standards are adopted member States are required to submit them for consideration to their competent authority (i.e. the parliament) for the enactment of relevant legislation or other action. Conventions, being legally binding instruments, can then be considered for ratification. A Convention usually comes into force for the country that ratifies it one year following ratification. The same applies to Protocols.

The act of ratification means that a member State commits

- (i) to apply the Convention in national law and practice and
- (ii) to periodically report on its application.

The supervision of the application of international labour standards that follows ratification allows the ILO to assist member States in those areas where improvements could be done through social dialogue and various forms of technical assistance.

The regular system for supervising the application of standards

Once it has ratified a Convention, a country is subject to the regular supervisory system, which is responsible for ensuring that international labour standards are applied nationally.

Every three years, governments have to provide reports on steps they have taken to apply in law and practice any of the **eight fundamental** and **four governance Conventions** they have ratified.

Every six years, reports have to be provided for **technical Conventions**.

Reports on the application of Conventions may be requested at shorter intervals. Governments are requested to submit copies of their reports to the representative organizations of employers and workers. Employers'

and workers' organizations may comment on the government reports or send their comments on the application of ratified Conventions directly to the International Labour Office.

Two ILO bodies are involved :

- ▶ The Committee of Experts on the Application of Conventions and Recommendations¹¹ (CEACR)
- ▶ The International Labour Conference's Tripartite Committee on the Application of Conventions and Recommendations¹² (CAS)

The CEACR examines the reports and other information and documents available and makes two kinds of comments to member States:

Observations

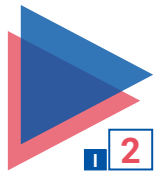
- ▶ Are used in more serious or long-standing cases of failure to fulfil obligations.
- ▶ May also highlight progress on specific issues, as appropriate.
- ▶ Are reproduced in the annual report of the CEACR.

Direct requests

- ▶ Relate to technical questions or when further information is needed.
- ▶ Are also used to examine first reports
- ▶ They are not published in the annual report of the CEACR, but communicated directly to governments concerned, employers' and workers' organizations

11 <https://www.ilo.org/global/standards/applying-and-promoting-international-labour-standards/committee-of-experts-on-the-application-of-conventions-and-recommendations/lang--en/index.htm>

12 <https://www.ilo.org/global/standards/applying-and-promoting-international-labour-standards/conference-committee-on-the-application-of-standards/lang--en/index.htm>



Both observations and direct requests are available online in NORMLEX¹³.

The annual report of the CEACR is transmitted to the CAS for discussion. The CAS examines the report in a tripartite setting and a selection of observations which are discussed one by one (24 individual cases). The governments to which these observations are addressed are invited to provide information to the CAS, which usually adopts conclusions recommending that governments take specific steps to remedy a problem or accept different types of missions or technical assistance.

Special procedures

The ILO supervisory system is multidimensional. It also includes three special procedures, which are based on allegations of violations against governments.

1. The procedure for **representations**¹⁴ (Arts. 24 and 25 of the ILO Constitution) can be used by employers' or workers' organizations for non-observance of any ratified Convention by any member State.
2. The procedure for **complaints**¹⁵ (Arts. 26 to 29 and 30 to 34 of the ILO Constitution) can be used against a member State for not complying with a ratified Convention by another member State which has ratified the same Convention, a delegate to the International Labour Conference or the Governing Body of its own motion.
3. **Freedom of association**¹⁶ procedures for the examination of complaints alleging violations of freedom of association and collective bargaining by the Committee on Freedom of

¹³ <https://www.ilo.org/dyn/normlex/en>

¹⁴ <https://www.ilo.org/global/standards/applying-and-promoting-international-labour-standards/representations/lang-en/index.htm>

¹⁵ <https://www.ilo.org/global/standards/applying-and-promoting-international-labour-standards/complaints/lang-en/index.htm>

¹⁶ <https://www.ilo.org/global/standards/applying-and-promoting-international-labour-standards/committee-on-freedom-of-association/lang-en/index.htm>

Association (CEACR), regardless of ratification of the relevant Conventions. Complaints may be brought against a member State by employers' or workers' organizations.

6.3 General Surveys

Article 19 of the ILO Constitution requires member States to report, at the request of the Governing Body, on measures they have taken to give effect to any provision of certain unratified Conventions or Recommendations, and to indicate any obstacles which are preventing or delaying the ratification of a particular Convention. Employers' and workers' organizations may comment as well.

Using this information, as well as information on the application of ratified Conventions, the CEACR publishes annually a General Survey providing an in-depth overview of national law and practice on the selected subject. General Surveys provide an opportunity to examine the impact of international labour standards, analyse difficulties reported by governments in their application and identify means of overcoming obstacles.

The General Surveys issued since 1985 are available via NORMLEX.

1985	Labour Inspection	1993	Workers with Family Responsibilities
1986	Equal Remuneration	1994	Freedom of Association and Collective Bargaining
1987	Safety in the Working Environment	1995	Protection against Unjustified Dismissal
1988	Equality in Employment and Occupation	1996	Equality in Employment and Occupation
1989	Social Security Protection in Old-Age	1997	Labour Administration
1990	Labour Standards on Merchant Ships	1998	Vocational Rehabilitation
1991	Human Resources Development	1999	Migrant Workers
1992	Minimum Wages	2000	Tripartite Consultation



2001	Night Work of Women in Industry	2012	Fundamental Conventions
2002	Dock Work	2013	Labour Relations (Public Service) and Collective Bargaining
2003	Protection of Wages	2014	Minimum wage fixing instruments
2004	Promoting Employment	2015	Right of Association and Rural Workers' Organisations instruments
2005	Hours of Work	2016	Instruments concerning migrant workers
2006	Labour Inspection	2017	Instruments concerning occupational safety and health
2007	Eradication of Forced Labour	2018	Instruments concerning working time
2008	Labour Clauses in Public Contracts	2019	Social Protection Floors Recommendation, 2012 (No. 202)
2009	Occupational Safety and Health		
2010	Employment Instruments		
2011	Social Security Instruments		

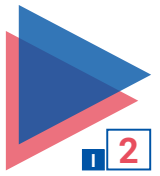


Centenary initiative on international labour standards

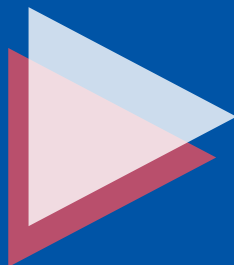
In the run-up to the ILO's centenary year in 2019, the ILO instituted the Standards Initiative. Its main purpose is to enhance the relevance of international labour standards, especially in the face of changing patterns of the world of work, and to consolidate tripartite consensus on an authoritative supervisory system.

Key resources and documents

- ▶ **NORMLEX** is a trilingual database (English, French and Spanish) which brings together information on international labour standards (such as information on ratifications, reporting requirements, comments of the ILO supervisory bodies, etc.), as well as on national labour and social security legislation. It has been designed to provide full and easily usable information on these subjects.
<https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:1:>
- ▶ **NATLEX** is a trilingual database (English, French and Spanish with very many texts in the original language) on labour, social security and human rights law. It includes nearly 90,000 legislative texts from 196 countries and over 160 territories, provinces and other entities.
https://www.ilo.org/dyn/natlex/natlex4.home?p_lang=en
- ▶ ILO Constitution
https://www.ilo.org/dyn/normlex/en/f?p=1000:62:0::NO:62:P62_LIST_ENTRIE_ID:2453907:NO
- ▶ Conventions and Recommendations
<https://www.ilo.org/dyn/normlex/en/f?p=1000:12030::NO::>
- ▶ Reports of the Committee of Experts on the Application of Conventions and Recommendations (CEACR)
<https://www.ilo.org/public/libdoc/ilo/P/09661/>
- ▶ Reports of the Conference Committee on the Application of Standards (CAS)
https://www.ilo.org/global/standards/information-resources-and-publications/WCMS_190528/lang-en/index.htm
- ▶ List of Representations (Art. 24 of the ILO Constitution) and of reports of the committees that analyzed them
https://www.ilo.org/dyn/normlex/en/f?p=1000:50010::NO:50010:P50010_ARTICLE_NO:24
- ▶ List of Commissions of Inquiry and complaints (Art. 26 of the ILO Constitution)
https://www.ilo.org/dyn/normlex/en/f?p=1000:50011::NO:50011:P50011_ARTICLE_NO:26



- ▶ Reports of the Committee on Freedom of Association (CFA)
https://www.ilo.org/wcmsp5/groups/public/--ed_norm/--normes/documents/genericdocument/wcms_159872.pdf
- ▶ Introducing the International Labour Organization (ILO, 2019)
https://www.ilo.org/global/about-the-ilo/WCMS_374809/lang-en/index.htm



Social Dialogue

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First published 2020

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Support for Implementation of the Decent Work Country Programme of Uzbekistan Project (ILO DWT and Country Office for Eastern Europe and Central Asia) & International Training Center of the ILO.

Resource Kit for the Design and Learning Activities on Labour Rights / International Labour Organization, , International Training Center of the ILO (ITC-ILO). Geneva: ILO, 2020.

ISBN: 9789220328873 (Web PDF); International Labour Organization; Fundamental Principles and Rights at Work Branch, International Training Center of the ILO. Also available in Uzbek: ISBN 9789220328880; and Russian: ISBN 9789220328897

ACKNOWLEDGEMENTS

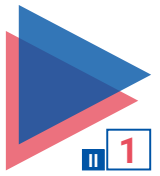
This Resource kit was prepared by Giselle Mitton (ITC-ILO) and Olena Vazhynska (ITC-ILO). Funding for this ILO publication is provided by the United States Department of Labor (USDOL) under cooperative agreement number IL-26629-14-75-K-11 Support for Implementation of the Decent Work Country Programme of Uzbekistan Project (UZB/14/01/USA). One hundred percent of the total costs of the project is financed with Federal funds, for a total of \$6,000,000.00 US dollars.

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Key international labour standards

- C144** Tripartite Consultation (International Labour Standards) Convention, 1976
- R152** Tripartite Consultation (Activities of the International Labour Organisation) Recommendation, 1976 (No. 152)
- R113** Consultation (Industrial and National Levels) Recommendation, 1960 (No. 113)
- C098** Right to Organise and Collective Bargaining Convention, 1949 (No. 98)
- C154** Collective Bargaining Convention, 1981 (No. 154)
- R091** Collective Agreements Recommendation, 1951 (No. 91)
- R094** Cooperation at the Level of the Undertaking Recommendation, 1952 (No. 94)



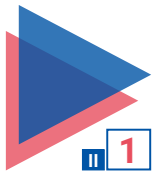
Introduction

Social dialogue is defined by the ILO to include *all types of negotiation, consultation or exchange of information between, or among, representatives of governments, employers and workers, on issues of common interest relating to economic and social policy*. It can exist as a **tripartite process**, with the government as an official party to the dialogue. It may also be a **bipartite** process between labour and management (or trade unions and employers' organizations), with or without indirect government involvement. Collective Bargaining is a special form of bipartite social dialogue in which the employer and worker organisations negotiate on terms and conditions of employment including wage and working hours. Other forms of bipartite social dialogue include workplace consultative mechanisms dealing with issues related to occupational health and safety, productivity or technological change.

An effective process of social dialogue has the potential to bring benefit to all players within the labour market. It is based on the premise that groups who are affected by any economic or social issue must be party to the decision-making process as they are then more likely to respect the final decisions and outcomes. For example, it can ensure inclusive labour markets that keep workers in the system and in employment rather than forcing them out. Social dialogue processes can be informal or institutionalised, and often it is a combination of the two. It can take place at the national, regional or at enterprise level. It can be inter-professional, sectoral or a combination of these.

Sound labour legislation is at the heart of a productive and growing economy. It is thus crucial to ensure that all parties concerned participate in the formulation and application of the legislation through **social dialogue**. The participation of all parties not only promotes social justice in a society, but also has a direct impact on economic growth and social stability.

For employers, social dialogue provides employers' organizations the opportunity to provide guidance and services such as advice and capacity enhancement through training for enterprises to operate more efficiently and effectively. Through social dialogue, workers'



organisations can protect and promote the interests of workers they represent. In addition, through workplace cooperation and collective bargaining, workers and their organizations can improve their working conditions, negotiate higher wages, enable skills upgrade through training, protect workers by improving health and safety conditions in the workplace as well as ensure social security.

Building effective Social Dialogue

The 2018 International Labour Conference (ILC) resolution on social dialogue recognised the many challenges facing social dialogue and stressed the importance of strengthening social dialogue mechanisms in the context of fast-changing technology, demographic shifts and growing precarity in the world of work. However, in several countries, employers and workers still face fundamental obstacles which prevent them from exercising their rights to associate freely and to engage in social dialogue and collective bargaining. In some cases, the institutions for social dialogue either do not exist or where they do exist, they do not function effectively.

The 90th ILC in 2002 adopted a resolution on tripartism and social dialogue which identified the following precondition for effective social dialogue:

- ▶ Strong, independent workers' and employers' organizations with the technical capacity and access to relevant information to participate in social dialogue;
- ▶ Political will and commitment to engage in social dialogue on the part of all the parties;
- ▶ Respect for the fundamental rights of freedom of association and collective bargaining; and,
- ▶ An enabling legal and institutional framework.

Guidance from International Labour Standards:

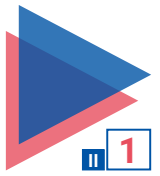
Tripartite social dialogue

- C144** Tripartite Consultation (International Labour Standards) Convention, 1976
- R152** Tripartite Consultation (Activities of the International Labour Organisation) Recommendation, 1976 (No. 152)
- R113** Consultation (Industrial and National Levels) Recommendation, 1960 (No. 113)

Tripartism is defined by the ILO as the interaction of government, employers and workers (through their representatives) as equal and independent partners to seek solutions to issues of common concern. It refers to institutions, mechanisms and processes for consultation, negotiation and/or joint decision-making. These may be done on an ad hoc basis, or institutionalised.

The aim of Convention No. 144 and Recommendation No. 152 is to promote in each member State procedures which ensure effective consultations between the government and representative organisation employers and workers as equal partners specifically on 'matters concerning the activities of the International Labour Organisation', including , questionnaires, ILO reports and the ratification and or review of conventions.

In promoting tripartite social dialogue as a tool of sound labour market governance, the ILO advances and promotes certain preconditions for effective social dialogue which are valid across different national contexts. These preconditions include inter alia: the need for strong



and independent social partners; freedom of association and collective bargaining; institutional support for social dialogue by labour administrations; political willingness to engage in social dialogue from all actors; and the willingness to listen and engage in good faith with a view to finding an agreed solution.

The need for adequate institutional support is highlighted in C144, which specifically gives the government the responsibility to offer training to social partners, which is particularly relevant when dealing with complex policy and reform measures.

Recommendation No. 113 promotes consultation and cooperation between government (public authorities) and workers and employers organisations at industry or national level ' with a view to developing the economy as a whole or individual branches thereof, improving conditions of work and raising standards of living'. It specifically encourages joint consideration of matters of mutual concern and in the preparation and implementation of laws affecting workers and employers. Most ILO members have national level tripartite institutions in place that deal with issues related to ILO activities and matters affecting labour related policy and legislation. The decision-making process, structures and procedures of these institutions vary greatly across the ILO member countries. The instruments flowing from national/industry level tripartite social dialogue also vary from situation to situation.

In some instances national level tripartite dialogue has resulted in social pacts , and or declarations on significant socio-economic changes. In Tunisia, for example, social dialogue helped to facilitate a peaceful democratic transition.

Instruments: Social pact, tripartite agreement or declaration, laws and regulations and economic or social policies adopted following consultation with the social partners.

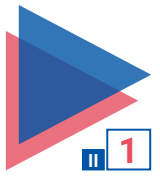
Social dialogue for peaceful and democratic transition

In 2013, just two years after a revolution which ended an authoritarian regime in Tunisia, a social contract was signed by the Tunisian National Dialogue Quartet composed of : the Tunisian General Labour Union (UGTT), the Tunisian Confederation of Industry, Trade, and Handicrafts (UTICA), the Tunisian Human Rights League and the Tunisian Order of Lawyers. Four years later, on 24 July 2017 Law no. 2017-54 was enacted, establishing a National Council for Social Dialogue, defining its competencies and functioning. These were the milestones toward the participatory democratisation of the country and establishment of a new model of governance built on social dialogue. The signatory quartet of the social contract was awarded the Nobel Peace Prize in 2015 for its “its decisive contribution to the building of a pluralistic democracy in Tunisia in the wake of the Jasmine Revolution of 2011”¹ .

¹ The Nobel Peace Prize 2015 – Press release - <https://www.nobelprize.org/prizes/peace/2015/press-release/>

Tripartite Social Dialogue: examples from Southern Africa

The Labour and Economic Social Council (LESCO) is the main body for social dialogue in Tanzania, it is established in terms of the Labour Institutions Act 2004. LESCO is a tripartite-plus body with a mandate to advise on socio- economic and labour market policy. It is also empowered to deal with issues arising from ILO membership and on the prevention and reduction of unemployment. There is a general appreciation of social dialogue amongst all the social partners. LESCO meetings are held on a quarterly basis but meetings may also take place on an ad hoc basis if necessary. Key policy issues dealt with so far include the Employment Policy, labour rules and regulations, occupational safety and health (OSH) and social security.



The National Economic Development and Labour Council (NEDLAC) is the main apex level social dialogue institution in South Africa. It is a statutory body established in terms of the NEDLAC Act. The procedures and inputs for social dialogue are governed by the NEDLAC Constitution and the NEDLAC Protocol. NEDLAC has a broad mandate to deal with socio-economic and labour policy and all aspects of labour legislation. The Minister of Labour is compelled to take labour laws through the NEDLAC process before submitting them to Parliament. NEDLAC is a tripartite-plus institution which includes amongst its members groupings from the women, youth and community sectors. NEDLAC has made many significant contributions to the policy and legislative landscape of South Africa over the years, including the conclusion of the National Minimum Wage system and the negotiation of a Jobs Summit Framework Agreement to promote employment, especially amongst the youth. It has also recently concluded a Joint declaration and plan to combat COVID-19.

Bipartite social Dialogue

Bipartite social dialogue involves two parties - employer(s) and/ or employers' organisations, and workers' organisations (i.e. trade unions) – that agree to exchange information, consult each other or negotiate together. It is often practised through collective bargaining or workplace cooperation which may result in a collective agreement or framework agreement.

Collective bargaining

- C98** Right to Organise and Collective Bargaining Convention, 1949 (No. 98),
- C154** Collective Bargaining Convention, 1981 (No. 154)
- C91** Collective Agreements Recommendation, 1951 (No. 91)

Collective bargaining: Also see related **module 3** on freedom of association and collective bargaining.

Collective bargaining is defined in the Collective Bargaining Convention, 1981 (No. 154), as “all negotiations which take place between an employer, a group of employers or one or more employers’ organisations, on the one hand, and one or more workers’ organisations, on the other, for:

- (a) determining working conditions and terms of employment; and/or
- (b) regulating relations between employers and workers; and/or
- (c) regulating relations between employers or their organisations and a workers’ organisation or workers’ organisations”.

Instrument: Collective agreement

Regularizing casual workers

Transnet SOC Limited is a freight and transport handling company in South Africa. It has five divisions, including Transnet Port Terminals (TPT) and Transnet Freight Rail, the largest division. TPT includes both the Durban Container Terminal and the Port of Richards Bay’s mineral bulk operations (imports and exports), which operate 24 hours a day, 7 days a week. They are subject to considerable fluctuations in shipping volumes entering and leaving port, and subsequently in the demand for labour.

For years, the Terminals were staffed by a combination of full-time employees on indefinite contracts, and casual employees engaged through labour brokers. Despite performing identical work, casual workers earned less, had fewer benefits and no job security as compared to permanent staff. The Transnet Bargaining Council reached a collective agreement on fixed-term workers, committing to regularize into indefinite contracts 300 employees in TPT, and 1,472 in Transnet Freight Rail by end March 2016. The agreement provides that Transnet directly employs fixed-term workers on terms and conditions (including remuneration, bonuses, leave and a variety of other allowances and benefits) set out in the collective agreement. As a result, these workers will no longer be employed through labour brokers. Through social dialogue, parties were able to address the issue of the use of labour brokers.

The atmosphere for industrial relations has shifted from mistrust and





confrontation to more positive relations. The number of days lost due to industrial action in TPT fell from an average of 13.5 days (2010-2011) at the Durban Container Terminal and Port of Richards Bay, to 0.5 days and 0.35 days (August 2014), respectively.

This is a success story from one of the ILO's Infostories series. To learn more about other good practices of collective bargaining please consult: Can collective bargaining create a fairer economy? Bargaining can cover many issues that benefit both businesses and workers. Choose a country to learn about successful case studies - <https://www.ilo.org/infostories/en-GB/Stories/Labour-Relations/collective-bargaining#bargaining-can-cover>

Workplace cooperation

R094 Cooperation at the Level of the Undertaking Recommendation, 1952 (No. 94)

Workplace cooperation is defined as “consultation and cooperation between employers and workers at the level of the undertaking on matters of mutual concern not within the scope of collective bargaining machinery, or not normally dealt with by other machinery concerned with the determination of terms and conditions of employment”. Collective agreements may nonetheless establish the framework for such consultation and cooperation. It is a bipartite process that is voluntary and is based on open communication, information sharing and consultation.

In many countries workplace structures exist to ensure mechanisms for consultation on occupational health and safety matters. In South Africa for example the labour legislation gives representative trade unions the right to establish workplace forums for consultation on a range of issues including, training, job grading, changes in the organisation of work and payment of discretionary bonuses. Workers organisations also have the right to disclosure of information on matters within the scope.

Workplace cooperation can also be externally facilitated. For example in Australia, the Fair Work Commission is responsible for resolving

workplace disputes related to collective bargaining. A few years ago it adopted a New Approaches programme to promote more cooperative and less adversarial labour relations. This programme helped to promote better relations between unions and employers and save many jobs, especially in the manufacturing sector. The Better Work programme and IFC also promotes workplace cooperation and recommends the establishment of workplace mechanisms for improved communication and consultation with workers to improve productivity¹.

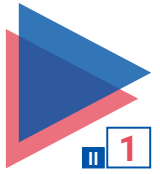
Other forms of Bipartite dialogue – (Sectoral or Transnational)

International Framework Agreements

International Framework Agreement between UNI and Carrefour to advance labour rights in food retail chain

Six companies in the food retail sector have signed IFAs with UNI Global Union. These companies include Carrefour SA (IFA signed in 2001, renewed in 2015), Takashimaya Co., Ltd. (2008), Shoprite International Ltd. (2010), Metro Group (2013), Aeon Co., Ltd. (2014) and Auchan Retail (2017). UNI Global Union is the global union federation for services, representing 20 million workers from over 150 countries worldwide.

In 2001, Carrefour and UNI concluded the first IFA in the retail sector. Carrefour is a French multinational food retail chain that at the time of writing operates 11,935 stores and e-commerce sites in more than 30 countries. The company employs 384,000 people worldwide, including 12,200 people with disabilities. The document captured the joint intention to monitor the respect of the principles of key ILO Conventions towards industrial peace and social consensus, i.e. the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), and the Workers' Representatives Convention, 1971 (No. 135). It outlined the company's inherent respect for the fundamental principles and rights at work as well as the condemnation of child labour, slavery, and forced labour – explicitly stating that the company will include these principles in its requirements for suppliers in the clause's applicability.



Learn about other examples of International Framework Agreements in the food retail sector, garment sector and chemical industry: ILO Working Paper “International Framework Agreements in the food retail, garment and chemicals sectors: Lessons learned from three case studies”, 2018 - https://www.ilo.org/sector/Resources/publications/WCMS_631043/lang-en/index.htm

Learn more about the importance and benefits of social dialogue: National Tripartite Social Dialogue: An ILO guide for improved governance, 2013 - https://www.ilo.org/ifpdial/information-resources/publications/WCMS_231193/lang-en/index.htm

▶ Sample session 1: Fostering social dialogue



OBJECTIVE

- ↓ To become familiar with the process of and the conditions for successful social dialogue on labour related issues



SETTING

- ↓ Participants to be divided into small groups- each group to be made up of employers and workers.
- ↓ Each group will select a reporter on the exercise.



DURATION

- ↓ 20 minutes for discussion in each group
- ↓ 5 minutes of presentation from each group
- ↓ 15 minutes of challenges for meaningful/successful dialogue



TASK

1. One group to negotiate improvements in Occupational Safety and Health (OSH) in a fictitious workplace. They will together decide what the workplace or sector will be. As the discussions and negotiations will be on OSH, the workplace they should choose poses risks by the nature of the work they do. Workers' representatives will explain the risk factors at the workplace and give examples of accidents that took place and suggest improvements to eliminate risks. The employers will argue that there are no health or safety issues as conditions for work were greatly improved



recently. They will also argue that any further improvements will be costly.

2. The other group will negotiate for higher wages for all workers. The workers are to base their demands on the higher cost of living. They can give examples like the increased cost of transport, limited buying power for work ware and other essentials. Employers maintain that granting higher wages is not possible because production costs have risen, and the company's profit margin is already at a minimum.



TIPS FOR TRAINERS:

- ↓ Either on a flipchart, a handout or on screen, write the basic definition of social dialogue
- ↓ Establish the level of prior knowledge of participants have on the topic
- ↓ Briefly go over the two key ILO conventions, Convention No. 144 and Convention No. 154 (and their respective Recommendations as necessary)
- ↓ Explain the process and expected outcome of the group work
- ↓ Following the group presentations, encourage further discussion by posing questions like:
 1. *Has any agreement been reached?*
 2. *Was the outcome of the negotiation satisfactory for the parties, if not why not?*
 3. *How would you have approached the situation if the negotiation did not produce the desired result?*
- ↓ Evaluate the session by both asking feedback from the participants and by reflecting on the outcomes of each group.

▶ Sample session 2: Social dialogue - what's in it for workers and employers?



OBJECTIVES

- ↓ To understand better and appreciate the many benefits of social dialogue for parties involved in the process;
- ↓ To gain skills for preparing and taking part in the social dialogue process.



SETTING

- ↓ Two groups will be formed- one group consisting of employers and the other consisting of workers.
- ↓ They will be provided with a flipchart, pens, markers, to record the main points of their discussions and ideas.



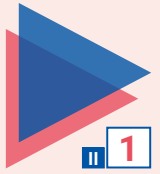
DURATION

- ↓ 20 minutes to exchange views and ideas in groups;
- ↓ 5 minutes for each group to present the results in plenary;
- ↓ 15 minutes to discuss in plenary.



TASK

1. The workers group will discuss the value and the benefits of social dialogue for their members. They will discuss how they can change working conditions for the better, negotiate for higher wages, further skills training, social security and



any other issues they think they can address through the social dialogue process. They will also discuss ways to promote social dialogue among workers.

2. The employers group will discuss ways of providing guidance and advice to workers on safety at work, benefits of skills training and advice on issues like how to be better organised, more effective ways of representing their members and how to work with employers to overcome disputes.

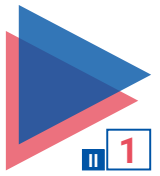


TIPS FOR TRAINERS

- ↓ Explain the objective of the group work, how it will be organised
- ↓ Have printed materials such as copies of relevant conventions, reports, etc. that are useful reference and for the discussions
- ↓ Invite each group to nominate a member to guide the discussions, a spokesperson to present the points discussed in the group and a note taker to capture the main points
- ↓ Before the group work begins, prepare a number of probing questions such as:
 1. *How can your group make sure that the groups (workers and employers) you represent benefit as much as possible from social dialogue- how should your group be organised and represented during the social dialogue process?*
 2. *What are the benefits and disadvantages of a large number of members taking part in the discussions?*
 3. *What strategies would your group have to overcome disputes or an impasse?*
 4. *Have any of the group members participated in a real social dialogue situation in the past and if so, what lessons were drawn from that experience?*

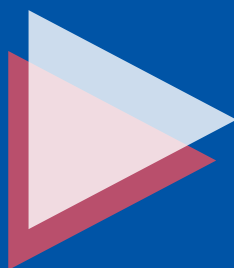
5. *In what ways has (or can) the ILO Conventions and Recommendations help(ed) the process of social dialogue in your country? If the ILO instruments have not been helpful, what do you think are the reasons for this?*

↑ Ask the groups to base their exercise on real issues they are aware of either in their own work environment or some other work setting.



Further references

- ▶ Can collective bargaining create a fairer economy? Infostory (ILO, 2019)
<https://www.ilo.org/infostories/en-GB/Stories/Labour-Relations/collective-bargaining#bargaining-can-cover>
- ▶ Building Trust in a Changing World of Work (ILO/OECD, 2018)
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https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_679957.pdf
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Fair Recruitment

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First published 2020

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Support for Implementation of the Decent Work Country Programme of Uzbekistan Project (ILO DWT and Country Office for Eastern Europe and Central Asia) & International Training Center of the ILO.

Resource Kit for the Design and Learning Activities on Labour Rights / International Labour Organization, , International Training Center of the ILO (ITC-ILO). Geneva: ILO, 2020.

ISBN: 9789220328873 (Web PDF); International Labour Organization; Fundamental Principles and Rights at Work Branch, International Training Center of the ILO. Also available in Uzbek: ISBN 9789220328880; and Russian: ISBN 9789220328897

ACKNOWLEDGEMENTS

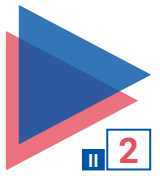
This Resource kit was prepared by Giselle Mitton (ITC-ILO) and Olena Vazhynska (ITC-ILO). Funding for this ILO publication is provided by the United States Department of Labor (USDOL) under cooperative agreement number IL-26629-14-75-K-11 Support for Implementation of the Decent Work Country Programme of Uzbekistan Project (UZB/14/01/USA). One hundred percent of the total costs of the project is financed with Federal funds, for a total of \$6,000,000.00 US dollars.

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Key selected international labour standards

- C181** the Private Employment Agencies Convention, 1997 (No. 181)
- P029** the Protocol of 2014 to the Forced Labour Convention, 1930 (P029)
- R203** the Forced Labour (Supplementary Measures) Recommendation, 2014 (No. 203)
- C097** the Migration for Employment Convention (Revised), 1949 (No. 97)
- R086** the Migration for Employment Recommendation (Revised), 1949 (No. 86)
- C143** the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)
- C088** the Employment Service Convention, 1948 (No. 88)
- C189** the Domestic Workers Convention, 2011 (No. 189)
- MLC, 2006** the Maritime Labour Convention, 2006 (MLC, 2006)

Non Binding Normative Framework

-  General principles and operational guidelines for fair recruitment and definition of recruitment fees and related costs



Introduction

In today's globalized economy, workers are increasingly looking for job opportunities beyond their home country in search of decent work and better livelihoods. In addition, millions of workers migrate internally in search of employment. Public and private employment agencies, when appropriately regulated, play an important role in the efficient and equitable functioning of labour markets by matching available jobs with suitably qualified workers.

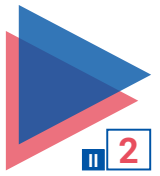
While some cross-border recruitment is facilitated by public employment services (within the framework of bilateral agreement that incorporate arrangements for temporary worker programmes), and social and informal networks, private employment agencies and other labour recruiters play an increasing role in matching labour demand and supply across borders.

The recruitment landscape today is increasingly complex and involves a wide range of actors, both regulated and unregulated. There is a growing concern worldwide about exploitative recruitment practices and unscrupulous employment agencies, informal labour intermediaries and other actors operating outside of the legal framework. These unfair recruiters tend to primarily target low-skilled workers and often place them at risk of human trafficking and forced labour. Both national and migrant workers are at risk of facing abuses during the recruitment phase.

Facts and figures

In 2018, the ILO estimated that 164 million of the 258 million migrants worldwide were migrant workers. In addition, 25 million people are in forced labour and trafficked globally. Of the total 25% are abused outside of their home country. ILO research has found that migrant workers who borrow money from third parties are at heightened risk of being in forced labour.

Common forms of abuse and exploitation that can occur in all phases of the recruitment process:



- ▶ Charging recruitment fees to workers;
- ▶ Threats and intimidation, including verbal and psychological abuse;
- ▶ Deception with regards to contracts, working and living conditions, as well as failure to disclose relevant information;
- ▶ Restriction of freedom of movement;
- ▶ Retention of identity documents with the aim of controlling jobseekers;
- ▶ Physical and sexual violence;
- ▶ Recruitment below working age;
- ▶ Recruitment of workers into hazardous and unsafe work.

A combination of these fraudulent and abusive recruitment practices could amount to the crimes of forced labour and trafficking in persons if the end result of the recruitment process is exploitation.

Gender-specific risks in recruitment

Women, and in particular migrant women, are at a disproportionate risk of facing abuses in recruitment and placement. They may be subject to financial, physical, sexual or psychological abuse. Exploitative fees may be charged by recruiting agents, which sometimes cause women, who generally have fewer assets than men, to suffer greater financial hardships and make them more dependent, for examples if they need to borrow from family, friends or moneylenders. Women may also face multiple forms of discrimination or exploitation on the basis of their gender, race or nationality. In certain occupations, especially in agriculture or seasonal work, they may encounter difficulties to obtain binding contracts setting out the terms and conditions of work. The lack of a contract may result in them having to work for long hours without payment of overtime.

Legal and normative framework on fair recruitment¹

International labour standards (ILS) on forced labour

The Protocol of 2014 to the Forced Labour Convention, 1930

The Protocol of 2014 to the Forced Labour Convention, along with the Recommendation No. 203, aims to advance prevention, protection and compensation measures, as well as to intensify efforts to eliminate all forms of forced labour, including trafficking in persons. The Protocol promotes access to appropriate and effective remedies, such as compensation and access to justice, for all victims of forced labour, irrespective of their presence or legal status in the national territory.

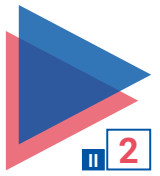
The Protocol notes that an increasing number of workers are in forced or compulsory labour in the private economy, that certain sectors of the economy are particularly vulnerable, and that certain groups of workers are at higher risk of becoming victims of forced or compulsory labour, especially migrants.

International labour standards (ILS) on migrant workers

The Migration for Employment Convention (Revised), 1949 (No. 97)

Migrant for employment – a person who migrates from one country to another with a view to being employed otherwise than on his or her own account. This term includes any person regularly admitted as a migrant for employment.

The Convention stipulates that each member State must ensure adequate services to assist migrants for employment. It must take



appropriate steps to provide accurate information and combat misleading propaganda in relation to emigration and immigration. It must take measures to facilitate the departure, travel and reception of migrants for employment. Moreover, it must ensure that the services provided to migrants for employment by its public employment agencies are free of charge.

The authorities of States between which flows of migrants are sufficiently large must, whenever necessary or desirable, enter into agreements to regulate matters of common concern arising in connection with the application of the Convention.

The accompanying *Recommendation No. 86* provides further guidance on recruitment and model arrangements for temporary and permanent migration.

The Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)

The purpose of the Convention is twofold: it is intended to combat migration in abusive conditions and to promote equality of opportunity and treatment for migrant workers. Both objectives are relevant to the establishment of fair recruitment processes, in view of the high risk of human trafficking associated with abuses in recruitment.

Each member State must systematically seek to determine whether there are illegally employed migrant workers on its territory, and whether any migrants for employment departing from, passing through or arriving on its territory are subjected to conditions violating international instruments or national laws and regulations. It must take the necessary measures to prevent and eliminate these abuses, including prosecuting the authors of manpower trafficking, regardless of the country from which they operate.

International Labour Standards (ILS) on employment policy and promotion

The Private Employment Agencies Convention, 1997 (No. 181)

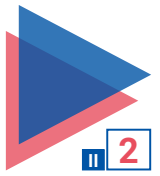
Private employment agency - any natural or legal person, independent of the public authorities, which provides one or more of the following labour market services:

- ▶ services for matching offers of and applications for employment, without the private employment agency becoming a party to the employment relationships which may arise therefrom;
- ▶ services consisting of employing workers with a view to making them available to a third party, who may be a natural or legal person (referred to below as a “user enterprise”) which assigns their tasks and supervises the execution of these tasks;
- ▶ other services relating to job seeking, determined by the competent authority after consulting the most representative employers and workers organizations, such as the provision of information, that do not set out to match specific offers of and applications for employment.

The Convention is based on both recognition of the role, which private employment agencies may play in a well-functioning labour market, and the need to protect workers against the risk of abuse.

Each State must determine the conditions governing the operation of private employment agencies. It has to:

- ▶ ensure that they treat workers without discrimination in respect of race, colour, sex, religion, political opinion, national extraction or social origin;
- ▶ adopt all necessary measures to provide adequate protection for and prevent abuses of migrant workers recruited or placed on its territory by private employment agencies;
- ▶ take measures to ensure that child labour is not used or supplied by private employment agencies;



- ▶ ensure that adequate procedures are in place to address and investigate complaints and alleged abuses and fraudulent practices committed by private employment agencies.

Private employment agencies, for their part, must respect workers' privacy in relation to the processing of their data, and must not charge any fees or costs to workers, subject to certain limited exceptions.

The Convention provides for cooperation between private and public employment services, sets forth general principles for protecting jobseekers against unethical or inappropriate practices, and affords protection to workers employed under subcontracting arrangements, as well as workers recruited from abroad.

The Employment Service Convention, 1948 (No. 88)

The Convention details the measures to be taken by employment services in order to ensure effective recruitment and placement; it provides guidance on the organization of public employment services.

Sector-specific International Labour Standards

The Domestic Workers Convention, 2011 (No. 189)

As concerns the recruitment of domestic workers, the Convention requires member States to take measures to ensure that domestic workers are informed of their terms and conditions of employment. The Convention lists specific matters on which information must be provided, such as usual workplace, remuneration, normal hours of work, and periods of daily and weekly rest. This information must be communicated to the domestic worker in an appropriate, verifiable and easily understandable manner, preferably in the form of a written contract.

Convention covers all domestic workers, including migrant domestic workers.

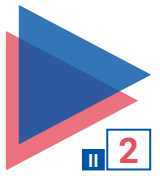
Member States are obliged to regulate the activities of private employment agencies by ensuring that complaints mechanisms are

available to domestic workers and by adopting measures to adequately protect them from abuse.

The MLC, 2006 - Maritime Labour Convention, 2006 (MLC, 2006)

The Convention sets out in one place seafarers' rights to decent conditions of work, covering almost every aspect of their working and living conditions.

With regard to recruitment and placement, the Convention sets out detailed conditions for fair employment contracts, which should be clear and legally enforceable, and should incorporate collective bargaining agreements where applicable. It also stipulates that the States should inspect labour agencies supplying maritime workers to ensure that they apply the terms of the Convention. It explicitly recognizes the private organizations ('recognized organizations') that often carry out inspection and certification functions in the shipping sector on behalf of national maritime administrations. The Convention sets out mandatory standards with respect to the expertise and independence that these organizations must have before a government can authorize them to carry out labour inspection and certification on its behalf.



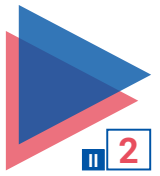
► Guidance from non-binding normative framework on fair recruitment

The General Principles and Operational Guidelines for Fair Recruitment and Definition of Recruitment Fees and Related Costs

The ILO's General Principles and Operational Guidelines for Fair Recruitment (2016) consolidate the core principles associated with fair recruitment and lay out the responsibilities of the various actors involved in the recruitment process.

The definition of recruitment fees and related costs recognizes the principle that workers shall not be charged directly or indirectly, in whole or in part, any fees or related costs for their recruitment. This comprehensive definition is guided by international labour standards and should be read together with the principles and guidelines. The definition was adopted by a Tripartite Meeting of Experts, held in Geneva in November 2018.

The principles and guidelines are derived from a number of sources, in particular International Labour Standards and related ILO instruments. They apply to the recruitment of all workers, as well as migrant workers, within or across national borders and cover the recruitment either directly by employers or through intermediaries, including temporary employment agencies. The principles and guidelines cover all sectors of the economy.



2. Respond to established labour market needs and promote decent work

Recruitment should respond to established labour market needs, and not serve as a means to displace or diminish an existing workforce, to lower labour standards, wages, or working conditions, or to otherwise undermine decent work.

3. Recruitment laws and policies that apply to all

Appropriate legislation and policies on employment and recruitment should apply to all workers, labour recruiters and employers.

4. Efficiency, transparency and protection of workers

Recruitment should take into account policies and practices that promote efficiency, transparency and protection for workers in the process, such as mutual recognition of skills and qualifications.

5. Enforce recruitment regulations through labour inspection

Regulation of employment and recruitment activities should be clear and transparent and effectively enforced. The role of the labour inspectorate and the use of standardized registration, licensing or certification systems should be highlighted. The competent authorities should take specific measures against abusive and fraudulent recruitment methods, including those that could result in forced labour or trafficking in persons.

6. Respect and enforcement of national laws and collective agreements

Recruitment across international borders should respect the applicable national laws, regulations, employment contracts and applicable collective agreements of countries of origin, transit and destination, and internationally recognized human rights, including the fundamental principles and rights at work, and relevant international labour standards. These laws and standards should be effectively implemented.

7. No recruitment fees and costs are charged to workers

Recruitment fees or related costs should not be collected from workers by an employer, their subsidiaries, labour recruiters or other third parties providing related services. Fees or related costs should not be collected directly or indirectly, such as through deductions from wages and benefits.

8. Clear and transparent employment contracts

The terms and conditions of a worker's employment should be specified in an appropriate, verifiable and easily understandable manner, and preferably through written contracts in accordance with national laws, regulations, employment contracts and applicable collective agreements. They should be clear and transparent, and should inform the workers of the location, requirements and tasks of the job for which they are being recruited. In the case of migrant workers, written contracts should be in a language that the worker can understand, should be provided sufficiently in advance of departure from the country of origin, should be subject to measures to prevent contract substitution, and should be enforceable.

9. Workers' freedom from deception and coercion

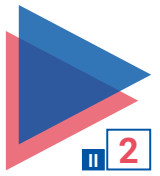
Workers' agreements to the terms and conditions of recruitment and employment should be voluntary and free from deception or coercion.

10. Access to free, comprehensive and accurate information

Workers should have access to free, comprehensive and accurate information regarding their rights and the conditions of their recruitment and employment.

11. Freedom of movement and no retention of identity documents

Freedom of workers to move within a country or to leave a country should be respected. Workers' identity documents and contracts should not be confiscated, destroyed or retained.



12. Freedom to terminate contract, change employer, and safely return

Workers should be free to terminate their employment and, in the case of migrant workers, to return to their country. Migrant workers should not require the employer's or recruiter's permission to change employer.

13. Access to free dispute resolution and effective remedies

Workers, irrespective of their presence or legal status in a State, should have access to free or affordable grievance and other dispute resolution mechanisms in cases of alleged abuse of their rights in the recruitment process, and effective and appropriate remedies should be provided where abuse has occurred.

4.3 Guidance implementing principles

▶ **Governments**

<https://www.ilo.org/webcommon/charts/migrant-fair-recruitment/doc/governments.pdf>

▶ **Employers**

<https://www.ilo.org/webcommon/charts/migrant-fair-recruitment/doc/employers.pdf>

▶ **Labour recruiters**

<https://www.ilo.org/webcommon/charts/migrant-fair-recruitment/doc/recruiters.pdf>

▶ **Definition of recruitment fees and related costs**

see General principles and operational guidelines for fair recruitment and definition of recruitment fees and related costs, page 28 - https://www.ilo.org/global/topics/fair-recruitment/WCMS_536755/lang--en/index.htm

▶ Infographics: ▶ Dinara's story



DINARA'S STORY

INTRODUCTION

Dinara's story will help you to understand various forms of abuse that can occur during the recruitment process and why it is important to have principles and guidelines for fair recruitment

Risk of child labour

Risk of forced labour



Consult, inter alia:
 C138 (Arts. 1, 2 (3) and 3)
 C182 (Arts. 2-3)
 C029 (Art. 2)
 C105 (Art. 1)
 C181 (Art. 9)

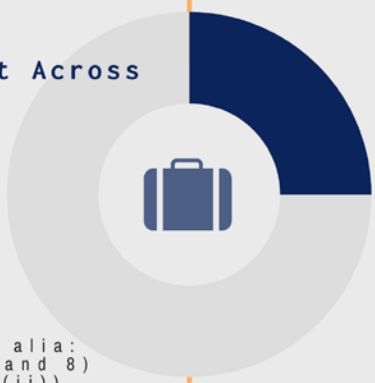


Dinara, aged 20, lives in a small village in rural area of Travaililand with her family. She has five siblings who are still at school. Since there are not many work opportunities in the village, her parents are mainly employed in seasonal work in agriculture.

This year crops were not abundant and in order to sustain the family, her younger siblings have to work in the fields. Dinara decides to go abroad for work to send back the remittances to help her family. This way her siblings could attend school instead of working.

Private Employment Agencies

Recruitment Across Borders



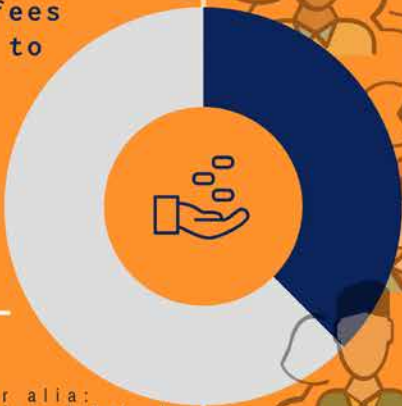
Consult, inter alia:
 C181 (Arts. 1 and 8)
 C88 (Art. 6(b)(ii))
 C97
 C143



She decides to go to one of the neighbouring countries, Labourstan or Worksilvania, where wages are significantly higher than in Travaililand. Dinara addresses one of the members of the community Qariya, very respectful and influential woman, who advises her to go Better Opportunities Recruitment (BOR) agency in the city. She gives her a contact of her friend Tursunbek, who works there. To thank Qariya for help, Dinara brings gifts.



Prohibition of charging fees and costs to workers



Arriving to the city, Dinara goes to BOR and meets Tursunbek. There is a long queue of applicants, who wish to go abroad for work, and Tursunbek helps her skip the queue. At the agency, Dinara finds out that most of the applicants want to go to either Labourstan and Worksilvania. To be considered, Dinara would need to pay a fee. Since wages in Labourstan are slightly higher, the fee is of USD 1000, while to go to Worksilvania, Dinara would need to pay USD 800. Dinara only had enough money to pay for Tursunbek's fees. She gave him USD 200 from her savings.



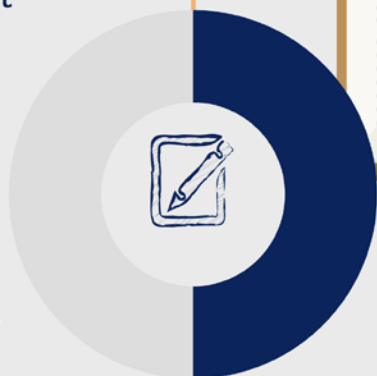
Tursunbek manages to arrange a contract for her that foresees a 40% deduction to cover the occurred expenses. Dinara also finds out that she needs to pay USD 80 for the visa, USD 100 for the pre-departure medical test, which also serves to confirm that she is not pregnant, and USD 400 for her air tickets. She does not have money left and none of her family members or friends have such amounts, so she asks Qariya to lend her the missing sum, promising to pay her back with 20% of interest.

Consult, inter alia:
C97 (Art. 7(2) and Art. 4 of Annex I and Annex II) MLC, 2006 (Regulation 1.4(1) and Standard A1.4(5))
C181 (Art. 7)
C88 (Art. 1)
R203

Definition of recruitment fee:

the term recruitment fee or related costs refer to any fees or costs incurred in the recruitment process in order for workers to secure employment or placement, regardless of the manner, timing or location of their imposition or collection

Clear and transparent contracts

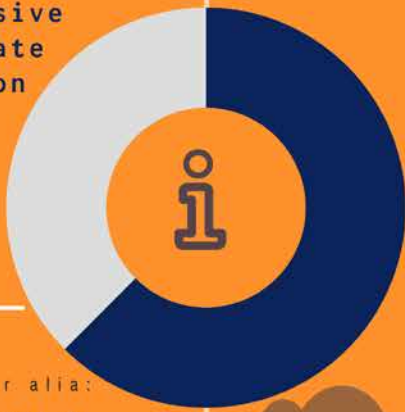


One week later Tursunbek called her and asked to come to BOR. Dinara received her contract, but could not read it as it was in Labourstane, which she does not speak. Tursunbek tells her that it is a standard contract and if she does not sign it today, she will lose all the money she has spent. He added that it is a one-year contract, which foresees a salary of USD 1200 and also includes accommodation and lodging provided by her employer. Dinara signs the contract and soon thereafter departs for Labourstan.



Consult, inter alia:
C97 (Annex I, Art. 5 and Annex II, Art. 6)
C189 (Art. 8(1))
R86 (Annex, Para. 22)
R188 (Para. 5)
R203 (Para. 4 (e))

Free, comprehensive and accurate information



Dinara starts working on a farm, which is situated in a remote area. Every day she is taken to the field and spends at least two hours to get there and come back. She works 14 hours per day and does not have a day off. She was promised she would be given a language course, but there is no public transport to take her to the nearest town for classes. Her employer will not drive her. After one month Dinara's enthusiasm to learn Labourstaneese has disappeared as she does not have enough time for rest, not to mention other activities. She lives in a room with ten other workers, where they all sleep on the floor and share common space for personal belongings. There is one shower in the courtyard, which does not have hot water. All the workers pack their lunches to eat in the field, even though there are no sanitation facilities, where they can wash their hands, or cooking facilities to prepare or preserve their food. Several workers had food poisoning and were not taken to see the doctor. These are not the conditions she was expecting or aware of before accepting the job.



Consult, inter alia:
C 88
C 97 (Arts. 2 and 3)
C 181
C 189 (Art. 7)
R 201
R 86 (Para. 5)
R 151 (Paras 7 (1) and 24)
R 203 (Para. 4 (e))



Termination of employment and permission to change employer. Access to grievance and dispute resolution mechanisms.



When it is time for payment of the first salary, Dinara receives only USD 320. She is reminded of the 40% she has to pay back to the agency and additional deductions to cover her lodging and meals. Dinara found out that there are other employers in the area, who offer better conditions. However, her employer would not let her go until she repays all the agency fees. He also has her passport, so she cannot come back to Travalliland until her contract has ended. Dinara has to also repay Qariya. She does not have anyone she can complain to or ask for advice. She does her best to repay all the loans and to send money home so that her siblings can attend school.



Consult, inter alia:
C 143 (Arts 5, 6 and 9 (2))
C 97 (Annex I, Art. 8 and Annex II, Art. 13)
R 151 (Paras 32-34)
C 181 (Arts 10 and 14)
R 188 (Para 15 (c))
P 29 (Art. 4)
MLC, 2006 (Standard A1.4 (7))
C 189 (Art. 15 (b, c), Arts 16-17)
R 203 (Paras 8, 11-13)



Learn more about the guidance offered by the ILO to realizing fair recruitment

General principles and operational guidelines for fair recruitment and definition of recruitment fees and related costs

▶ Sample session 1:

Fair recruitment and decent work



OBJECTIVES

- ↓ To become familiar with the ILO General principles and operational guidelines for fair recruitment
- ↓ To analyse the applicability of the principles at different recruitment stages



SETTING

- ↓ Divide participants into small groups of four or five.
- ↓ Ensure that each group member has diverse expertise and background, contributing to highly participative group dynamics and initial brainstorming.



DURATION

- ↓ 20-30 minutes to exchange views in groups.
- ↓ 10 minutes to present the results in plenary.



TASK

1. Having carefully read the ILO General principles and operational guidelines for fair recruitment, each group is invited to analyse and discuss which of the guiding principles would have enabled decent work as an outcome.
2. The results of the discussion are then shared in plenary



TIPS FOR TRAINERS

- ↓ Invite each group to designate a note taker, moderator for the discussion and spokesperson to present the results in plenary;
- ↓ To prompt the discussion and ensure fruitful exchange of ideas in groups, consider a collective brainstorming defining decent work; this preparatory exercise could also be used as an ice-breaker;
- ↓ Prepare guiding questions to facilitate discussions in groups, e.g.:
 1. *What are the signs of unfair recruitment?*
 2. *What are the major risks and at which recruitment stages?*
 3. *Analysing guiding principles one by one, how each of them contributes to achievement of decent work? , etc.*
- ↓ Think of examples reflecting national realities or having a sectoral focus to contextualize the discussion.

▶ Sample session 2:

Stakeholders mapping



OBJECTIVES

- ↓ To map different actors involved in the recruitment process, identifying their roles and responsibilities at different stages;
- ↓ To understand the complementarity of various actors and how they can work together to promote and ensure fair recruitment;



SETTING

- ↓ Divide participants into small groups of four or five.
- ↓ Ensure that each group member has diverse expertise and background, contributing to highly participative group dynamics and initial brainstorming.



DURATION

- ↓ 30-60 minutes to exchange views in groups.
- ↓ 30 minutes to present the results in plenary.



TASK

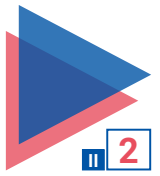
1. Identify all the actors directly or implicitly involved in the recruitment process.
2. Use sticky notes for brainstorming and consequently mapping out the stakeholders.
3. Indicate different roles each actor plays in the recruitment and relations/interactions between the actors.

4. Using the ILO General principles and operational guidelines for fair recruitment as well as International Labour Standards, discuss which actors play a crucial role in ensuring ethical recruitment in line with ILS and specific guiding principles.
5. Discuss specific examples and widespread practices.



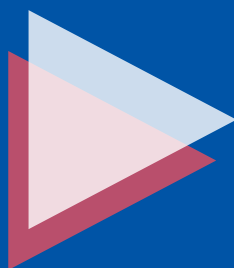
TIPS FOR TRAINERS:

- ↑ Invite each group to designate a note taker, moderator for the discussion and spokesperson;
- ↑ To ensure positive group dynamics, introduce the tasks gradually, beginning with a brainstorming of main actors, creating a stakeholders map and allowing for enough time to discuss each actors' role;
- ↑ Prepare examples of stakeholders' maps as a visual guidance;
- ↑ Make sure each group refers to the ILO General principles and operational guidelines for fair recruitment as well as relevant ILS; provide copies of the texts, if needed;
- ↑ Balance the discussion between the across the border migration for work and national recruitment practices, e.g. in terms of attracting skilled workers to booming sectors of the economy, where investment is observed.



Further references

- ▶ ILO Portal on Fair Recruitment
<https://www.ilo.org/global/topics/fair-recruitment/lang--en/index.htm>
- ▶ General principles and operational guidelines for fair recruitment and definition of recruitment fees and related costs, Brochure (ILO, 2019)
https://www.ilo.org/global/topics/labour-migration/publications/WCMS_536755/lang--en/index.htm
- ▶ Training Toolkit on Establishing Fair Recruitment Process (ILO/ITCILO, 2018)
https://www.ilo.org/global/topics/labour-migration/publications/WCMS_682737/lang--en/index.htm
- ▶ Interactive tool: Establishing Fair Recruitment Processes (ILO/ITCILO, 2019)
<https://readymag.com/ITCILO/1131618/>
- ▶ Global Estimates of Modern Slavery: Forced Labour and Forced Marriage (ILO, 2017)
https://www.ilo.org/global/publications/books/WCMS_575479/lang--en/index.htm
- ▶ Global Estimates on International Migrant Workers (ILO, 2018)
https://www.ilo.org/global/publications/books/WCMS_652001/lang--en/index.htm



Freedom of Association, Right to Organise and Effective Collective Bargaining

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First published 2020

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Support for Implementation of the Decent Work Country Programme of Uzbekistan Project (ILO DWT and Country Office for Eastern Europe and Central Asia) & International Training Center of the ILO.

Resource Kit for the Design and Learning Activities on Labour Rights / International Labour Organization, , International Training Center of the ILO (ITC-ILO). Geneva: ILO, 2020.

ISBN: 9789220328873 (Web PDF); International Labour Organization; Fundamental Principles and Rights at Work Branch, International Training Center of the ILO. Also available in Uzbek: ISBN 9789220328880; and Russian: ISBN 9789220328897

ACKNOWLEDGEMENTS

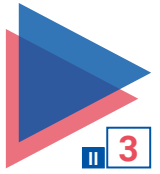
This Resource kit was prepared by Giselle Mitton (ITC-ILO) and Olena Vazhynska (ITC-ILO). Funding for this ILO publication is provided by the United States Department of Labor (USDOL) under cooperative agreement number IL-26629-14-75-K-11 Support for Implementation of the Decent Work Country Programme of Uzbekistan Project (UZB/14/01/USA). One hundred percent of the total costs of the project is financed with Federal funds, for a total of \$6,000,000.00 US dollars.

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Key selected International Labour Standards

- C087** the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)
- C098** the Right to Organise and Collective Bargaining Convention, 1949 (No. 98)
- C135** the Workers Representative Convention, 1971 (No.135)
- C141** the Rural Workers' Organisations Convention, 1975 (No. 141)
- C151** the Labour Relations (Public Service) Convention, 1978 (No.151)
- C154** the Collective Bargaining Convention, 1981 (No. 154)
- R149** the Rural Workers' Organisations Recommendation, 1975 (No. 149)
- R143** the Workers' Representatives Recommendation, 1971 (No. 143)
- R163** the Collective Bargaining Recommendation, 1981 (No. 163)
- R091** the Collective Agreements Recommendation, 1951 (No. 91)
- R159** the Labour Relations (Public Service) Recommendation, 1978 (No. 159)

Introduction

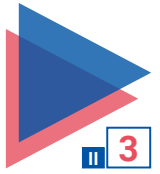
Freedom of association is enshrined in the preamble of the ILO constitution and has been reaffirmed by the ILO Declaration of Philadelphia (1944) as one of the fundamental principles on which the Organization operates. The Philadelphia Declaration also commits the ILO to promote collective bargaining and recognizes the solemn obligation of the International Labour Organization “to further among the nations of the world programmes which will achieve [...] the effective recognition of the right of collective bargaining”. The International Bill of Human Rights specifically recognises freedom of association and assembly, the right to join trade unions, and the right to strike as universal rights¹. It also recognises the right of every human being to work to earn a decent living and to be protected from discrimination, slavery and forced labour.

The **ILO Declaration on Fundamental Principles and Rights at Work** commits all member states to promote and realise these rights and to abide by the eight ‘core conventions’ that encompasses these principles and rights even if they have not ratified these conventions.

The **ILO Declaration on Social Justice for a Fair Globalization** (the Social Justice Declaration) of 2008, reasserted these rights and principles as key to responding to the challenges of globalisation and in pursuing social justice. These Conventions are seen to ‘be mutually supportive’ and the ‘principles and values embodied in these Conventions constitute a universal aspiration of the international community as a whole.’²

What are the benefits of Freedom of Association, the right to organise and effective Collective Bargaining ?

Freedom of association, the right to organise and effective collective bargaining pave the way for fundamental principles and rights at work. For example *it enables constructive leverage to be exerted against forced labour and is a catalytic process to help protect children and other vulnerable groups. It is a key instrument to uphold non-discrimination and*



*equality, integrating the world of work with the guarantee of fundamental rights at work for all*³.

Freedom of association and the right to organise and effective collective bargaining are also important elements of a functioning democracy based on the respect for human rights.

The ILO General Survey 2012 (Fundamental Conventions) also identified the following specific benefits for workers and employers organisations:

- ▶ It allows workers organisations and employers to participate on an equal footing in the making of labour regulation and socio economic policy making.
- ▶ It forms the basis for social partners to establish rules in the field of working conditions, including wages, to pursue more general claims and to reconcile their respective interests with a view to ensuring lasting economic and social development.
- ▶ Strong and independent workers' organizations are essential to compensate the legal and economic inferiority of workers.
- ▶ Employers' organizations are particularly important for the protection of interests of small enterprises.

The ILO Declaration on Fundamental Principles and Rights at Work adopted in 1998 recognised the following as universally applicable:

- ▶ freedom of association and the effective right to collective bargaining.
- ▶ the elimination of all forms of forced or compulsory labour
- ▶ the effective abolition of child labour
- ▶ the elimination of discrimination in respect of employment and occupation

3 Ibid

Freedom and participation rights as enabling rights for economic growth

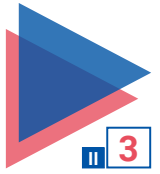
A study conducted by the Danish Institute for Human Rights concluded that freedom and participation rights have a direct and positive impact on economic growth:.. ‘by investing in human rights, in particular in the rights to freedom of speech, freedom of assembly and association, and electoral self-determination, the economic growth of a country is likely to increase⁴.”

From a business perspective, there is also a growing interest towards the role of companies vis-à-vis human rights. While corporate executives do not always see a clear ‘business case’ for respecting human rights, there is evidence in recent research that companies with well-developed Corporate Social Responsibility programmes tend to do better financially than other companies⁵.

A case study of the garment sector in Jordan

The apparel industry in Jordan has grown rapidly over the past decade: It accounts for over 17 per cent of total exports and employs around 60,000 workers, most of whom are female and migrant workers.

- ▶ Limited freedom of association and poor practices of collective bargaining led to unacceptable practices (e.g. paying fees to regain access to employment) and industrial action (e.g. long, drawn-out strikes), which in their turn were negatively impacting the productivity of the sector.
- ▶ In 2010, migrant workers gained the right to freely join trade unions, vote in union elections and participate in factory level committees. In 2013, a collective agreement was signed for the apparel industry in Jordan, covering all workers in the sector: no distinction has been made between migrant and Jordanian workers, male and female workers.
- ▶ The agreement regulated working hours and wages while improving occupational safety. Moreover, all subcontractors automatically became parties to the agreement and all parties agreed to work on ensuring that no worker is charged fees for his/her employment.
- ▶ In 2015, after further consultations between the Government, trade unions and employers of the garment sector, a unified employment contract for migrant workers has been put in use, providing for common terms and conditions of employment and subjecting the ▶▶



issuing of work permits.

- ▶ The collective agreement has been revised for the second time in 2017, marking progress in the utilization of voluntary collective bargaining to determine working conditions in the apparel sector through the harmonization of key conditions of work and employment, including social security benefits and payment of overtime, between migrant workers and Jordanian nationals.

As a result:

- ▶ The number of industrial disputes has been reduced leading to a greater stability in the sector;
- ▶ Improved working conditions incentivized workers to stay longer in the sector, reducing staff turnover and preserving skilled labour, and increased their loyalty to the employer, resulting in overall increase in productivity and rapid economic growth.

The Government, workers and employers continue negotiations on such issues, such as training, health care, bonuses, etc. The process has been ongoing along with the establishment of workers' committees, the election of leaders and workers' education and information sharing on their rights and responsibilities.

To learn more: https://www.ilo.org/beirut/information-resources/factsheets/WCMS_222555/lang--en/index.htm

Guidance from International Labour Standards

C087 - The Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)

General Principles and Scope

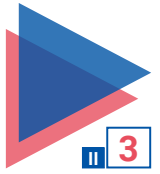
The main principle of the Convention No. 87 is expressed in the *Article 2* which provides that ‘all workers and employers, without distinction whatsoever, **shall have the right to establish and, subject only to the rules of the organization concerned, to join organizations of their own choosing without previous authorization**; The principle applies all to workers including those in the public sector, civil servants, informal sector and self employed.

Article 9 of the Convention allows member States to determine the extent to which the guarantees provided for in the Convention apply to *the armed forces and the police*. Furthermore, these exceptions must be strictly defined and limited as indicated by the ILO’s supervisory bodies .

The ‘freedom’ refers to the prohibition of interference by **government** in the exercise of the right to associate, meaning that workers’ and employers’ organizations shall organize freely and not be liable to be dissolved or suspended by an administrative authority, and they shall have the right to establish and join federations and confederations, which may in turn affiliate with international organizations of workers and employers.

Implementation

The principal objective of Convention No. 87 is to protect the autonomy and independence of workers’ and employers’ organizations **in relation to**



the public authorities, both in their establishment and in their functioning and dissolution.

Under the terms of Articles 1 and 11, each State is bound by the Convention and “undertakes to give effect to [its] provisions” and “to take all necessary and appropriate measures to ensure that workers and employers may exercise freely the right to organise”.

Accordingly, the Convention No. 87 is one of the most ratified conventions. Although the Convention does not necessarily require States to adopt legislation for the implementation of its provisions, most countries have introduced specific laws and regulations dealing with freedom of association and the right to organise. In some countries, freedom of association and the right to organise is also enshrined in constitutional laws.

The supervisory bodies of the ILO, especially the Committee on Freedom of Association and the Committee of Experts on the Application of Conventions and Recommendations play a crucial role in guiding implementation of the convention. The former in handling complaints against member states and the latter in providing overall guidance and legal interpretation on measures to give effect to the convention

What is the role of government:

The government is required to take necessary steps and measures to ensure the right to organise. This could include specific laws and regulations. In exercising its authority and whatever steps the Government takes, it must :

- ▶ refrain from interfering with the exercise of freedom of association;
- ▶ ensure that the law of the land does not impair the exercise of freedom of association (In exercising the rights provided for in the Convention, workers and employers and their respective organizations have to respect the law of the land. However, the law of the land must be such, nor may it be so applied as to impair the guarantees provided for in the Convention);
- ▶ ensure that workers have adequate protection against acts of anti-union discrimination;

- ▶ ensure that workers' and employers' organizations have adequate protection against interference by each other in their establishment, functioning or administration.

Role and safeguards for workers' and employers' organizations:

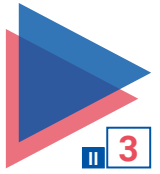
- ▶ Establishment and membership:
 - establish organizations of their own choosing;
 - freely join these organizations (subject only to the rules of the organizations concerned);
 - exercise these rights without previous authorization.
- ▶ Structure and governance:

Once organizations have been established in full freedom and without previous authorization, they must be able to function freely:

 - draw up their own constitutions and rules;
 - elect their representatives in full freedom;
 - organize their administration and activities;
 - formulate their programmes.

Furthermore, with regard to relations with other organizations, the principles of freedom of association cover:

- the right of workers' and employers' organizations to establish and join federations and confederations; they also have the right, in the same way as federations and confederations, to affiliate with international organizations of workers and employers;
- the right of members of workers' and employers' organizations to participate in the international activities of their organizations as and when they so choose;
- the right of workers and employers to receive assistance and support from international level organizations for the establishment of national level organizations, regardless of the political or ideological tendencies of the international body.



▶ Dissolution and suspension:

- The acquisition of legal personality by workers' and employers' organizations, federations and confederations may not be made subject to conditions of such character as to restrict the rights enumerated above. Furthermore, they may not be dissolved or suspended by administrative authority.
- Unless accompanied by all the necessary safeguards, the dissolution and suspension of workers' and employers' organizations can constitute extreme forms of interference by the authorities in their activities, effectively putting an end to the right to organize of their members. The necessary guarantees can only be ensured through a normal judicial procedure, which should also have the effect of a stay of execution.

C098 - the Right to Organise and Collective Bargaining Convention, 1949 (No. 98)

General Principles and Scope

This Convention is a bridge between freedom association and collective bargaining. It has three main aims, namely:

- (i) protection against acts of anti-union discrimination both at the time of the taking up employment and in the course of employment, including the termination of the employment relationship.
- (ii) protection against acts of interference in the internal affairs of workers' and employers' organizations; and
- (iii) the promotion of collective bargaining.

▶ Anti-union discrimination

Workers must be protected against act of anti-union discrimination, and particularly against acts that are calculated to:

- Make their employment subject to the condition that they shall not join a union or shall relinquish membership thereof;
- Cause the dismissal or otherwise prejudice a worker by reason of union membership or because of participation in union activities outside working hours, or, with the consent of the employer, within working hours.

▶ Acts of interference

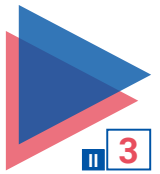
- Workers' and employers' organizations must enjoy adequate protection against any acts of interference by each other, and particularly acts which are designated to promote the domination, financing or control of workers' organizations by employers or employers' organizations.

Implementation

Member states are required to take “measures appropriate to national conditions, where necessary, to encourage and promote the full development and utilization of machinery for voluntary negotiation between employers or employers' organizations and workers' organizations, with a view to the regulation of terms and conditions of employment by means of **collective agreements**” (Article 4).

Regarding the principle of the independence and autonomy of the parties and of free and voluntary bargaining:

- ▶ the effort made, in the context of the various bargaining systems, to reduce to a minimum any possible interference by the public authorities in bipartite negotiations; and,
- ▶ the primacy accorded to employers and their organizations and to trade unions as the parties to negotiations.



Understanding the main elements of Collective Bargaining

According to the Collective Bargaining Convention, 1981 (No. 154), collective bargaining is defined as:

*“all **negotiations** which take place between an employer, a group of employers or one or more employers’ organisations, on the one hand, and one or more workers’ organisations, on the other, for:*

(a) determining working conditions and terms of employment; and/or

(b) regulating relations between employers and workers; and/or

(c) regulating relations between employers or their organisations and workers’ organisations.”

Thus through collective bargaining that allows workers organisations and employers/employers organisations to reach agreement on issues related to work, this principle allows workers to negotiate contracts with their employers, to reach agreement on their terms of employment including remuneration, benefits, hours of work, leave entitlements, occupational safety and health and other relevant working conditions. It is common for agreements to cover conditions and criteria for hiring, working conditions and promotions, worker discipline and termination, and benefit programs.

The collective bargaining process usually results in the conclusion of a Collective Agreement, which is defined as *“ all agreements in writing regarding working conditions and terms of employment concluded between an employer, a group of employers or one or more employers’ organisations, on the one hand, and one or more representative workers’ organisations, or, in the absence of such organisations, the representatives of the workers duly elected and authorised by them in accordance with national laws and regulations, on the other. ”* - the Collective Agreements Recommendation, 1951 (No. 91).

Under certain conditions, collective bargaining also has to extend to negotiations with worker’ representatives other than trade union representatives, as defined under Convention No. 135:

Workers’ representatives – persons who are recognized as such under national law or practice, whether they are –

- ▶ Trade union representatives, namely, representatives designated or elected by trade unions or by members of such unions; or
- ▶ Elected representatives, namely, representatives who are freely elected by the workers of the undertaking in accordance with provisions of national laws or regulations or of collective agreements and whose functions do not include activities which are recognized as the executive prerogative of trade unions in the country concerned.

Levels at which bargaining may take place

The Collective Bargaining Recommendation, 1981 (No. 163) proposes that “measures adapted to national conditions should be taken, if necessary, so that collective bargaining is possible at any level whatsoever, including that of the establishment, the undertaking, the branch of activity, the industry, or the regional or national levels”.

To conclude collective agreements at a chosen level, collective bargaining may take place at:



▶ Sample session 1:

Freedom of association, the right to organise and effective collective bargaining



OBJECTIVES

- 📌 Participants understand and apply the basic principles, of freedom of association and the right to organise and effective collective bargaining
- 📌 Participants understand the purpose of collective bargaining and the use of collective agreements in practice.



SETTING

- 📌 Two groups to be formed, each assigned one of the two learning objectives



DURATION

- 📌 Both groups will have 40 minutes to discuss the topic assigned to them.
- 📌 Groups will be given 10 minutes each to share the main points of their group work.



TASK

1. Both groups to select a note taker and a moderator/chair. At the end of the group work, a representative of each group will present the main points discussed in the group.
2. The first group is given the task of discussing **freedom of association**, what it means, what types of worker and

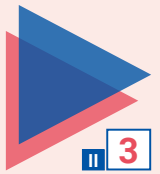
employer organisations there are, in which settings the principle is applied and what benefits this brings to parties involved. The group would also discuss the role and responsibilities of governments, and the obligations of employer and worker organisations

3. The second group's task is to discuss what **collective bargaining** is after which they will draw up a sample collective bargaining agreement. In this exercise, the group will bear in mind the main elements of a collective bargaining agreement. These include working hours, wages and overtime payments, bonuses and other benefits, vacation entitlements and, of course, working conditions.



TIPS FOR TRAINERS:

- 📌 It would be helpful for the participants to have a handout containing a set of basic criteria for establishing or forming associations and a list of the types of associations. This can be handed out after the group work
- 📌 A basic question like “why negotiations fail” can facilitate the group to avoid risks when they are drafting the collective bargaining agreement
- 📌 In order to ensure that group members benefit as much as possible from the exercise, it would be good to go around and listen in in order to guide or clarify points as necessary
- 📌 Once one group presents the main points discussed in their group, invite the other group members to make comments/ ask questions etc.
- 📌 Avoid being strict with the allotted time for group work but ensure that one group is not disadvantaged by the other group taking more time
- 📌 If necessary, go over the ILO definition or main elements/ points about freedom of association and right to collective bargaining before the group work starts
- 📌 Make available copies of the relevant ILO Conventions and references.



Example of a handout: Typical content of collective agreements (South Africa)

BARGAINING UNIT	SMALLER ENTERPRISE COLLECTIVE BARGAINING AGREEMENTS (CBAs)	LARGER ENTERPRISE COLLECTIVE BARGAINING AGREEMENTS (CBAs)
Definitions	Preamble	Preamble
	Scope of the agreement	Scope of the agreement
Duration of agreement	More likely to be single-year agreements	More likely to be multi-year agreements
Wages	Wage increase expressed as a percentage. Generally an across-the-board approach	Wage increase expressed as a percentage. Generally an across-the-board approach, although there are instances of staggered increases applied to broad categories (low, middle and higher grades) according to negotiated wage schedules
	Wage increases less frequently linked to inflation	Wage increases often linked to the CPI, by way of a formula that might include an improvement factor of 1 to 2 per cent
	Base wage is relatively common	Many agreements include a base wage for different grades. Tendency to eliminate particular grades, raising base wages and closing gaps
Other conditions of employment	“Status quo” references to other conditions of employment, without stating what the status quo is	Clauses relating to short time more prevalent after 2009
		Maternity and paternity leave Occupational safety and health Sick leave Clauses regarding labour broking (temporary agency work), casual workers, contract workers or temporary workers Family responsibility leave Compassionate leave Provident fund Medical aid
Labour relations	x	Leave for shop stewards Full and final settlement Peace clause

Credit: *Collective bargaining – a policy guide*, ILO, 2015 - https://www.ilo.org/travail/whatwedo/instructionmaterials/WCMS_425004/lang-en/index.htm

Sample session 2: Role play exercise : Freedom of Association, the right to organise and effective collective bargaining in practice



OBJECTIVE

- 📌 Participants are able to apply the aims and principles of C087 and C098 and to reflect on examples of freedom of association and collective bargaining in practice . Participants are able to identify key issues and challenges.



SETTING

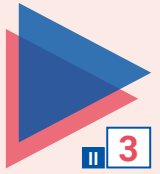
- 📌 Two groups are formed. One group is to prepare a defence in favour of higher wages when the employer is steadfastly refusing to increase wages. The group exercise is to encourage all members to come up with sound justifications for demanding wage increases. The second group is to discuss and report on the challenges migrants and refugees face in exercising their right- freedom of association.



DURATION

60 minutes:

- 📌 40 minutes for each group to work on the assigned task
- 📌 5 minutes for sharing the main points discussed in each of the groups,



📌 followed by a 10 minute discussion on each topic.



TASK:

1. The first group will decide what type of a sector they work in, the types of work they do, the conditions in which they work and other relevant issues. They then will develop arguments and justifications for demanding higher wages. The arguments will need to be based on realistic situations both at the workplace and out in the community/family. They will need to develop counter arguments for the employer's reasoning for not granting higher wages.
2. The second group will first make an assessment of the situation in a country where the right to freedom of association is exercised and where there are migrants and refugees also work. They will then identify the challenges and bottlenecks that prevent migrant workers and refugees from enjoying this right. Once the challenges are identified, the group will then suggest ways to overcome these challenges on behalf of migrants.



TIPS FOR TRAINERS:

- 📌 As groups start working, ask them to ponder on basic questions like;
1. *Why would you need higher wages?*
 2. *How/for what purpose would you utilise the increase in your salary*
 3. *Consider the possible reactions of the employer when you are making your demand*
 4. *How will the workers react if demand for higher wages was not successful?*
- 📌 Remind the group members that negotiating or requesting higher payments is a delicate process and it must be carried out in an amicable manner

- 📌 If the country from which the participants come from, does not have much experience with or incidence of migrant and refugee workers, a scenario can be prepared beforehand and given to the group working on the challenges of migrant and refugee workers
- 📌 Remind the group working on the challenges of migrant workers that it is not only with employers that they experience challenges but also other institutions, like ministries.

▶ Sample session 3 (alternative): Benefits of collective bargaining



OBJECTIVE

- 📌 To reflect on and discuss the benefits of collective bargaining.



SETTING

- 📌 An unlimited number of groups can participate in the activity.
- 📌 Using 1-2-4-all methodology, participants reflect individually and then are face-to-face when working in pairs and in groups of four.
- 📌 No particular setting of chairs or tables is needed.
- 📌 Notepads are useful to record observations and insight.



DURATION

30 minutes:

- 📌 1-2 minutes for individual silent reflection
- 📌 5 minutes for participants to exchange in pairs
- 📌 5 minutes for participants to share ideas in groups of four
- 📌 5 minutes for preparing presentation in groups

- 📌 10 minutes for plenary discussion.



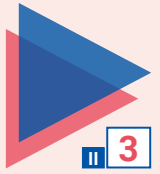
TASK

1. Participants are asked a question “What are the benefits of collective bargaining?”. They spend 1-2 minutes in silent reflection thinking about the question and write down individually as many benefits they can think of.
2. Participants are then invited to exchange their ideas in pairs for 5 minutes, further elaborating or complementing their ideas.
3. Moving to groups of 4, participants discuss all the ideas and concentrate on similarities and differences. For the next 5 minutes, each group appoints a spokesperson and decides on one emerging idea to be presented in plenary.
4. Each group is to present the most important idea in plenary, making sure ideas of different groups do not repeat.



TIPS FOR TRAINERS

- 📌 Considering how important the timing is for this exercise, make sure each participant has a clear understanding of the task before the beginning of individual and collective group works; you may wish to use the definitions from the International Labour Standards, if needed;
- 📌 During the work in pairs, make sure the participants continue the brainstorming, while when shifting to the work in groups of four – concentrate on the discussion. You may wish to remind each group to conduct their discussions around differences and similarities.
- 📌 To wrap up the group discussion, ask each group to identify one idea to be presented in plenary. Ask participants which idea stood up during their discussion and which they consider to be the most important. Make sure each group is ready to present another idea, in case their idea is presented by another group to avoid repetitions in plenary.

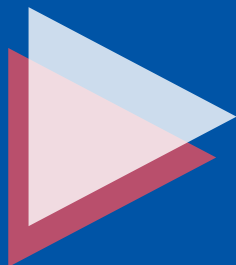


- 📌 During the plenary discussion, you might wish to visualize or write down all the ideas on a board. Using the ILO's policy guide on collective bargaining (2015)¹, you could broaden the discussion using the framework described in Table 1.1. by linking all the expressed ideas to the following 6 categories: Job quality, Equity, Training, Labour relations, Enterprise performance, Macroeconomics. You might prepare a grid on a flipchart or a board with these 6 themes and fill it in during the plenary presentations.

1 https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---travail/documents/instructionalmaterial/wcms_425004.pdf

Further references

- ▶ ILO web page dedicated to the freedom of association and the effective recognition of the right to collective bargaining
<https://www.ilo.org/declaration/principles/freedomofassociation/lang-en/index.htm>
- ▶ ILO web page on International Labour Standards on Freedom of association
<https://www.ilo.org/global/standards/subjects-covered-by-international-labour-standards/freedom-of-association>
- ▶ Guidelines on Freedom of Association (OSCE/ODIHR, 2015)
<https://www.osce.org/odihr/132371?download=true>
- ▶ Freedoms on the move: the civic space of migrant workers and refugees (CIVICUS, 2019)
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Elimination of all forms of forced or compulsory labour

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Support for Implementation of the Decent Work Country Programme of Uzbekistan Project (ILO DWT and Country Office for Eastern Europe and Central Asia) & International Training Center of the ILO.

Resource Kit for the Design and Learning Activities on Labour Rights / International Labour Organization, , International Training Center of the ILO (ITC-ILO). Geneva: ILO, 2020.

ISBN: 9789220328873 (Web PDF); International Labour Organization; Fundamental Principles and Rights at Work Branch, International Training Center of the ILO. Also available in Uzbek: ISBN 9789220328880; and Russian: ISBN 9789220328897

ACKNOWLEDGEMENTS

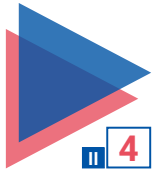
This Resource kit was prepared by Giselle Mitton (ITC-ILO) and Olena Vazhynska (ITC-ILO). Funding for this ILO publication is provided by the United States Department of Labor (USDOL) under cooperative agreement number IL-26629-14-75-K-11 Support for Implementation of the Decent Work Country Programme of Uzbekistan Project (UZB/14/01/USA). One hundred percent of the total costs of the project is financed with Federal funds, for a total of \$6,000,000.00 US dollars.

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Key selected international labour standards

- C029** the Forced Labour Convention, 1930 (No. 29)
- P029** the Protocol of 2014 to the Forced Labour Convention, 1930
- C105** the Abolition of Forced Labour Convention, 1957 (No. 105)
- R035** the Forced Labour (Indirect Compulsion) Recommendation, 1930 (No. 35)
- R203** the Forced Labour (Supplementary Measures) Recommendation, 2014 (No. 203)

Other international treaties

-  United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (known as the Trafficking in Persons Protocol)
-  League of Nations Convention to Suppress the Slave Trade and Slavery (the Slavery Convention), 1926
-  United Nations Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (1956)

Introduction

The ILO has adopted four instruments on forced labour: two Conventions (C029, C105) and a Protocol (P029), which are legally binding and open to ratification, and a Recommendation (R203) which provides practical guidance towards forced labour eradication.

Forced labour is defined in the International Labour Organization (ILO) Convention No. 29, one of the most ratified ILO Conventions, as work that is performed involuntarily and under coercion. Millions of men, women and children around the world are in forced labour although women and girls remain disproportionately affected. It particularly affects vulnerable and excluded groups of workers such as migrant workers or persons suffering from discrimination (e.g. on the basis of their ethnicity).

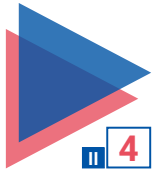
The causes of forced labour are many: poverty, lack of opportunities for meaningful and sustainable jobs and lack of education, including the absence of necessary skills for employment, illiteracy, gender, labour migration, etc. In addition, forced or compulsory labour arises as a result of weak rule of law, corruption and in industries that depend on cheap labour, especially those operating in the unregulated informal economy. Forced labour is present in a number of sectors. Domestic work, construction, manufacturing, agriculture, and fishing are the sectors where forced labour is especially prevalent¹. A serious human rights violation, forced labour is also considered a crime.

Forced Labour Definition

The ILO defines forced or compulsory labour as «**all work or service** which is exacted from **any person** under the **threat of a penalty** and for which the person has not offered himself or herself **voluntarily**».

There are a number of key elements of the definition of forced or compulsory labour. These are:

Further examples of the elements pertaining to means of coercion and voluntary consent can be found in the box below.



All work or service: includes all types of work, service and employment, regardless of the industry, sector or occupation within which it is found.

Any person: refers to adults as well as children, regardless of their nationality.

Menace of any penalty: this can refer to criminal sanctions as well as various forms of coercion such as the actual or credible threats, including of violence, of the retention of identity documents, of confinement or of non-payment of wages.

Voluntary: This refers to workers' consent to enter into employment and to their freedom to leave the employment at any time, with reasonable notice in accordance with national law or collective agreements. In some cases, the worker may have offered themselves voluntarily for a job but later became a victim of human trafficking since their labor was obtained through fraud, force or coercion. In this case, the person's prior consent to work is considered irrelevant.

Examples of direct or indirect means of coercion used to compel someone to perform work or service against their will:

- ▶ physical, psychological or sexual violence against a worker or family or close associate;
- ▶ retaliation;
- ▶ imprisonment or other restriction of movement;
- ▶ financial penalties;
- ▶ withholding wages or other promised benefits;
- ▶ withholding valuable documents, such as identity documents or residence permits;
- ▶ debt bondage or manipulation of debt;
- ▶ denunciation to authorities (such as police or immigration) and deportation;
- ▶ dismissal from current employment;
- ▶ exclusion from future employment;
- ▶ exclusion from community and social life;
- ▶ removal of rights or privileges (such as promotion, transfer, access to new employment, social benefits);
- ▶ deprivation of food, shelter or other necessities;
- ▶ shift to even worse working conditions; and
- ▶ loss of social status.

Circumstances that potentially give rise to involuntary work include, among others:

- ▶ birth or descent into “slave” or bonded status;
- ▶ physical abduction or kidnapping;
- ▶ sale of person into the ownership of another;
- ▶ physical confinement in the work location, in prison or in private detention;
- ▶ psychological compulsion, such as an order to work backed up by a credible threat of a penalty for non-compliance;
- ▶ induced indebtedness (for example by falsification of accounts, inflated prices, reduced value of goods or services produced, or excessive interest charges);
- ▶ deception or false promises about types of work, terms of work, activities or employers;
- ▶ withholding and non-payment of wages;
- ▶ retention of identity documents or other valuable personal possessions; and
- ▶ no or limited freedom to terminate the work contract.

The Convention No. 29 also provides for exceptions to the definition of forced labour by specifically referring to five situations in which compulsory labour may be imposed:

- ▶ work of a purely military character exacted in virtue of compulsory military service;
- ▶ normal civic obligations;
- ▶ work or service exacted from any person as a consequence of a conviction in a court of law, carried out under the supervision of a public authority;
- ▶ work exacted in cases of emergency, such as wars or natural calamities; and
- ▶ minor communal services in the direct interest of the community involved (C029, article 2(2)).



Each of these exceptions is subject to the observance of certain conditions that define their limits (for details regarding exceptions and their limitations, see ILO, 2012a, paragraphs 273–281).

As for the ILO Abolition of Forced Labour Convention, 1957 (No. 105), it requires that each member State which ratifies this Convention, undertakes to take effective measures to secure the immediate and complete abolition of forced and compulsory labour as specified in its Article 1. In addition, Convention No. 105 further supplements Convention No. 29 by prohibiting member States from having recourse to any form of compulsory labour in five specific circumstances:

- ▶ as a means of political coercion or as a punishment for expressing political views;
- ▶ as a sanction for participating in strikes
- ▶ as a means of labour discipline
- ▶ as a means of racial, social, national or religious discrimination; and
- ▶ as a method of mobilizing labour for economic development purposes.

Guidance from International Labour Standards

Forced Labour as defined by the ILO under the Forced Labour Convention, 1930 (No. 29), covers traditional practices of forced labour such as slave-like practices, various forms of debt bondage, human trafficking, among others.

Situations such as slavery, practices similar to slavery, debt bondage or serfdom are defined in other international instruments such as the League of Nations Slavery Convention (1926), and the other United

ILO Instruments on Forced Labour

The Forced Labour Convention, 1930 (No. 29)

This Convention prohibits all forms of forced or compulsory labour, which is defined as “all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily”, and provides exceptions in certain limited circumstances. It also stipulates that forced labour shall be punishable as a penal offence, and requires that the relevant penalties imposed by law are adequate and strictly enforced.

The Abolition of Forced Labour Convention, 1957 (No. 105)

This Convention prohibits forced or compulsory labour as a means of political coercion or education or as a punishment for holding or expressing political views or views ideologically opposed to the established political, social or economic system; as a method of mobilizing and using labour for purposes of economic development; as a means of labour discipline; as a punishment for having participated in strikes; and as a means of racial, social, national or religious discrimination.

The Protocol of 2014 to the Forced Labour Convention, 1930

The Protocol on Forced Labour is a legally binding instrument which requires member States to take effective measures on prevention, protection and access to justice, including compensation. It also requires the intensification of efforts to eliminate all forms of forced labour, including trafficking in persons.

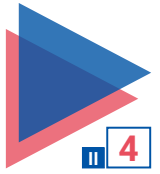
the Forced Labour (Supplementary Measures) Recommendation, 2014 (No. 203)

The recommendation is a non-binding instrument which provides further guidance on the implementation of the Forced Labour Protocol.

The **Declaration on Fundamental Principles and Rights at Work and its Follow-Up** adopted in 1998, requires all member states to take the necessary measures to eliminate all forms of forced or compulsory labour irrespective of whether the State has ratified the two fundamental conventions on forced labour.

Nations Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (1956).

Forced labour can be an outcome of Trafficking and indeed there can be instances where forced labour and trafficking in persons may overlap. Trafficking in persons for labour or forced commercial sexual



exploitation are forms of forced labour. However, some forms of trafficking are not forced labour (such as trafficking for the removal of organs), and, conversely, some forms of forced labour are not trafficking (such as inherited debt bondage, forced labour as means of political coercion, etc.).

The Definition of Trafficking in Persons

Article 3 of the Palermo Protocol (Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children) defines **trafficking in persons** as:

“the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation”.

Exploitation includes, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs

The definition of trafficking in persons encompasses three elements:

- ▶ **Acts:** Recruitment, transportation, transfer, harbouring or receipt of persons.
- ▶ **Means:** The means that are used to accomplish one of the prohibited acts; namely, the use of threat or of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person.
- ▶ **Purpose:** Whether this act, using the above means, was conducted for the purpose of exploitation. The Trafficking in Persons Protocol provides that “exploitation” includes “at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or

practices similar to slavery, servitude or the removal of organs” (article 3(a) of the UN Protocol, 2000).

Some examples of forced labour

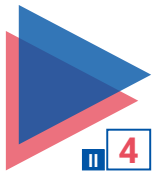
Bonded labour, also known as Debt-induced forced labour. This involves the taking of a loan or wage advance by a worker from an employer or labour recruiter, in return for which the worker pledges his or her labour and sometimes that of family members in order to repay the loan. This type is considered one of the most widespread forms of forced labour. When debt is the primary reason for bondage, the worker (or members of his or her family) is tied to a particular creditor for a specified or unspecified period until the loan is repaid.

Forced labour linked to abusive recruitment practices: Migrant workers who borrow money from third parties face a heightened risk of being in forced labour. They can fall prey to abusive recruitment fees and practices because they often don't speak the language, are unaware of the prevailing employment conditions in the country, have few friends, have limited rights and are dependent on their employers. In some instances migrant workers may face limited, or no possibility to change the employer once they arrive in the destination country.

Forced labour of children and worst forms of child labour: Forced labour of children includes all of the following categories of work performed by a child (anyone under the age of 18):

- i. work performed for a third party (other than his or her own parents), under threat or menace of any penalty either on the child directly or the child's parents; or
- ii. work performed with or for his or her parents, under threat or menace of any penalty applied by a third party either on the child directly or the child's parents; or
- iii. work performed with or for his or her parents where one or both parents are themselves in a situation of forced labour; or
- iv. work performed in any one of the following worst forms of child labour (set out in the Worst Forms of Child Labour Convention, 1999 (No. 182)): (a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt





bondage and serfdom, [as well as forced or compulsory labour], including forced or compulsory recruitment of children for use in armed conflict; (b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances; (c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in relevant international treaties. (Source: [Eliminating Forced Labour – Handbook for Parliamentarians No. 30, 2019](#))

ILO Forced Labour Indicators

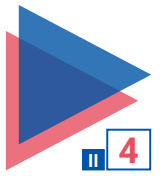
To further help with the identification of forced labour the ILO has further translated the definition of forced labour provided by Convention No. 29 into **11 operational indicators**². The presence of one or more of these indicators does not signify that forced labour is present. However they may be useful to such actors as law enforcement officials, labour inspectors, trade union officers, NGO workers or other actors to identify persons who could be possibly trapped in a forced labour situation and who may require urgent assistance. These indicators are summarized in the table below.

INDICATORS OF FORCED LABOUR	DESCRIPTION OF SITUATION OR CONDITION
Abuse of vulnerability	Occurs when perpetrators take advantage of the vulnerable conditions of workers such as in cases where a person lacks knowledge of the local language or laws, has few livelihood options, belongs to a minority religious or ethnic group, has a disability or other characteristic setting them apart from the majority population .
Deception	Cases where there has been a failure to deliver what has been promised to the worker, either verbally or in writing.
Restriction of movement	Instances where the worker cannot leave the workplace. He/She may be locked up and guarded to prevent them from escaping, at work or while being transported.
INDICATORS OF FORCED LABOUR	DESCRIPTION OF SITUATION OR CONDITION
Isolation	The worker is isolated in remote locations and/or denied contact with the outside world.

INDICATORS OF FORCED LABOUR	DESCRIPTION OF SITUATION OR CONDITION
Physical and sexual violence	Instances where the worker, their family members and close associates may be subjected to actual physical or sexual violence
Intimidation and threats	Common threats used against workers may include denunciation to the immigration authorities, loss of wages or access to housing or land, sacking of the worker or a family member, bad working conditions, loss of privileges.
Retention of identity documents	The retention by the employer of identity documents or other valuable personal possessions
Withholding of wages	When wages are systematically and deliberately withheld
Debt bondage	Binding the worker to the employer for an unspecified period of time for repayment of a loan or an advance payment
Abusive working and living conditions	Work performed under conditions that are degrading (humiliating or dirty) or hazardous (difficult or dangerous without adequate protective gear), and in severe breach of labour law
Excessive overtime	Labourers forced to frequently work excessive hours or days beyond the limits prescribed by national law or collective agreement

Source: https://www.ilo.org/wcmsp5/groups/public/--ed_norm/--declaration/documents/publication/wcms_203832.pdf

It has been observed that forced labour is more likely in cases of multiple dependency on the employer, such as when the worker depends on the employer not only for his or her job but also for housing, food and for work for his or her relatives. With regard to the withholding of wages, workers may be obliged to remain with an abusive employer while waiting for the wages that are owed to them. The fact of irregular or delayed payment of wages does not automatically imply a forced labour situation. But when wages are systematically and deliberately withheld as a means to compel the worker to remain, and deny him or her of the opportunity to change employer, this points to the possibility of forced labour. In all cases where forced labour may be suspected as a result of the presence of one or more of the above indicators, the matter should be further investigated by the appropriate law enforcement actors.



The Protocol and Recommendation supplementing the Forced Labour Convention, 1930 (No. 29)

In June 2014, governments, employers and workers at the ILO International Labour Conference (ILC) decided to give new impetus to the global fight against forced labour, including trafficking in persons and slavery-like practices.

They voted overwhelmingly to adopt a Protocol and a Recommendation which supplement the Forced Labour Convention, 1930 (No. 29), and complements existing international instruments by providing specific guidance on effective measures to be taken to eliminate all forms of forced labour. The Protocol of 2014 to the Forced Labour Convention, 1930 aims to further advance prevention, protection and compensation measures, as well as to intensify efforts to eliminate forced labour in all its form, including trafficking in persons.

Some of the main provisions of the Protocol:

<p>Prevention Article 2</p>	<ul style="list-style-type: none"> ▶ Informing those considered particularly vulnerable, employers, and the public ▶ Extending the coverage and enforcement of relevant laws to all workers and sectors ▶ Strengthening labour inspection & other services responsible for implementation of these laws ▶ Protection from abuses arising during the recruitment process ▶ Supporting due diligence by the public and private sectors. ▶ Addressing root causes and factors that heighten the risks of forced labour.
<p>Protection Articles 3 and 4(2)</p>	<ul style="list-style-type: none"> ▶ Effective measures for the identification, release, protection, recovery and rehabilitation of victims. ▶ Protecting victims from punishment for unlawful activities that they were compelled to commit.
<p>Remedies Article 4(1)</p>	<ul style="list-style-type: none"> ▶ Ensuring victims' access to appropriate and effective remedies, such as compensation, irrespective of their presence or legal status in the territory.
<p>Effective measures Article 1(1)</p>	<ul style="list-style-type: none"> ▶ In giving effect to their obligation to suppress forced labour under the Forced Labour Convention, the Protocol requires States to take effective measures to prevent and eliminate forced labour, to provide victims protection and access to appropriate and effective remedies, such as compensation, and to sanction perpetrators.

The Protocol of 2014 to the Forced Labour Convention, 1930 establishes the obligations of States to prevent forced labour, protect victims and provide them with access to remedies, and emphasises the link between forced labour and trafficking in persons. In line with Convention No. 29, the Protocol also reaffirms the importance of prosecuting the perpetrators of forced labour and ending their impunity. Recommendation No. 203 provides orientations and guidelines to implement these obligations.

Together, the ILO's forced labour instruments – including the 2014 Protocol and Recommendation (No. 203) as well as the Forced Labour Convention, 1930 (No. 29), and the Abolition of Forced Labour Convention, 1957 (No. 105) – provide all actors with a comprehensive strategy and a set of tools to address forced labour in a modern-day context.



▶ Infographics: Dinara's story



DINARA'S STORY

INTRODUCTION

Dinara's story will help you to understand various forms of abuse that can occur during the recruitment process and why it is important to have principles and guidelines for fair recruitment

Risk of child labour

Risk of forced labour



Consult, inter alia:

- C138 (Arts. 1, 2 (3) and 3)
- C182 (Arts. 2-3)
- C029 (Art. 2)
- C105 (Art. 1)
- C181 (Art. 9)

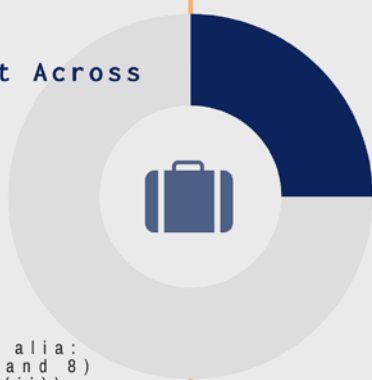


Dinara, aged 20, lives in a small village in rural area of Travaililand with her family. She has five siblings who are still at school. Since there are not many work opportunities in the village, her parents are mainly employed in seasonal work in agriculture.

This year crops were not abundant and in order to sustain the family, her younger siblings have to work in the fields. Dinara decides to go abroad for work to send back the remittances to help her family. This way her siblings could attend school instead of working.

Private Employment Agencies

Recruitment Across Borders



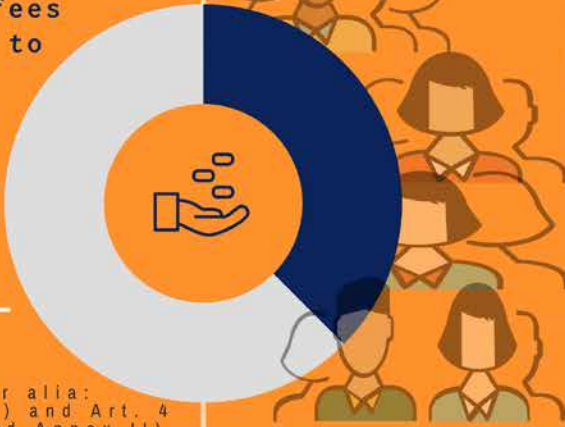
Consult, inter alia:
 C181 (Arts. 1 and 8)
 C88 (Art. 6(b)(ii))
 C97
 C143



She decides to go to one of the neighbouring countries, Labourstan or Worksilvania, where wages are significantly higher than in Travaililand. Dinara addresses one of the members of the community Qariya, very respectful and influential woman, who advises her to go Better Opportunities Recruitment (BOR) agency in the city. She gives her a contact of her friend Tursunbek, who works there. To thank Qariya for help, Dinara brings gifts.



Prohibition of charging fees and costs to workers



Arriving to the city, Dinara goes to BOR and meets Tursunbek. There is a long queue of applicants, who wish to go abroad for work, and Tursunbek helps her skip the queue. At the agency, Dinara finds out that most of the applicants want to go to either Labourstan and Worksilvania. To be considered, Dinara would need to pay a fee. Since wages in Labourstan are slightly higher, the fee is of USD 1000, while to go to Worksilvania, Dinara would need to pay USD 800. Dinara only had enough money to pay for Tursunbek's fees. She gave him USD 200 from her savings.



Consult, inter alia:
C97 (Art. 7(2) and Art. 4
of Annex I and Annex II)
MLC, 2006 (Regulation
1.4(1) and Standard
A1.4(5))
C181 (Art. 7)
C88 (Art. 1)
R203

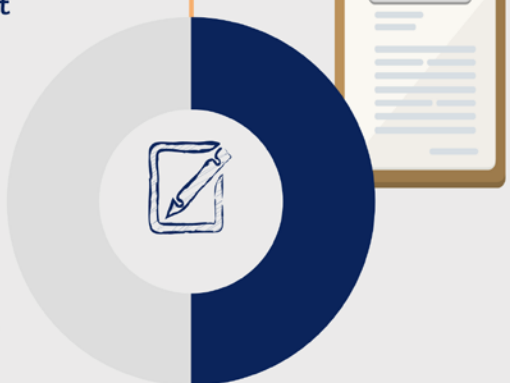
Definition of recruitment fee:

the term recruitment fee or related costs refer to any fees or costs incurred in the recruitment process in order for workers to secure employment or placement, regardless of the manner, timing or location of their imposition or collection



Tursunbek manages to arrange a contract for her that foresees a 40% deduction to cover the occurred expenses. Dinara also finds out that she needs to pay USD 80 for the visa, USD 100 for the pre-departure medical test, which also serves to confirm that she is not pregnant, and USD 400 for her air tickets. She does not have money left and none of her family members or friends have such amounts, so she asks Qariya to lend her the missing sum, promising to pay her back with 20% of interest.

Clear and transparent contracts

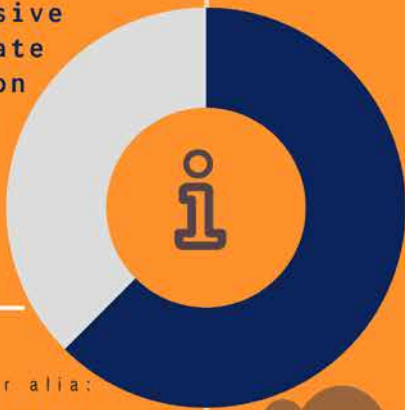


One week later Tursunbek called her and asked to come to BOR. Dinara received her contract, but could not read it as it was in Labourstane, which she does not speak. Tursunbek tells her that it is a standard contract and if she does not sign it today, she will lose all the money she has spent. He added that it is a one-year contract, which foresees a salary of USD 1200 and also includes accommodation and lodging provided by her employer. Dinara signs the contract and soon thereafter departs for Labourstan.



Consult, inter alia:
C97 (Annex I, Art. 5 and
Annex II, Art. 6)
C189 (Art. 8(1))
R86 (Annex, Para. 22)
R188 (Para. 5)
R203 (Para. 4 (e))

Free, comprehensive and accurate information



Dinara starts working on a farm, which is situated in a remote area. Every day she is taken to the field and spends at least two hours to get there and come back. She works 14 hours per day and does not have a day off. She was promised she would be given a language course, but there is no public transport to take her to the nearest town for classes. Her employer will not drive her. After one month Dinara's enthusiasm to learn Labourstaneese has disappeared as she does not have enough time for rest, not to mention other activities. She lives in a room with ten other workers, where they all sleep on the floor and share common space for personal belongings. There is one shower in the courtyard, which does not have hot water. All the workers pack their lunches to eat in the field, even though there are no sanitation facilities, where they can wash their hands, or cooking facilities to prepare or preserve their food. Several workers had food poisoning and were not taken to see the doctor. These are not the conditions she was expecting or aware of before accepting the job.



Consult, inter alia:
 C 88
 C 97 (Arts. 2 and 3)
 C 181
 C 189 (Art. 7)
 R 201
 R 86 (Para. 5)
 R 151 (Paras 7 (1) and 24)
 R 203 (Para. 4 (e))



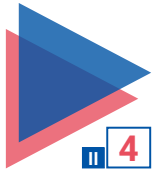
Termination of employment and permission to change employer. Access to grievance and dispute resolution mechanisms.



When it is time for payment of the first salary, Dinara receives only USD 320. She is reminded of the 40% she has to pay back to the agency and additional deductions to cover her lodging and meals. Dinara found out that there are other employers in the area, who offer better conditions. However, her employer would not let her go until she repays all the agency fees. He also has her passport, so she cannot come back to Travalliland until her contract has ended. Dinara has to also repay Qariya. She does not have anyone she can complain to or ask for advice. She does her best to repay all the loans and to send money back home so that her siblings can attend school.



Consult, inter alia:
 C 143 (Arts 5,6 and 9 (2))
 C 97 (Annex I, Art. 8 and Annex II, Art. 13)
 R 151 (Paras 32-34)
 C 181 (Arts 10 and 14)
 R 188 (Para 15 (c))
 P 29 (Art. 4)
 MLC, 2006 (Standard A1.4 (7))
 C 189 (Art. 15 (b, c), Arts 16-17)
 R 203 (Paras 8, 11-13)



Learn more about the guidance
offered by the ILO to realizing
fair recruitment

General principles and operational guidelines
for fair recruitment and definition of
recruitment fees and related costs

Sample session 1:

Abusive Recruitment and Forced Labour – analyse Dinara’s story



OBJECTIVES

- 📌 To utilize International Labour Standards to analyse a suspected case of forced labour
- 📌 To become familiar with the ILO Indicators of Forced Labour



SETTING

- 📌 Divide participants into small groups of four or five.
- 📌 Ensure that each group member has diverse expertise and background, contributing to highly participative group dynamics and initial brainstorming.



DURATION

- 📌 20-30 minutes to exchange views in groups.
- 📌 10 minutes to present the results in plenary.



TASK

1. Recalling the main provisions of the International Labour Standards on Forced Labour and the ILO Indicators of Forced Labour, each group is invited to analyse and Dinara’s case.



2. Each group will be asked to identify which ILO Indicators of Forced Labour can be found in Dinara's case and to consider whether Dinara is at risk of forced labour, and to further demonstrate why she may be in forced labour, referring to facts from her case.
3. Results of the discussion are then shared in plenary.



INSTRUCTIONS FOR TRAINERS:

- 📌 Invite each group to designate a note taker, moderator for the discussion and spokesperson to present the results in plenary;
- 📌 To prompt the discussion and ensure a fruitful exchange of ideas in groups, consider a collective brainstorming defining decent work; this preparatory exercise could also be used as an ice-breaker;
- 📌 Prepare guiding questions to facilitate discussions in groups, e.g.:
 1. *What are the risks of forced labour in Dinara's case ?*
 2. *What are the signs of forced labour in Dinara's case ?*
 3. *Are the signs sufficient to conclude that Dinara is a victim of forced labour ?*



TIPS FOR TRAINERS:

- 📌 Make sure each participant has a clear understanding of the tasks before the beginning of individual and collective group work; If necessary move about each group to repeat the tasks assigned to each group; do this several times during the time of the group work.
- 📌 Using a flip chart recall the three elements of the definition of forced labour reiterating that all three must be present for forced labour to be present;
- 📌 Remind participants that some indicators (e.g. restriction of movement) maybe so strong that alone they can present

a forced labour situation; conversely the presence of one or more indicators of forced labour may not be sufficient to conclude that forced labour is present; in cases where forced labour may be suspected the case should be brought to the appropriate law enforcement actors for further investigation, and if needed, action in line with national legislation and International Labour Standards on Forced Labour;

- 📌 Emphasize that forced labour typically exists in cases where there is a multiple dependency of the victim on the employer: the victim is depend on the employer for food, accommodation, transportation, access to their salary, access to communication with the outside world, etc;
- 📌 In defining measures to address child labour it is important to consider the gender related determinants which may affect girls and boys pathways into the world of work;
- 📌 According to the latest ILO Global Estimates on Child Labour girls are disproportionately affected by domestic chores; do existing public policies or programmes to address child labour or to promote universal education take this into consideration
- 📌 Recall that the Convention does not only call for action against discrimination but requires promotional action towards equal opportunity and treatment at work.

Sample session 2:

Translating obligations into actions – case study of Dinara’s story



OBJECTIVES

- 📌 To utilize International Labour Standards to analyse a suspected case of forced labour.
- 📌 To consider possible measures that would be applicable in the case of abusive recruitment practices leading to forced labour.
- 📌 To consider how international labour standards on forced labour may provide guidance on how to respond to a concrete example of forced labour (Dinara’s story).



DURATION

- 📌 45 minutes to exchange views in groups.
- 📌 15 minutes to present the results in plenary.



TASK

1. Recalling the main provisions of the international labour standards on Forced Labour and the ILO Indicators of Forced Labour, each group is invited to analyse and discuss Dinara’s case.
2. Each group is asked to consider whether Dinara is at risk of forced labour and to demonstrate why referring to facts

from her case, and, using the ILO Indicators of Forced Labour to further support their viewpoint .

3. Each group will then propose specific measures that would need to be implemented to address Dinara’s specific case in line with the provisions of the ILO instruments on Forced Labour and indicate the measures that they would propose to prevent such cases in the future based on the circumstances described in her case.
4. The results of the discussion are then shared in plenary.



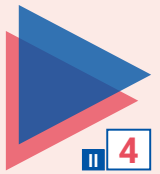
INSTRUCTIONS FOR TRAINERS

- 📌 Invite each group to designate a note taker, moderator for the discussion and spokesperson to present the results in plenary;
- 📌 Prepare guiding questions to facilitate discussions in groups, e.g.:
 1. *What are the signs of forced labour in Dinara’s case ?*
 2. *Is Dinara a victim of forced labour ? Develop argument to support this*
 3. *Identify which measures would need to be taken to address Dinara’s situation as a victim*
 4. *Consider the preventive measures that could be taken to prevent forced labour in other at risk cases, including measures in the country of origin as well as the country of destination arising from the application of the ILO General principles and operational guidelines for fair recruitment and definition of recruitment fees and related costs*



TIPS FOR TRAINERS:

- 📌 Considering how important the timing is for this exercise, make sure each participant has a clear understanding of the task before the beginning of individual and collective group work; If necessary move about each group to repeat the

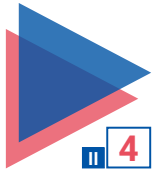


tasks assigned to each group; do this several times during the time of the group work.

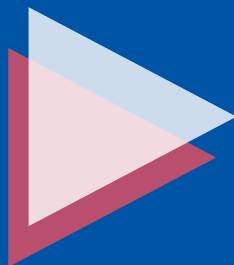
- 📌 Using a flip chart recall the three elements of the definition of forced labour reiterating that all three must be present for forced labour to be present;
- 📌 Remind participants that the presence of one or more indicators of forced labour may not be sufficient to conclude that forced labour is present;
- 📌 Emphasize that forced labour typically exists in cases where there is a multiple dependency of the victim on the employer: the victim is depend on the employer for food, accommodation, transportation, access to their salary, access to communication with the outside world, etc;
- 📌 If a group is running short of time invite the group to divide up the tasks among the different group members who can work in pairs to complete each task;
- 📌 To wrap up the group discussion, ask each group to identify one idea to be presented in plenary. Ask participants which idea stood out during their discussion and which one they consider to be the most important. Make sure each group is ready to present another idea, in case their idea is presented by another group to avoid repetitions in plenary.
- 📌 During the plenary discussion, you might wish to visualize or write down all the ideas on a board. Using the main headings from the text of the ILO Forced Labour Protocol, you could broaden the discussion using the framework described under Articles 2 (Prevention), 3 (Protection) and 4 (Remedy) to better visualize the ideas expressed by the groups and demonstrate how these may align with ILS on Forced Labour ;
- 📌 Alternatively you might prepare a grid on a flipchart or a board with certain provisions from the General principles and operational guidelines for fair recruitment and definition of recruitment fees and related costs - https://www.ilo.org/global/topics/fair-recruitment/WCMS_536755/lang-en/index.htm - and fill it in during the plenary presentations.

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Effective abolition of child labour

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First published 2020

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Support for Implementation of the Decent Work Country Programme of Uzbekistan Project (ILO DWT and Country Office for Eastern Europe and Central Asia) & International Training Center of the ILO.

Resource Kit for the Design and Learning Activities on Labour Rights / International Labour Organization, , International Training Center of the ILO (ITC-ILO). Geneva: ILO, 2020.

ISBN: 9789220328873 (Web PDF); International Labour Organization; Fundamental Principles and Rights at Work Branch, International Training Center of the ILO. Also available in Uzbek: ISBN 9789220328880; and Russian: ISBN 9789220328897

ACKNOWLEDGEMENTS

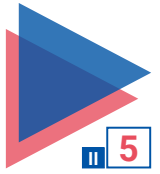
This Resource kit was prepared by Giselle Mitton (ITC-ILO) and Olena Vazhynska (ITC-ILO). Funding for this ILO publication is provided by the United States Department of Labor (USDOL) under cooperative agreement number IL-26629-14-75-K-11 Support for Implementation of the Decent Work Country Programme of Uzbekistan Project (UZB/14/01/USA). One hundred percent of the total costs of the project is financed with Federal funds, for a total of \$6,000,000.00 US dollars.

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Key selected international labour standards

- C138** the Minimum Age Convention, 1973 (No. 138)
- R146** the Minimum Age Recommendation, 1973 (No. 146)
- C182** the Worst Forms of Child Labour Convention, 1999 (No. 182)
- R190** the Worst Forms of Child Labour Recommendation, 1999 (No. 190)
- C189** the Domestic Workers Convention, 2011 (No. 189)
- R201** the Domestic Workers Recommendation, 2011 (No. 201)
- R204** the Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204)



Introduction

Not all work done by children should be classified as child labour that is to be targeted for elimination. Children's or adolescents' participation in work that does not affect their health and personal development or interfere with their schooling, is generally regarded as being something positive. This includes activities such as helping their parents around the home, assisting in a family business or earning pocket money outside school hours and during school holidays. These kinds of activities contribute to children's development and to the welfare of their families; they provide them with skills and experience, and help to prepare them to be productive members of society during their adult life.

The term "child labour" is often defined as work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development. It refers to work that:

- ▶ is mentally, physically, socially or morally dangerous and harmful to children; and/or
- ▶ interferes with their schooling by: depriving them of the opportunity to attend school; obliging them to leave school prematurely; or requiring them to attempt to combine school attendance with excessively long and heavy work.

The worst forms of child labour involve children being enslaved, separated from their families, exposed to serious hazards and illnesses and/or left to fend for themselves on the streets of large cities – often at a very early age.

Whether or not particular forms of "work" can be called "child labour" depends on the child's age, the type and hours of work performed, the conditions under which it is performed and the objectives pursued by individual countries. The answer varies from country to country, as well as among sectors within countries.



Child Labour: a concern in 1919

In 1919 at the first ILC the ILO adopted the first international treaty on child labour: the Minimum Age (Industry) Convention, 1919 (No. 5) which prohibited the work of children below 14 years of age in industrial establishments.

Guidance from International Labour Standards

Child labour has been a concern since the time of the creation of the ILO in 1919. Article 427 of the 1919 Versailles Treaty under which the ILO's constitution was drawn up, makes very specific reference to child labour: "the abolition of child labour and the imposition of such limitations on the labour of young persons shall permit the continuation of their education and assure their proper physical development".

In 1973, the ILO took a more concrete step and adopted the Minimum Age for Admission to Employment Convention, 1973 (No. 138). This Convention stipulates that States should progressively raise the minimum age to a level consistent with the fullest physical and mental development of young people. It establishes 15 years as the general minimum age for admission to employment or work.

Convention No. 138 requires the minimum age for admission to employment or work not to be less than the age of completion of compulsory education. This is also the age when children are considered to have acquired a basic level of education and considered old enough for a productive and fulfilling work life.

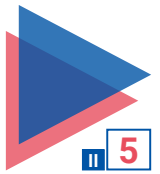
Fixing the minimum age for admission to employment or work is a basic obligation of ratifying member states, and the Convention establishes three categories for this:

1. The minimum age should not be less than the age of completing compulsory schooling, and in no event less than 15 years of age. Countries whose economy and educational facilities are insufficiently developed may initially fix the age for admission to employment or work at 14 years.
2. A higher minimum age of 18 years is set for hazardous work, i.e. any type of employment or work “which by its nature or the circumstances in which it is carried out is likely to jeopardize the health, safety or morals of young persons”. It is left to the individual countries to determine which these are, after consultation with employers’ and workers’ organizations. The Recommendation gives guidance on the criteria that should be applied in determining what hazardous work is.
3. A lower minimum age for light work, i.e. work which is not likely to be harmful to children’s health or development or to prejudice their attendance at school, their participation in vocational orientation or training programmes approved by the competent authority or their capacity to benefit from the instruction received may be set at 13. For a country that initially sets a minimum age of 14, the minimum age for light work may be set at 12¹.

Whereas the establishment of the first two categories is mandatory, the third regarding light work is optional: Article 7.1 specifies : “National laws or regulations may permit the employment or work of persons 13 to 15 years of age”.

The Convention applies to all sectors of economic activity, whether or not children are employed for wages. It is a flexible instrument allowing for progressive improvement, and most importantly, for developing economies (i.e. whose educational and economic systems are not yet fully developed) to set lower ages for employment. Exceptions

1 Combating child labour: A handbook for labour inspectors
https://www.ilo.org/ipecc/Informationresources/WCMS_IPEC_PUB_2619/lang-en/index.htm



are allowed for certain sectors (e.g. non-commercial agriculture in developing countries), for limited categories of work, for education and training, and for artistic performances.

Convention No. 138 provides a definition of hazardous work to be prohibited for children.

Hazardous child labour or hazardous work is any type of employment or work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

Convention No. 138 sets 18 years as the minimum age for hazardous work. This is because a child, defined in international law as a person under 18, is considered to be still developing mentally and physically, and are also considered more vulnerable than adults to workplace hazards, requiring protection from any type of work that is likely to jeopardize their health, safety or morals. An example of this is night work, which interferes with children's sleep and may make them more prone to suffer accidents on the job. Mining, construction, and commercial agriculture, for instance, are among the types of employment or work to be considered hazardous by their nature.

Recommendation No. 190 which accompanies Convention No. 182 on the Worst Forms of Child Labour (see below) provides further guidance on determining the types of work to be considered as hazardous as well as to identify where they may exist.

As part of the efforts member States need to make, Recommendation No. 146 which accompanies Convention No. 138, stresses that national policies and plans should provide for:

- ▶ poverty alleviation and the promotion of decent jobs for adults, so that parents do not need to resort to their children's labour;
- ▶ free and compulsory education and provision of vocational training;
- ▶ extension of social security and systems for birth registration;
- ▶ appropriate facilities for the protection of children, and adolescents who work.

Recommendation No. 146 also stresses that to achieve the elimination of child labour, laws setting minimum age for admission to employment or work should be embedded in such comprehensive policy responses.

The ILO Minimum Age Convention, 1973 (No. 138), and accompanying Recommendation (No. 146) provide the framework for national law to prescribe a minimum age for admission to employment or work. In some contexts, it is recognized that the effective abolition of all child labour is a long term objective which can be difficult to reach in the absence of economic and social development.

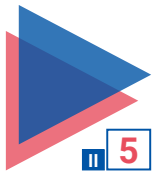
In 1999, was adopted ILO Worst Forms of Child Labour Convention (No. 182) and its accompanying Recommendation (No. 190), as a result of a consensus at the global level that action was needed against certain forms of child labour – the worst forms - as a matter of urgency.

Convention No. 1999) 182) on the worst forms of child labour complements Convention No. 1973) 138) on the minimum age by identifying the worst forms of child labour to be targeted for immediate action.

The worst forms of child labour

Whilst child labour takes many different forms, a priority is to eliminate without delay the worst forms of child labour as defined by Article 3 of ILO Convention No. 182:

- ▶ all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;
- ▶ the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;
- ▶ the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;
- ▶ work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.



Convention No. 182 outlines a tripartite process leading to the identification of hazardous work to be prohibited for children whereas Recommendation No. 190 stipulates that particular consideration should be given to:

- ▶ *work that exposes children to physical, psychological or sexual abuse;*
- ▶ *work underground, under water, at dangerous heights and in confined spaces;*
- ▶ *work with dangerous machinery, equipment, and tools, or which involves the manual handling or transport of heavy loads;*
- ▶ *work in an unhealthy environment which may, for example, expose children to hazardous substances, agents or processes, or to temperatures, noise levels, or vibrations damaging to their health;*
- ▶ *work under particularly difficult conditions such as work for long hours or during the night, or work where the child is unreasonably confined to the premises of the employer.*

The worst forms of child labour are to be prohibited without condition for all children under the age of 18 years. The Convention outlines the various measures Member States are required to take as a matter of urgency.

Child Labour in Domestic Work and the Domestic Workers Convention, 2011 (No. 189)

The ILO's two fundamental Conventions on child labour also provide the framework for ending child labour in domestic work.

In 2011 the ILO's International Labour Conference adopted Convention No. 189 and Recommendation No. 201 concerning decent work for domestic workers. The adoption of these instruments was an important milestone in terms of ensuring that domestic workers are workers, and have rights like other workers. It recognizes their fundamental rights, requires Members to take measures that protect domestic workers against all forms of abuse, harassment and violence, and sets minimum standards of protection for domestic workers of all ages.

The ILO's Domestic Workers Convention, 2011 (No. 189) defines "domestic work" as work performed in or for a household or households and further defines the "domestic worker" as any person engaged in domestic work within an employment relationship.

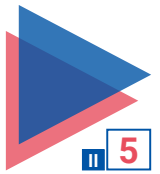
The term "domestic work" covers a wide range of tasks and services that vary from country to country and that can be different depending on the age, gender, ethnic background and migration status of the workers concerned, as well as the cultural and economic context in which they work. This means that a definition of domestic work and the workers involved on the basis only of the tasks being performed, risks being perpetually incomplete. Rather, Convention No. 189 draws on the common and distinctive characteristic that domestic workers are employed by, and provides services for, third party private households².

Consistent with Convention No. 138 and Convention No. 182, Convention No. 189 requires each State to set a minimum age for domestic workers that should not be lower than the legal working age for workers generally. Domestic work performed by child workers below the legal minimum working age is child labour and should be eliminated.

As regards child domestic workers below 18 years of age but above the legal minimum working age (referred to here as "young domestic workers"), their special needs (including compulsory education and training opportunities) should be addressed and protected, and they should be provided with decent work conditions in line with the Convention. Convention No. 189's broad definitions of domestic work and domestic workers affirm and ensure that all domestic workers, whatever their tasks, whoever their direct employer might be, and regardless of their working-time arrangements and number of employers, are "workers" and have the right to labour and social protection like other workers³.

2 Ending child labour in domestic work and protecting young workers from abusive working conditions, ILO 2013; Practical Guide to Ending Child Labour and Protecting Young Workers in Domestic Work, ILO, 2018 (https://www.ilo.org/ipec/Informationresources/WCMS_IPEC_PUB_30476/lang--en/index.htm).

3 Ending child labour in domestic work and protecting young workers from abusive working conditions, ILO 2013; Practical Guide to Ending Child Labour and Protecting Young Workers in Domestic Work, ILO, 2018 (https://www.ilo.org/ipec/Informationresources/WCMS_IPEC_PUB_30476/lang--en/index.htm).



R204 - the Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204)

Half of the global labour force and more than 90 percent of small and medium enterprises worldwide are working and operating in conditions of informality. The Transition from the Informal to the Formal Economy Recommendation (No. 204) is the first international labour standard to focus on the informal economy in its entirety, and diversity, and to point clearly in the direction of transition to the formal economy as the means for realizing decent work for all and for achieving inclusive development.

The Recommendation No. 204, of universal relevance, acknowledges the broad diversity of situations of informality including specific national contexts and priorities for the transition to the formal economy and provides practical guidance to address these priorities. It clearly defines a broad and detailed scope of application to all workers and economic units - including enterprises, entrepreneurs and households - in the informal economy. Such informal work may be found in all economic sectors and in public and private spheres.

As the risk of child labour is heightened in the informal economy where workers are likely to be denied their fundamental rights at work, notably children, women, migrant workers and indigenous Peoples this instrument is of particular importance.

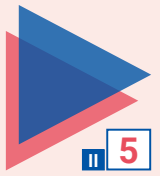
Recommendation No. 204 recognizes that most people enter the informal economy not by choice but as a consequence of a lack of opportunities in the formal economy. It clearly establishes the need to preserve and improve existing livelihoods, as well as the entrepreneurial potential, skills and creativity of those operating in the informal economy, in the process of transition to the formal economy.

Recommendations No. 204 under its Article 16 invites member States to take measures to achieve decent work and to respect, promote and realize the fundamental principles and rights at work for those in the informal economy, namely:

- (a)** freedom of association and the effective recognition of the right to collective bargaining;
- (b)** the elimination of all forms of forced or compulsory labour;

- (c) the effective abolition of child labour; and
- (d) the elimination of discrimination in respect of employment and occupation

Most child labour takes place in the informal economy within the family unit where many children in child labour work as contributing family labourers. If child labour is to be effectively tackled, it is imperative that the adult members of their families, i.e. those of legal working age, be provided with decent work alternatives.



Sample session 1:

Analysis of a Child Labour Situation



OBJECTIVES

- Participants will consider the causes of child labour in their country differentiating, how they may impact differently according to gender as well as the relevant legislation and policies of the country.



SETTING

- Participants are divided into several groups.
- Each group will consider the questions below.
- They will be provided with the necessary materials (pens paper, flip chart etc).
- Certain key findings from the latest global or national estimates on child labour disaggregated according to sex can be made available to each group.



DURATION

- A total of 40 minutes will be allocated for the discussion.
- Each group will be given 5 minutes to share their findings followed by discussion and wrap up in plenary.



TASK

The group is asked to consider the following:

1. Discuss the main causes of child labour in your country
2. Indicate which causes may affect one sex more than the other, and how
3. Rank the causes in order of importance starting with the most important
4. What does the legislation of your country say about child labour
5. Identify any major public policies or programmes that seek to tackle child labour in your country



TIPS FOR TRAINERS:

- 📌 Invite each group to designate a note taker, moderator for the discussion and spokesperson to present the results in plenary;
- 📌 Gender based preferences and stereotypes lead to different life experiences of girls and boys at work and at school;
- 📌 The different societal and familial roles prescribed for boys and girls steer them towards different sectors and occupations; they may also impact their educational outcomes differently;
- 📌 In defining measures to address child labour it is important to consider the gender related determinants which may affect girls and boys pathways into the world of work;
- 📌 According to the latest ILO Global Estimates on Child Labour girls are disproportionately affected by domestic chores; do existing public policies or programmes to address child labour or to promote universal education take this into consideration
- 📌 Recall that the Convention does not only call for action against discrimination but requires promotional action towards equal opportunity and treatment at work.

Sample session 2:

Identifying hazards children could face in work environments



OBJECTIVE

- 📌 To gain more insight into approaches to eliminating child labour.



SETTING

- 📌 Participants are invited to consider the hazards that children are likely to face if they are expected to do the types work adults normally do.
- 📌 Materials to be provided - a flip chart for each group, pen & paper, a list of typical jobs that adults undertake according to the local industries and the definitions of child labour and hazardous work.



DURATION

60 minutes:

- 📌 30 minutes for working in groups on the topics assigned to them
- 📌 10 minutes for each group to present their end product and
- 📌 10 minutes for further discussions.



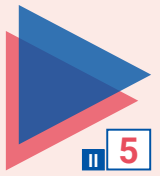
TASK

1. The group is provided with a list of jobs adults do.
2. Their task will be to go through this list and decide if these types of work are harmful to children and why. They need to consider the physical, mental and moral harm these types of work can cause for children.
3. The list of jobs normally done by adults can consist of work in:
 - *mines,*
 - *agriculture,*
 - *collecting garbage,*
 - *construction,*
 - *manufacturing (furniture, garments, shoes etc.)*
 - *auto workshops*
 - *domestic work*
4. The list can include other types of work or can be changed to reflect the local industries.



TIPS FOR TRAINERS:

- 📌 Invite each group to designate a note taker, moderator for the discussion and spokesperson to present the results in plenary;
- 📌 It is possible that not all the members of the group will be familiar with the types of jobs that adults do in some of the sectors represented in the list. Thus it may be necessary for the trainer to gather information regarding the types of tasks or processes in which adults are typically engaged and to provide guidance to the group members to consider the likely hazards for children;
- 📌 If time permits ask each group to think about possible hazards unique to jobs in other sectors;
- 📌 Remind participants that under ILO Convention 182 many member States have adopted a list of hazardous occupations, tasks and processes prohibited to children

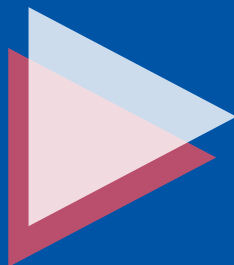


that have been drawn up collaboratively by governments, workers and employers organizations in order to approach child labour in an inform and systematic manner.

- 📌 There is a potential to link this exercise with other subject areas covered in previous modules, such as fair recruitment, decent working conditions, working time, fair remuneration, social security.
- 📌 Consult and make available the texts of relevant international labour standards.

Further references

- ▶ ILO Convention No. 138 at a glance (ILO, 2018)
<https://www.ilo.org/ipecinfo/product/download.do?type=document&id=30215>
- ▶ ILO Convention No. 182 at a glance (ILO, 2018)
<https://www.ilo.org/ipecinfo/product/download.do?type=document&id=30296>
- ▶ Global Estimates of Child Labour: Results and Trends, 2016-2012 (ILO, 2017)
https://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/documents/publication/wcms_575499.pdf
- ▶ Ending child labour by 2025: a review of policies and programmes (ILO, 2018)
https://www.ilo.org/ipec/Informationresources/WCMS_653987/lang--en/index.htm
- ▶ Ending child labour, forced labour and human trafficking in global supply chains (ILO, 2019)
https://www.ilo.org/ipec/Informationresources/WCMS_716930/lang--en/index.htm
- ▶ Children in hazardous work: What we know, what we need to do (2011)
https://www.ilo.org/ipec/Informationresources/WCMS_156475/lang--en/index.htm
- ▶ Good practices on the elimination of child labour in Central Asia (ILO, 2014)
<http://www.ilo.org/ipecinfo/product/download.do?type=document&id=26545>
- ▶ The tripartite process of determining hazardous child labour - Guide for facilitators (ILO, 2012)
<http://www.ilo.org/ipecinfo/product/download.do?type=document&id=20435>
- ▶ Combating child labour: a handbook for labour inspectors (ILO, 2002)
https://www.ilo.org/ipec/Informationresources/WCMS_IPEC_PUB_2619/lang--en/index.htm



Equality and non-discrimination

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First published 2020

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Support for Implementation of the Decent Work Country Programme of Uzbekistan Project (ILO DWT and Country Office for Eastern Europe and Central Asia) & International Training Center of the ILO.

Resource Kit for the Design and Learning Activities on Labour Rights / International Labour Organization, , International Training Center of the ILO (ITC-ILO). Geneva: ILO, 2020.

ISBN: 9789220328873 (Web PDF); International Labour Organization; Fundamental Principles and Rights at Work Branch, International Training Center of the ILO. Also available in Uzbek: ISBN 9789220328880; and Russian: ISBN 9789220328897

ACKNOWLEDGEMENTS

This Resource kit was prepared by Giselle Mitton (ITC-ILO) and Olena Vazhynska (ITC-ILO). Funding for this ILO publication is provided by the United States Department of Labor (USDOL) under cooperative agreement number IL-26629-14-75-K-11 Support for Implementation of the Decent Work Country Programme of Uzbekistan Project (UZB/14/01/USA). One hundred percent of the total costs of the project is financed with Federal funds, for a total of \$6,000,000.00 US dollars.

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Key selected international labour standards

Fundamental Conventions on equality of opportunity and treatment (and related Recommendations)

- C100** the Equal Remuneration Convention, 1951 (No. 100)
- R090** the Equal Remuneration Recommendation, 1951 (No. 90)
- C111** the Discrimination (Employment and Occupation) Convention, 1958 (No. 111)
- R111** Discrimination (Employment and Occupation) Recommendation, 1958 (No. 111)

Workers with family responsibilities

- C156** the Workers with Family Responsibilities Convention, 1981 (No. 156)
- R165** the Workers with Family Responsibilities Recommendation, 1981 (No. 165)

Violence and harassment in the world of work

- C190** the Violence and Harassment Convention, 2019 (No. 190) *not yet in force at the time of publication
- R206** the Violence and Harassment Recommendation, 2019 (No. 206)



Introduction

There is no society free of discrimination. When it comes to discrimination in employment and occupation, millions of workers around the world are deprived of equal employment opportunities, fair remuneration or on-job training because of their race, colour, sex, religion, political opinion, national extraction, social origin or any other distinction, exclusion or preference. Allowing workers to freely choose their employment, leads not only to a full development of their potential and skills, but also results in an improved quality of the workforce, leading to broader economic development.

Equality of opportunity and treatment in employment and occupation has been one of the fundamental objectives of the ILO since its foundation. Being essential to the ILO mandate, the elimination of discrimination in respect of employment and occupation is one of the four fundamental principles and rights at work and, therefore, creates an obligation for member States, whether or not they have ratified the fundamental conventions to promote, realize and respect these rights arising out of their membership in the Organization. There are two ILO fundamental Conventions on non-discrimination: the Discrimination (Employment and Occupation) Convention, 1958 (No. 111) and the Equal Remuneration Convention, 1951 (No. 100). Each Convention has an accompanying Recommendation and other related instruments.

► Guidance from International Labour Standards

C111 - the Discrimination (Employment and Occupation) Convention, 1958 (No. 111)

Definition of discrimination

Any distinction, exclusion or preference made on the basis of race, colour, sex, religion, political opinion, national extraction or social origin, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation.

The definition contains three elements:

1. *a factual element* – the existence of a distinction, exclusion or preference which constitutes any different treatment;
2. *a criterion* on which this difference is based – it is a ground of discrimination; the Convention lists seven, but this minimum can be expanded nationally;
3. *objective result* of this difference in treatment – negative effect, which nullifies or impairs equality of opportunity and treatment in employment and occupation.

Discrimination at work thus refers to a difference in treatment based on the personal characteristics of an individual, such as race or sex, irrespective of whether that individual's profile matches the requirements of a particular job. This difference in treatment puts him or her at a disadvantage or limits his or her access to benefits and opportunities available to other members of society ¹.

¹ Discrimination and equality at work: A review of the concepts, *International Labour Review*, Vol. 2003) 142), No. 4

Countries ratifying the Convention can extend the list of prohibited grounds after consultation with representative workers' and employers' organizations, and relevant bodies. Other grounds that have been included in different national legislation are: age, disability, gender identity, genetic disposition, HIV Status, migration status, physical appearance, sexual orientation, trade union membership (or lack thereof), among others.

Direct and indirect discrimination

The broad definition covers all discrimination affecting equality of opportunity and treatment, while distinctions, exclusions or preferences may have their origin in law or in practice.

Examples of discrimination in practice

Legal provisions prohibiting women's employment in certain occupations

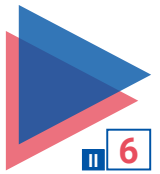
Historically, prohibitions of women's employment in certain occupations were intended to be designed and adopted as a special protective measure for women's health. However, in practice this may lead to reduced employment opportunities for women. The guarantee of equal opportunities and equal protection of health and safety for both men and women is often not observed as it results in the specific protective measures excluding women from certain occupations through the lists of occupations prohibited to women. Such limitations often include, for example, weight limits for manual lifting and moving by women some of which extend to the operation of weightlifting machines and bulldozer machines. It is important though that protective measures on women's employment are limited to maternity protection in the strict sense and are not based on stereotypes regarding women's professional abilities and role in society and the family.

Examples of discrimination in law

Women's concentration in a limited range of occupations

In all countries of the world women and men are concentrated in certain jobs and occupations. Such divisions are due to what is considered to be a suitable job for either a man or a woman, what is typically viewed as "men's jobs" or "women's jobs". Such job segregation by sex limits the choice of occupation for both for women and men, and leads to inefficiencies in labour markets. Generally, women have a narrow choice of types of jobs and occupations available to them in comparison to men. This concentration of women in a limited range of occupations usually at the lower levels of the job hierarchy constitutes sex discrimination in practice. For instance, in a number of countries, social norms reinforce the roles of women as caregivers and men as breadwinners. This often translates into a practice of women being predominantly employed in care sectors (education and health and social work) and those sectors where care work is performed, such as domestic worker and non-care work in care sectors, supporting care service provision.

This results in the persistence of some forms of practices, traditions and patriarchal attitudes, which are deep-rooted stereotypes regarding the roles and responsibilities of women and men in the family and in society, in particular those portraying women as caregivers.



Examples of discrimination in practice

Legal regulations prohibiting employment of HIV positive persons in office jobs

This is an example of direct discrimination in law based on HIV status (similarly, other grounds of discrimination not interfering with job requirements and constituting a case of exclusion in legal regulations could be encountered). In this case, HIV infection cannot be transmitted through regular workplace contact in office work, so there is no justification for the exclusion of HIV positive persons from these kinds of jobs.

Legal provision, which previews unreasonable language requirements for civil service jobs and results in difficulties to pass the language test by persons belonging to the linguistic minorities

While linguistic proficiency can constitute an inherent requirement of the job in civil service, it is not a general rule for all positions. If proficiency in the official language is not a genuine inherent requirement of the job, language requirements may be viewed as discrimination against qualified ethnic minority applicants, whose command of the majority language may be less complete than the majority population. Should the language requirement be unreasonable, it constitutes indirect discrimination in law based on ethnicity.

Examples of discrimination in law

Concentration of persons with disabilities in self-employment and micro-enterprises

Such concentration of persons with disabilities (or other specific groups of workers) in self-employment and micro-enterprises often indicates that these persons lack access to other types of employment. It is, therefore, a sign of discrimination in practice based on disability.

Job advertisements setting irrelevant height and weight requirements

It often happens that specific parameters – given they are not inherent to the job – exclude certain groups of workers. Data on average height and weight of women and men shows that women are significantly less likely to meet the requirements. Similarly, such requirements may have the effect of excluding members of ethnic minorities whose average height tends to be below the overall national average. If height and weight is of arbitrary nature and is not necessary to perform the job, this is an example of indirect discrimination in practice.

The difference in treatment can vary from an explicit exclusion to rather neutral practices. Using the criterion of an objective consequence, the Convention covers both direct and indirect discrimination.

Direct discrimination – expressly stated exclusions or less favourable treatment of certain individuals because they belong to a particular

group. For example, a job announcement that explicitly indicates whether it is men or women an employer is looking for, without sex being an inherent requirement of the job, such as female assistant manager/director – a role that can be done by a man as well. Another example of direct discrimination in employment and occupation is mandatory pregnancy testing or imposed testing to establish HIV status.

Indirect discrimination – apparently neutral situations, regulations, norms or practices, which result in unequal treatment of a person with certain characteristics. They happen when the same conditions, treatment or criterion is applied to everyone, but the results have a disproportionately negative or harsh effect on some persons who have certain characteristics or belong to a specific group. An example of indirect discrimination would be a training at the workplace, which goes along with possibilities of promotion, conducted after working hours and offered to all employees that would result in exclusion of workers with families responsibilities and, as a consequence, would become an obstacle for them to climb the career ladder.

The Convention No. 111 covers equally discrimination in relation to access to education and vocational training, and access to employment and to particular occupations, as well as terms and conditions of employment.

What is not discrimination?

Inherent requirements of the job

Not all distinctions based on personal characteristics are considered discriminatory. Differential treatment motivated by the inherent requirements of a job is accepted as fair and efficient. For example, being male or being female is often considered a legitimate qualification for jobs entailing physical intimacy or for the performing arts. A job announcement for a leading female role in a movie or a theatre play will be addressed to women and this requirement will be considered inherent for this particular job. Similarly, some jobs associated with a particular religious institution may contain restrictions for workers of a different faith. While practicing a particular faith is often viewed as an essential requirement to teach in religious educational establishments, it should not exclude other employment opportunities: e.g. a Muslim could be



employed in an Orthodox Christian school as a mathematics teacher but not necessarily as a religion teacher.

Measures affecting individuals suspected of or engaged in activities prejudicial to the security of the State

- i. Measures taken in respect of activities of which an individual is justifiably suspected or convicted with the exclusion of mere membership of a particular group;
- ii. Activities which may be qualified as prejudicial to the security of the State, whether such activities are proven or whether consistent and precise elements justify suspicion of such activities;
- iii. Measures intended to safeguard the security of the State must be sufficiently well defined and delimited to ensure that they do not become discrimination based on political opinion or religion.

Special measures of protection or assistance

- i. Measures provided for in ILS, such as special measures taken on behalf of indigenous peoples, persons with disabilities or older persons or specific measures to protect the maternity and health of women;

For example, maternity protection, in the form of leave before and after confinement as well as protection from dismissal, is necessary. While in practice, maternity often remains subject to discrimination, whether directly or indirectly, at times, for instance, of the recruitment process and consideration for employment or as grounds for termination of employment relations. In order to achieve genuine equality, maternity requires differentiated treatment. Thus, special maternity protection measures² are needed to enable women to fulfil their maternal role without being marginalized in the labour market³.

2 To learn more about special protection measures, consult ITC/ILO Maternity Protection Resource Package, Module 9. Employment protection and non-discrimination. Box 9.4 contains country-specific examples of special provisions. <http://mprp.itcilo.org/allegati/en/m9.pdf>;

3 Legal issues and trajectories in equality and non-discrimination. A comparative overview, M. Fasani, ITCILO, 2019

- ii. Measures designed to meet the particular requirements of a specific group, which generally are recognized on a national level to be necessary for reasons such as age, disablement, family responsibilities or social or cultural status. It is to avoid conflicts between these special measures and the general policy to eliminate discrimination; and to allow special measures to secure equality of opportunity and treatment in practice, taking into account the diversity of situations of certain categories of persons

Examples of such measures include the provision of language classes at the workplace for recently immigrated workers and the use of workplace changing rooms by workers from minority religious groups to facilitate the fulfilment of their religious obligations.

Laws prohibiting women from engaging in underground work or night work have traditionally been seen as special protective measures, although the tendency today is to pursue the protection of women workers within the broader framework of improving working conditions and promoting equal opportunity for all workers, irrespective of their sex.



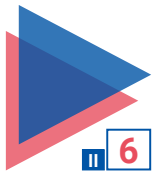
NB! It is to be underlined that in all cases such exceptions from the general rule must be applied under limited circumstances and based on unquestionable evidence that the special treatment is essential to the work involved.

Discrimination in employment and occupation, based on a country context, generally leads to wider social and economic implications, such as imbalances on labour markets and accentuation of social tensions and inequalities.

Pay discrimination:

Direct discrimination in wage setting

- ▶ Sex a criterion for determining wage rates
- ▶ Same job, different titles



Indirect pay discrimination

- ▶ Female workers in a typically female job earn a lower salary than workers in a male job, even though both jobs have the same value (comparable skills/experience/responsibility...)

Male job title	Female job title
Salesman	Shop Assistant
Assistant manager	Manager's Assistant
Technician	Operator
Information manager	Librarian
Office Manager	Typing Supervisor
Tailor	Seamstress
Flight attendant	Stewardess
Personal Assistant	Secretary
Administrator	Secretary
Chef	Cook
Janitor	Cleaner

Source: *Equal Pay: an introductory guide*, ILO, 2013

C100 - the Equal Remuneration Convention, 1951 (No. 100)

For the purpose of the Convention, the term “equal remuneration for men and women workers for work of equal value” refers to rates of remuneration established without discrimination based, - directly or indirectly, - on sex.

Principle of “equal pay for work of equal value”

- ▶ Women and men should obtain equal remuneration not only for same, equal or similar work but also for work of equal value

Definition of “work of equal value”:

- ▶ When men and women perform work that is different in content, involving different **responsibilities**, requiring different **skills** or

qualifications, and is performed under different **conditions**, but is overall of **equal value**⁴.

- ▶ different works or jobs, which based on objective criteria
- ▶ goes beyond equal work (same or similar work)
- ▶ beyond same employer or sector

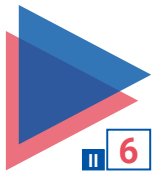
What does remuneration include?

- ▶ Basic, ordinary or minimum wage or salary
- ▶ Any other additional emoluments
 - Paid directly or indirectly by the employer
 - In cash or in kind
 - Arising out of the worker's employment

Additional emoluments could be any increments based on seniority or marital status, cost-of-living allowances, housing or residential allowances, annual bonuses, family allowances, uniform and laundering services of working clothes provided by the employer. Indirect additional emoluments, arising out of employment, could be allowances paid out of a common fund managed by employers or workers or allowances under social security systems financed by the undertaking or industries concerned but not those financed by public funds only.

Pay equity is not about ensuring that men and women earn the same, nor changing the work that women do. Pay equity means **fairness** to recognize the value of women's jobs and reward them according to their value.

4 To have a better understanding of the practical application of the concept "equal pay for work of equal value", learn more about key issues, policy mechanisms and international evidence with respect to closing the gender pay gap in different countries (i.e. Sweden, Canada, United Kingdom, Netherlands, Switzerland and France), consulting the ILO report "Closing the gender pay gap: A review of the issues, policy mechanisms and international evidence", 2016 - https://www.ilo.org/wcmsp5/groups/public/@ed_norm/@declaration/documents/publication/wcms_decl_wp_27_en.pdf



To provide guidance in determining the 'value' of a job, the ILO has developed a step-by-step guide using objective job evaluation method, learn more: [Promoting Equity: gender-neutral job evaluation for equal pay. A step-by-step guide](#)

Equal Pay International Coalition (EPIC)

Equal Pay International Coalition (EPIC), led by the ILO, UN Women, and the OECD, is currently the only multi-stakeholder partnership working to reduce the gender pay gap at the global, regional and national levels. The Coalition's goal is to achieve equal pay for women and men everywhere. By bringing together a diverse set of actors with different areas of focus and expertise, EPIC supports governments, employers, workers, and their organizations to make concrete and coordinated progress towards this goal.

Learn more: <https://www.equalpayinternationalcoalition.org/>

Related instruments

There are two Recommendations accompanying the ILO fundamental Conventions on equality of opportunity and treatment:

R090 the Equal Remuneration Recommendation, 1951 (No. 90)

R111 the Discrimination (Employment and Occupation) Recommendation, 1958 (No. 111)

Many other ILO instruments incorporate the principle of equality and non-discrimination. For instance, the HIV and AIDS Recommendation, 2010 (No. 200), recognizes that stigmatization and discrimination based on a person's real or presumed HIV status presents an obstacle to universal access, prevention, and treatment and to the provision of care.

Workers with family responsibilities

C156 the Workers with Family Responsibilities Convention, 1981 (No. 156)

R165 the Workers with Family Responsibilities Recommendation, 1981 (No. 165)

Each State party to the Convention must have the objective of enabling persons with family responsibilities to engage in employment without being subject to discrimination and, to the extent possible, without conflict between their employment and family responsibilities.

As defined in the Convention No. 156, **workers with family responsibilities** are

men and women workers with responsibilities in relation to other members of their immediate family who clearly need their care or support, where such responsibilities restrict their possibilities of preparing for, entering, participating in or advancing in economic activity.

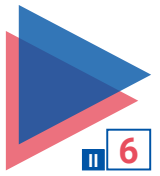
Violence and harassment in the world of work

C190 the Violence and Harassment Convention, 2019 (No. 190) *not yet in force at the time of publication

R206 the Violence and Harassment Recommendation, 2019 (No. 206)

According to the newly adopted ILO Convention No. 190, the term “violence and harassment” in the world of work refers to

a range of unacceptable behaviours and practices, or threats thereof, whether a single occurrence or repeated, that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm, and includes gender-based violence and harassment.



The Convention No. 190 along with the Recommendation No. 206 call for adopting and implementing an inclusive, integrated and gender responsive approach to address violence and harassment in the world of work.

To learn more, visit the ILO's portal on Eliminating Violence and Harassment in the World of Work: <https://www.ilo.org/global/topics/violence-harassment/lang--en/index.htm>

Sample session 1:

Grounds of discrimination



OBJECTIVES

- 📌 To recognize various grounds of discrimination at the workplace.



SETTING

- 📌 Working in small groups (ideally seven, but other variations are possible); using post-its and/or flipchart/writing board for mapping and analysis.

DURATION

- 📌 20 minutes to exchange views in groups.
- 📌 10 minutes for all groups to exchange on the results in plenary.
- 📌 10 minutes for drawing lessons learnt.

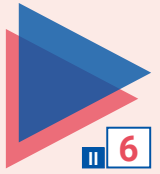


TASK

1. Each group is assigned to work on one of the seven grounds of discrimination:



- i. *race*
- ii. *colour*
- iii. *sex*
- iv. *religion*
- v. *political opinion*
- vi. *national extraction*
- vii. *social origin*



2. Each group is invited to begin the work by brainstorming examples of discrimination (in accordance with the assigned ground) encountered in the workplace. Participants are to describe examples of situations or actions they deem to be discriminatory. The analysis could be potentially extended to determination of cases of direct/indirect discrimination and discrimination in law/in practice. For each example provided, participants are to list those measures that have been taken on the institutional or national levels to address the given cases of discrimination. In the absence of such measures, participants are invited to brainstorm and list those measures, which they think are appropriate and need to be taken to address workplace discrimination.
3. A designated spokesperson from each group is to present the results of the discussion in plenary; other participants are invited to comment, complement and expand on the suggested measures.



TIPS FOR TRAINERS:

- 📌 Make available or write on a flipchart/board all seven grounds of discrimination to be visible throughout the exercise.
- 📌 Bear in mind the possible variations of the groups composition: lower number of groups, each working on two or three grounds of discrimination with an eventual overlap of grounds of discrimination covered by each group; greater number of grounds of discrimination if additional grounds are recognized by national legislation and/or suggested for discussion.
- 📌 Explain the concept of discrimination in line with the ILO Convention No. 111, making sure that three elements contained in the definition are clear to all participants.
- 📌 Prepare examples of discrimination consulting ILO publications.

- 📌 Consult the comments of the ILO Committee of Experts on Application of Conventions and Recommendations to become familiar with areas of concern and non-compliance your country may have vis-à-vis the application in law and in practice of the Convention No. 111.
- 📌 Recall that the Convention does not only call for action against discrimination but requires promotional action towards equal opportunity and treatment at work.

Sample session 2:

Non-discriminatory job advertisement



OBJECTIVES

- 📌 To better understand and be able to address discrimination in access to employment.



SETTING

- 📌 Working in small groups or pairs; distribute or display the handout below ; stationary and paper for notes to be made available.



DURATION

- 📌 10 minutes for individual work (familiarizing with the case study and preparing notes); 30 minutes for work in groups/ pairs; 20 minutes for plenary discussion.



TASK

1. Each participant examines the job advertisement and lists criteria, which are – in his/her opinion – effectively required for the job and those that could be considered as discriminatory.
2. Participants then exchange their views in groups, discuss similarities and/or divergences of opinions, and consolidate the lists of identified criteria: discriminatory and non-discriminatory.

3. Participants are then asked to re-write the job announcement, transforming it into a non-discriminatory announcement.

Job announcement

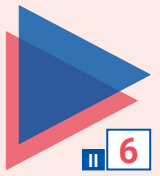
A farm is looking for a male live-in permanent worker, aged 40-35, in good physical shape without disabilities. Responsibilities include recruitment and supervision of seasonal workers as well as performance of tasks related to soil preparation, planting, irrigation, weeding and harvesting of crops grown on the farm, other tasks to be performed upon request of the farmer. Driving licence category B is required, with at least 6 years of prior safe driving experience. Full time work, with occasional overtime. The candidate may be required to undergo a medical examination. The salary is negotiable, a possibility to move in with a wife.

In plenary, participants share and discuss their non-discriminatory job announcements and the criterion used to determine which requirements are inherent to the job and which are discriminatory.



TIPS FOR TRAINERS:

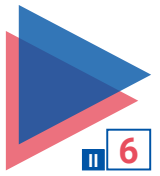
- 📌 Ensure that all participants have an understanding of what constitutes an 'inherent requirement of a job'.
- 📌 Lead the discussion in a way that participants understand what the employer had in mind when writing the job advertisement.
- 📌 When discussing the objective requirements for the job, lead the discussion from the perspective of skills and abilities; make assumptions about a person who could perform this type of work: could it potentially be a woman? Could it be a younger/older person? Etc.



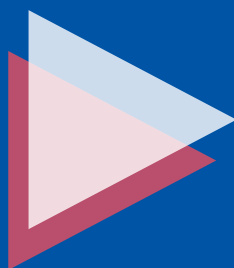
- 📌 Explore whether the description of job contents and conditions of work is exhaustive; and how can it be complemented.
- 📌 There is a potential to link this exercise with other subject areas covered in previous modules, such as fair recruitment, decent working conditions, working time, fair remuneration, social security.
- 📌 Consult and make available the texts of relevant international labour standards.

Further references

- ▶ ILO Centenary Chapters : Chapter 3. Equality and non-discrimination (ILO, 2019)
<https://www.ilo.org/100/en/story/equality>
- ▶ ILO Infostories : Tackling sex discrimination through pay equity (ILO, 2016)
<https://www.ilo.org/infostories/en-GB/Stories/discrimination/tackling-sex-discrimination-through-pay-equity>
- ▶ ILO Infostories: The gender gap in employment: What's holding women back? (ILO, 2018)
<https://www.ilo.org/infostories/en-GB/Stories/Employment/barriers-women>
- ▶ ILO Infostories: Beyond the glass ceiling: why businesses need women at the top? (ILO, 2019)
<https://www.ilo.org/infostories/en-GB/Stories/Employment/beyond-the-glass-ceiling>
- ▶ ILO Gender Pay Gap tool: How big is the gender pay gap in your country? (ILO, 2019)
https://www.ilo.org/global/about-the-ilo/multimedia/maps-and-charts/enhanced/WCMS_650829/lang-en/index.htm
- ▶ Equal pay – An introductory guide (ILO, 2013)
https://www.ilo.org/global/publications/WCMS_216695/lang-en/index.htm
- ▶ Promoting Equity: gender-neutral job evaluation for equal pay. A step-by-step guide (ILO, 2009)
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- ▶ A quantum leap for gender equality: For a better future of work for all (ILO, 2019)
https://www.ilo.org/global/publications/books/WCMS_674831/lang-en/index.htm
- ▶ Global Reports regarding the Follow up to the ILO Declaration on Fundamental Principles and Rights at Work:



- Equality at work: The continuing challenge - Global Report under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work (ILO, 2011)
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Social Security and Maternity Protection

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First published 2020

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Support for Implementation of the Decent Work Country Programme of Uzbekistan Project (ILO DWT and Country Office for Eastern Europe and Central Asia) & International Training Center of the ILO.

Resource Kit for the Design and Learning Activities on Labour Rights / International Labour Organization, , International Training Center of the ILO (ITC-ILO). Geneva: ILO, 2020.

ISBN: 9789220328873 (Web PDF); International Labour Organization; Fundamental Principles and Rights at Work Branch, International Training Center of the ILO. Also available in Uzbek: ISBN 9789220328880; and Russian: ISBN 9789220328897

ACKNOWLEDGEMENTS

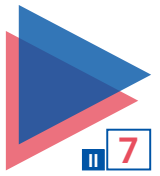
This Resource kit was prepared by Giselle Mitton (ITC-ILO) and Olena Vazhynska (ITC-ILO). Funding for this ILO publication is provided by the United States Department of Labor (USDOL) under cooperative agreement number IL-26629-14-75-K-11 Support for Implementation of the Decent Work Country Programme of Uzbekistan Project (UZB/14/01/USA). One hundred percent of the total costs of the project is financed with Federal funds, for a total of \$6,000,000.00 US dollars.

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Key selected International Labour Standards

Comprehensive social security standards

C102 Social Security (Minimum Standards) Convention, 1952 (No. 102)

Social Protection Floors

R202 Social Protection Floors Recommendation, 2012 (No. 202)

R204 Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204)

Advanced ILO social security standards

C118 Equality of Treatment (Social Security) Convention, 1962 (No. 118)

C121 Employment Injury Benefits Convention, 1964 [Schedule I amended in 1980] (No. 121)

C128 Invalidity, Old-Age and Survivors' Benefits Convention, 1967 (No. 128)

C130 Medical Care and Sickness Benefits Convention, 1969 (No. 130)

C157 Maintenance of Social Security Rights Convention, 1982 (No. 157)

C168 Employment Promotion and Protection against Unemployment Convention, 1988 (No. 168)

Maternity protection:

C183 Maternity Protection Convention, 2000 (No. 183)

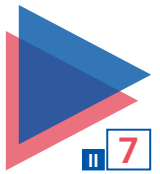


Introduction

Social security is not only a recognized human right, but also a social and economic necessity. Historically it played a key role in protection from uncertainty, disease and deprivation, and gradually evolved into social security systems providing for basic income in cases of unemployment, illness and employment injury, old age and retirement, invalidity, family responsibilities such as pregnancy and childcare, and loss of the family breadwinner. By providing health care, income security and social services, social security enhances productivity and contributes to the dignity and full realization of the individual. Closing coverage gaps is therefore indispensable for equitable economic growth, social cohesion and decent work for all women and men.

There is a range of challenges around building comprehensive social protection systems, among which substantial global gaps in financing social protection. One of the policy options to expand fiscal space for social protection is increasing social insurance coverage and contributory revenues. Various countries in the world made a progress in extending effective social protection coverage through some form of contribution-based social insurance system, covering a wide range of policy areas such as employment-related protection, including unemployment and employment injury protection, as well as old-age and disability pensions, family and children protection, and health insurance, among others. Increasing social security coverage and collecting social contributions is a reliable way to finance social protection, freeing fiscal space for alternative social spending. Social protection benefits linked to employment-based contributions also encourage formalization of the informal economy ¹.

As a standard-setting organization, the ILO offers a comprehensive set of international social security Conventions and Recommendations to guide member States in building comprehensive social security systems and providing with the key parameters ensuring their sustainability and adequacy. Conceptually, there are three generations of ILO standards, which evolve into a comprehensive system for universal protection. Unemployment Convention, 1919 (No. 2) and Maternity Protection Convention, 1919 (No. 3) were among the first standards adopted the



year of creation of the Organisation in 1919. In the following 20 years, the first generation of standards were aimed at creating social insurance systems: Conventions Nos. ,40 ,39 ,38 ,37 ,36 ,35 ,25 ,24 ,19 ,18 ,17 ,12 44 ,42, and 48.

The second generation of standards (adopted during the period -1944 1964) aimed at coordinating various social security schemes, while extending social security to everyone in need of such protection. ILO's comprehensive instrument offering protection against nine social risks, C102, was adopted in 1952. The Convention sets minimal standards with regard to coverage, the level and duration of the protection, conditions for eligibility for benefits and covers social security administration and sources of financing. The same year maternity protection standards have been revised.

Comprehensive social security standards

C102 Social Security (Minimum Standards) Convention, 1952 (No. 102)

R067 Income Security Recommendation, 1944 (No. 67)

Social security for migrant workers

C118 Equality of Treatment (Social Security) Convention, 1962 (No. 118)

Maternity protection

C103 Maternity Protection Convention (Revised), 1952 (No. 103)

Building on Convention 102, the third generation of standards offer a higher level of protection, extending coverage and raising the level of benefits. These standards revise the first generation standards.

Advanced social security instruments

- C121** Employment Injury Benefits Convention, 1964 [Schedule I amended in 1980] (No. 121)
- C128** Invalidity, Old-Age and Survivors' Benefits Convention, 1967 (No. 128)
- C130** Medical Care and Sickness Benefits Convention, 1969 (No. 130)
- C168** Employment Promotion and Protection against Unemployment Convention, 1988 (No. 168)

Advanced maternity protection instrument

- C183** Maternity Protection Convention, 2000 (No. 183)

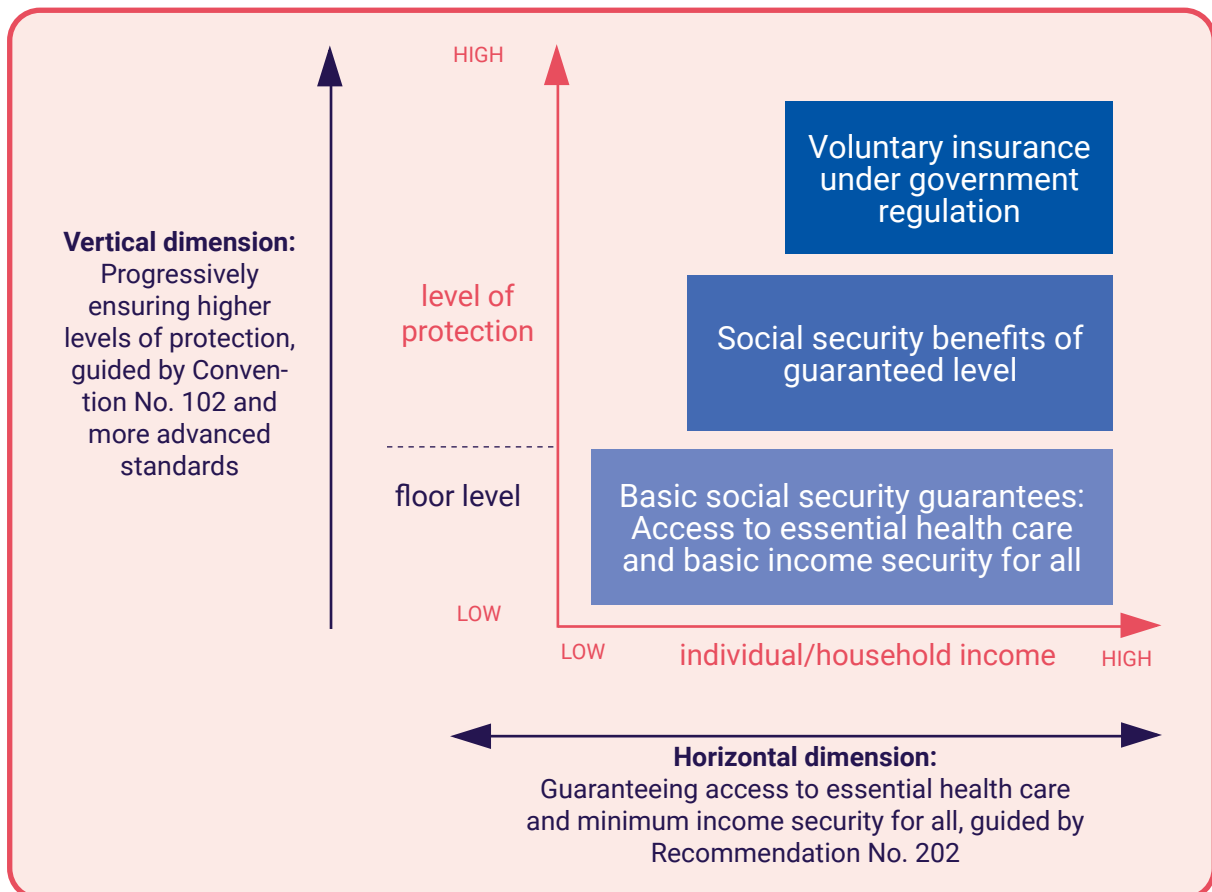
Universal protection

The ILO developed a two-dimensional strategy² in its efforts to promote and ensure the provision of comprehensive social security coverage in all its member States. The horizontal dimension reflects the global initiative to establish social protection floors, comprising a set of four essential basic social security guarantees provided to everyone: essential health care, basic income security for children; basic income security for persons in active age; and basic income security for older persons. The vertical dimension of the ILO extension strategy seeks the provision of a

² Social security for all. Building social protection floors and comprehensive social security systems. The strategy of the International Labour Organization, ILO, 2012 - https://www.ilo.org/secsoc/information-resources/publications-and-tools/books-and-reports/WCMS_SECSOC_34188/lang-en/index.htm

wider range of benefits covering additional social risks and categories of persons, and the increase of benefits rates to at least the level prescribed by Convention No. 102 and other up-to-date social security Conventions.

The instrument that promotes the ILO strategy on the extension of social protection is the **Social Protection Floors Recommendation, 2012 (No.**



202). It gives guidance on introducing or maintaining social security floors and on implementing social protection floors as part of strategies to extend higher levels of social security to as many people as possible, in accordance with the guidelines set out in International Labour Standards relating to social security.

Social protection floors

R202 Social Protection Floors Recommendation, 2012 (No. 202)

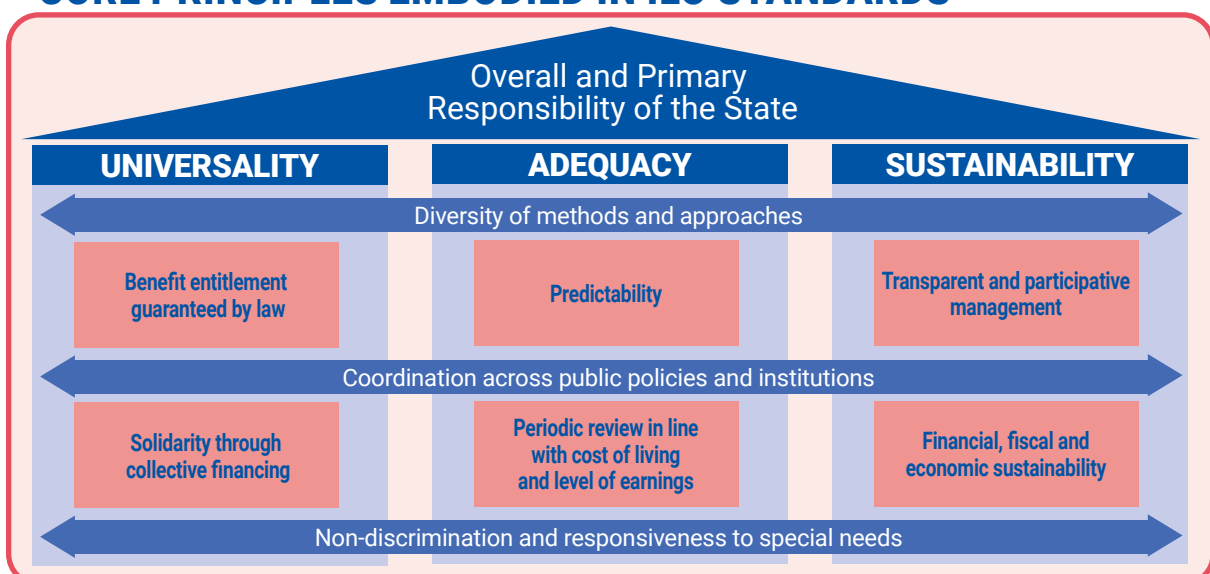
In building and maintaining national social protection floors within social security systems, each member State of the ILO is encouraged

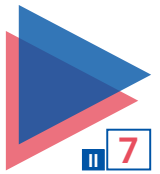
to pay particular attention to the needs and circumstances of those in the informal economy and their families. The ILO **Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204)** recognizes the need to progressively extend, in law and practice, to all workers in the informal economy: social security, in particular extending the coverage of social insurance, maternity protection, decent working conditions and a minimum wage. In doing so, countries need to be taking into account the needs of workers and other relevant factors, such as the cost of living and the general national level of wages.

R204 Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204)

► Guidance from International Labour Standards

CORE PRINCIPLES EMBODIED IN ILO STANDARDS





The International Labour Standards of the ILO help countries to move forward with the implementation of the right to social security and the establishment of comprehensive, sustainable and adequate social security systems. The successful implementation of social protection policies requires legal frameworks that establish equitable financing mechanisms as a key element of adequate, predictable and user-oriented social protection systems embedded in broader socio-economic development policies.

Universality

The **principles of universality of protection**, as prescribed by Recommendation No. 202, requires protection to be based on legal guarantees and entitlements, accompanied by appropriate enforcement mechanisms and a legal framework that ensures respect for the rights and dignity of the persons protected by social security guarantees. Providing for universality of protection, the basic social security guarantee should apply to at least all residents, and all children, as defined in national laws and regulations and subject to existing international obligations.

Social solidarity is a prerequisite for universal social protection. Social solidarity, including its financial aspects, strengthens social cohesion and social peace, and that it is a powerful weapon against poverty and inequality, and an effective instrument for making societies more equal and just.

Collective financing offers the best guarantees for financial sustainability, especially in times of fiscal consolidation. Extending social solidarity and solidarity in financing contributes to the progressive universalization of social security, reflecting collective and human values of social cohesion, compassion and care for the weak and most vulnerable.

Adequacy

Social security systems can only achieve their objectives through the provision of benefits that are adequate in relation to the needs to be covered and predictable, so that persons who are eligible are aware of the level and type of their entitlements if a situation of need arises.

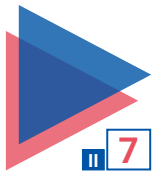
Securing the **adequacy of benefits** goes hand in hand with the universality principle. In parallel to the priority of extending basic protection to those left unprotected, all countries should strive to provide higher levels of protection to as many people as possible, as soon as possible, guided by the up-to-date ILO social security standards, such as the Social Security (Minimum Standards) Convention, 1952 (No. 102), and standards setting higher levels of protection for the development of comprehensive national social security systems. An increasing number of ILO member States recognize the advantage of these standards by either ratifying them or building on them to develop or review their social protection policies, legislation and systems, and to establish a road map and set benchmarks.

Periodic review is an important step in ensuring the adequacy of social security standards. Countries use a variety of benchmarks and references for the establishment and calculation of benefits levels taking into account national characteristics, including their economic, demographic and geographical situation. The references most commonly used to set the level of basic benefits are minimum consumer baskets, minimum wages and national subsistence levels or poverty lines. The adequacy of basic income security should be assessed taking into account the whole set of social protection measures that contribute to income security for the persons concerned and their families, and their effective implementation.

Sustainability

ILO standards recognize the overall and primary responsibility of the State to secure sustainable financing for the establishment and maintenance of “social protection floors as a fundamental element of their national social security systems” and to guarantee the **financial, fiscal and economic sustainability** of these systems with due regard to social justice and equity (Recommendation No. 202, Paragraphs 1(a) and 3(k)).

National social protection policies and strategies should specify the “financial requirements and resources as well as the time frame and sequencing for the progressive achievement of the objectives” (Paragraph 14(e)). The design, as called for by the Recommendation, of “transparent, accountable and sound financial management and administration” mechanisms (Paragraph 3(j)) is therefore critical in a context of changing forms of work and employment, labour market disruptions, high



unemployment and poverty risks, as well as the demographic challenges faced by many societies.

The principle of the **transparent and participatory management** as well as supervision of social protection, including financial management, has proved to be essential for good governance and efficiency. This principle is long established in the international social security law, specifically in the Convention No. 102, Article 1(72): “Where the administration is not entrusted to an institution regulated by the public authorities or to a Government department responsible to a legislature, representatives of the persons protected shall participate in the management, or be associated therewith in a consultative capacity, under prescribed conditions; national laws or regulations may likewise decide as to the participation of representatives of employers and of the public authorities”.

Recommendation No. 202, Paragraph 3(r) reaffirms and extends this principle: “tripartite participation with representative organizations of employers and workers, as well as consultation with other relevant and representative organizations of persons concerned”.

Transparent, accountable and participatory management of social security schemes offers the best guarantees of the financial viability and sustainable development of social security, in association with solidarity in financing under the responsibility of the State. Achieving substantial progress requires all available means of action to be mobilized, including financial and fiscal means. In this respect, involving all relevant stakeholders in the determination, implementation and monitoring of the social protection framework gives better results, due in part to broader public acceptance and support resulting from effective social dialogue and participation.

Nine branches of social security

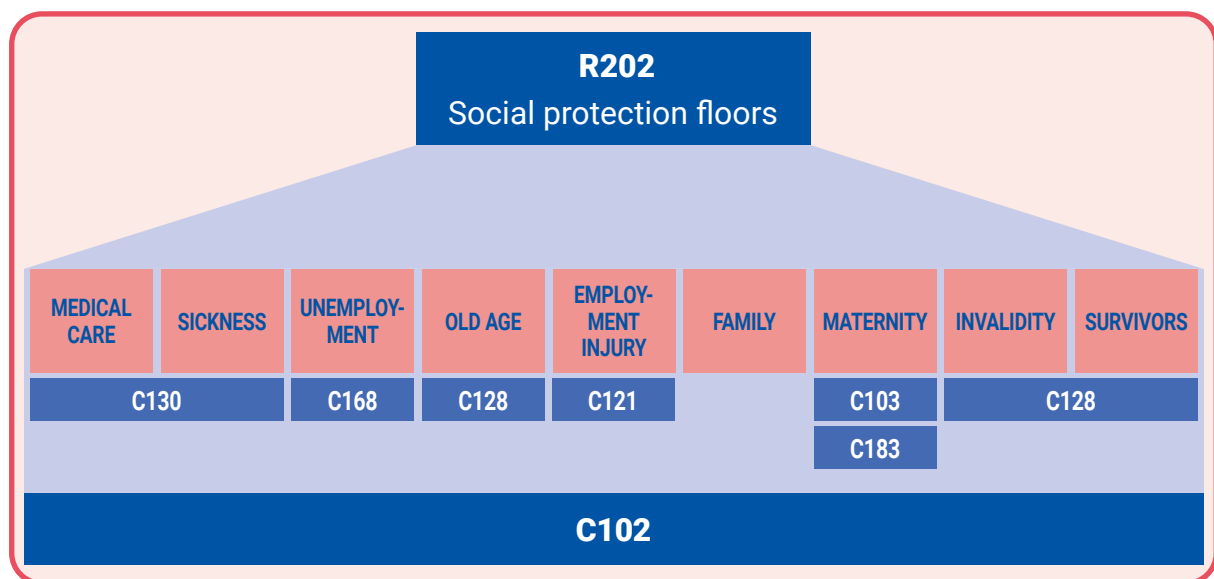
A set of technical instruments have been adopted in order to provide an adequate level of protection against nine major social risks.

The **Social Security (Minimum Standards) Convention, 1952 (No. 102)** lays down the minimum standard for the level of social security benefits

and the conditions under which they are granted. It covers the nine principal branches of social security, namely:

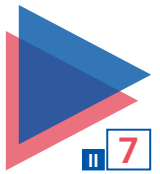
- ▶ medical care;
- ▶ sickness benefit;
- ▶ unemployment benefit;
- ▶ old age benefit;
- ▶ employment injury benefit;
- ▶ family benefit;
- ▶ maternity benefit;
- ▶ invalidity benefit and
- ▶ survivors' benefit.

It offers States the possibility of ratification by accepting at least three of its nine branches and subsequently accepting obligations under other branches.



Maternity protection

For working women and their families the period of pregnancy and maternity is a particularly vulnerable time, which requires special measures of protection to prevent any harm to the health of future mother or that of their infants'. Working women also need adequate



time to give birth, recover, breastfeed and nurse their children, while they equally require protection to ensure that they will not lose their job because of pregnancy or maternity leave. Maternity protection is interconnected with the women's income security as well as the right to equal access to employment and any type of job discrimination.

Maternity Protection Convention, 2000 (No. 183)³

Minimum Maternity Leave	Compulsory Leave after Childbirth
14 weeks	6 weeks

Maternity leave

All women are to be entitled to a **period of maternity leave of not less than 14 weeks**.

This leave must include a period of six weeks compulsory leave following childbirth, unless otherwise agreed at the national level by the government and the representative organizations of employers and workers.

The prenatal portion of maternity leave must be extended by the length of any period elapsing between the presumed date and the actual date of childbirth.

In case of illness, complications or risk of complications arising out of pregnancy or childbirth, additional leave must be granted.

³ Convention No. 183 is the most up-to-date international labour standard on maternity protection, although the earlier relevant instruments – the Maternity Protection Convention, 1919 (No. 3), and the Maternity Protection Convention (Revised), 1952 (No. 103) – are still in force in certain countries. Convention No. 183 is accompanied by the Maternity Protection Recommendation, 2000 (No. 191).

Related types of leave

Recommendation No. 191⁴ also envisages other types of leave:

- ▶ leave for the father in the case of the death, sickness or hospitalization of the mother before the expiry of postnatal leave;
- ▶ parental leave during a period following the expiry of maternity leave; and
- ▶ leave in the case of adoption.

Nursing breaks

Each State that ratifies Convention No. 183 must establish the right of breastfeeding mothers to one or more daily breaks or a reduction in daily hours of work.

These breaks or reduction of hours of work shall be counted as working time and remunerated accordingly.

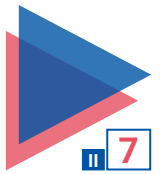
Recommendation No. 191 provides that where practicable, and with the agreement of the employer and the woman concerned, it should be possible to add together the time allotted for daily nursing breaks, to allow a reduction in the hours of work.

Health protection

Each State party to Convention No. 183 must take measures to ensure that pregnant or breastfeeding women are not obliged to perform work that has been determined to be prejudicial to the health of the mother or child.

Recommendation No. 191 envisages the adoption of measures to ensure assessment of any workplace risks related to the safety and health of the pregnant or nursing woman and her child.

⁴ https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312529:NO



Non-discrimination

Each State, that ratifies Convention No. 183, must adopt measures to ensure that maternity does not constitute a source of discrimination in employment or in access to employment.

It is also prohibited for employers to terminate the employment of a woman during her pregnancy or absence on leave, or during a period following her return to work, except on grounds unrelated to the pregnancy or birth of the child and its consequences or to nursing. In the latter case, the burden of proving the absence of such a relationship rests on the employer.

Note

This module does not go into detail of the main requirements set out in ILO standards. If you wish to learn more about the coverage, level of benefit and its duration and conditions that can be prescribed for entitlement to a benefit, please consult the following page on the ILO dedicated platform: **Minimum requirements in ILO social security standards**.¹ For more advanced technical material on valuation covering a wide-range of risks including old age, survivors, disability, sickness, maternity, employment injury, and unemployment, please consult: **Actuarial practice in social security**.²

¹ <https://www.social-protection.org/gimi/gess/RessourcePDF.action?id=55516>

² <https://www.social-protection.org/gimi/gess/RessourcePDF.action?id=776>

▶ Infographics:

Meet Peter - Exploring social security and maternity protection



Exploring social security and maternity protection

MEET PETER

Peter will take you on a journey to explore various forms of social protection he enjoyed at different stages of his life.

CHILD BIRTH

When Peter was born, his mother was on maternity leave and was receiving maternity benefit.



1

Prenatal, childbirth and post-natal care are included in the medical benefit; Cash benefits should maintain mother and child in proper conditions of health and a suitable standard of living.

Find out more about medical care required by pregnancy, child birth and maternity health care

C102

C103

C183

R191

2

Women are entitled to daily remunerated breaks or reduced hours for breastfeeding



CHILD CARE AND BREASTFEEDING

The first months Peter's mother had the right to breastfeeding breaks at work twice a day



Learn more about related ILO instruments:

C183

R191

3

LOSS OF BREADWINNER

As a teenager, Peter lost his father who was a breadwinner in the family. He and his mother started receiving the survivor's benefit



Widow's or children's loss of support in case of death of breadwinner needs to be substituted with the survivor's benefit, ensuring a minimum standard of living

Survivor's benefit should be granted until children reach active age; there are no limitations for widows:

C102

C128

R131

4

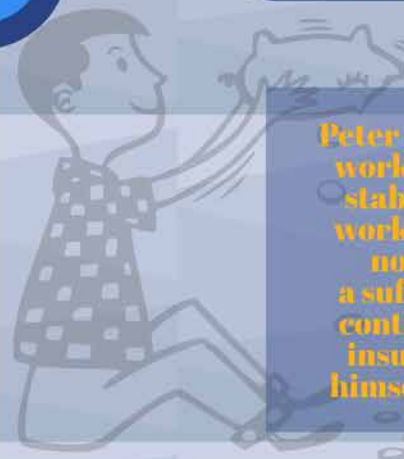
SOCIAL ASSISTANCE

Social protection floors are nationally defined as sets of basic social security guarantees that should ensure, at a minimum, that, over the life cycle, all those in need have access to essential health care and to basic income security which together secure effective access to goods and services defined as necessary at the national level



Learn more :

R202



Peter graduated and started working. He did not have a stable job and occasional working opportunities did not allow him to earn a sufficient income nor to contribute towards social insurance. Peter availed himself of social assistance

PARENTAL LEAVE

Peter's job got stable, which allowed him and his employer to make regular social insurance contributions. Eventually he received a raise and got married. Soon after his daughter was born and he became entitled to parental leave, child and family benefits



5

The employed mother or the employed father of the child should be entitled to parental leave during a period following the expiry of maternity leave

Responsibility for the maintenance of children gives an access to social security entitlement of family/child benefits:

C102

R191

R165



6

Short-term benefits, such as sickness benefit, provide support and basic income security in cases of incapacities to work resulting from sickness and involving suspension of earnings



Medical care and health protection should be ensured to all throughout the lifecycles

Medical care should be provided as required by the person's condition, with a view of maintaining, restoring or improving health and ability to work and attend to personal needs, including at least: general practitioner care, specialist care at hospitals, allied care and benefits, essential medical supplies, hospitalization if necessary, dental care and medical rehabilitation:

C102

C130

R134

ILLNESS

Every now and then Peter catches the flu and stays at home on a sick leave



7

UNEMPLOYMENT

Due to some operational requirements, the organization where Peter works was downsized and he lost his job. Peter started receiving unemployment benefits while seeking new employment opportunities



Protection from loss of earnings due to inability to find suitable employment should be extended to include loss of earnings due to partial unemployment, suspension or reduction of earnings due to temporary suspension of work, part-time workers seeking full-time employment



Learn more about related ILO instruments:

C102

C168

R176

8

FAMILY RESPONSIBILITIES

Specific measures compatible with national conditions and possibilities should be taken:

- to enable workers with family responsibilities to exercise their right to vocational training and to free choice of employment;
- to take account of their needs in terms and conditions of employment and in social security;
- and to develop or promote child-care, family and other community services, be they public or private, which respond to their needs.

Family benefits are to be granted in recognition of the responsibility for the maintenance of children

Learn more:

C156

R165

C102

Peter appreciates flexible hours at his new job as he needs to pick up his daughter from school. His new employer recognized his family responsibilities



EMPLOYMENT INJURY PROTECTION

9

In cases of employment injuries, workers are entitled to medical care and allied benefits: general practitioner, specialist, dental care, nursing care, etc., with a view of maintaining, restoring and improving health and ability to work and attend to personal needs.

The suspension of earnings resulting from ill health or incapacity for work due to work-related accident or disease should be compensated by cash benefits (either periodic payments or lump sum).

Learn more about related ILO instruments:

C102

C121

R121

An accident occurred at Peter's workplace and he got injured. He consequently received medical care and allied benefits speeding up his rehabilitation.

Luckily, Peter was able to come back to work soon and his employment injury was only a temporary incapacity for work, not becoming a permanent disability.



An individual is entitled to an old-age pension on the basis of two schemes: on the basis of 30 years of contribution or employment (for contributory schemes) or 20 years of residence (for non-contributory schemes).

Entitlement to a reduced old-age benefit should be foreseen after 15 years of contribution or employment.

Learn more about ILO standards related to pensions:

C102

C128

R131

INCOME SECURITY IN OLD AGE

Having reach the peak of his career, Peter retired and started to receive an old age benefit



▶ Sample session 1:

Benefits of social security



OBJECTIVES

- 📌 To become familiar with International Labour Standards related to social security and maternity protection.
- 📌 To identify benefits of social security systems.



SETTING

Working either in groups or in pairs; having pens and paper for the brainstorming and a flipchart/poster/writing board for presenting the results.



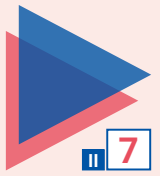
DURATION

30 minutes to exchange views in groups; 5 minutes for each group/pair to present the results in plenary; 10 minutes to discuss in plenary.



TASK

1. Analysing Peter's case, participants are invited to discuss each of the benefits exemplified and different outcomes for Peter if he had not had an access to any of these benefits.
2. Using flipchart, each group is suggested to illustrate those scenarios where Peter does not benefit from social security schemes.
3. Participants are then invited to identify and discuss benefits of social security (and maternity protection), using references to corresponding ILS.



4. At the end of the discussion, each group presents the findings in plenary followed by a moderated discussion.



TIPS FOR TRAINERS

- 📌 Invite each group to designate a spokesperson to present the results in plenary.
- 📌 Make sure you have the texts of the relevant ILS available to the participants.
- 📌 Based on groups' size and familiarity with the subject area, you may wish to break down the task into several activities to be introduced gradually:
- 📌 Allowing enough time for participants to familiarize themselves with the details of Peter's story.
- 📌 Conducting brainstorming to generate active discussion and collect as many ideas on different outcomes for Peter should he not be able to enjoy all the benefits.
- 📌 Facilitating discussion on benefits of different social security standards, using guiding questions prepared in advance or references to the texts of ILS.
- 📌 Be ready to provide more information on the protection provided under the different branches of social security using relevant ILO materials, tools and publications.

Sample session 2: Identifying gaps



OBJECTIVES

- 📌 To identify and analyse gaps in terms of access to social security at the level of organization/institution.
- 📌 To discuss which steps would be helpful or necessary to sensitize, change the attitudes or improve working environment and productivity.



SETTING

depending on the size of the audience, divide participants into small groups of 5-4 persons per group. Ensure that each group has space for discussion and essential stationary: pens, paper for notes and flipchart or writing board for the presentation of results.



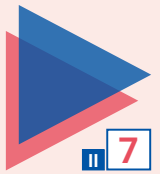
DURATION

60 minutes to exchange views in groups; 20 minutes to present the results in plenary; 10 minutes to discuss in plenary.



TASK

1. In small groups, participants are invited to discuss the available in the country social security benefits and how they contribute to the work-life balance and overall achievement of their organization's/ institution's goals.



2. Each group is then suggested to identify gaps in terms of application of social security standards at the workplace, taking into account the national context as well as the international standards they have familiarized themselves with.
3. At the end of the discussion, each group presents the findings in plenary followed by a moderated discussion.



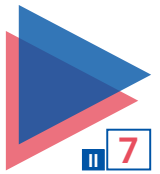
TIPS FOR TRAINERS

- ✚ This exercise can be conducted in continuation to Sample Session 1; In this case, participants will already be familiar with the texts of the main ILO instruments, however, they would need to be guided in order to reach a sufficient understanding of their application at the national level and to be able to give practical examples of how to apply them at their own place of work.
- ✚ Invite each group to designate a note taker, moderator for the discussion and spokesperson to present the results in plenary.
- ✚ Prepare in advance questions to initiate discussion. Based on the level of audience and time dedicated to the session, you may wish to have two sets of questions: questions covering issues of direct significance for the organization/ institution questions and additional questions to explore the subject more in depth. Examples of guiding questions:
 1. *Are there flexible hours arrangements for workers with families responsibilities? How are they viewed/perceived in the organization/institution?*
 2. *Are workers with disabilities well integrated in the team? What are the special needs they have? How is the organization/institution responding to those needs?*
 3. *Do female workers enjoy the right to take maternity leave? What does this entail in terms of duration, benefit or child/ family allowances? Are there any difficulties women face coming back to work after maternity leave? If any, how are*

they addressed, e.g. reintegration into team, professional training, skills development, etc.?

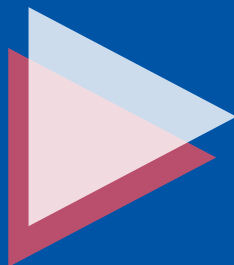
- 4. Is there a possibility for fathers to take parental leave?*
- 5. Are there breastfeeding arrangements previewed at the workplace such as periodic breaks or nursing facilities?*
- 6. Are there any differences in treatment among specific groups of workers? As an example: workers of pre-retirement age are viewed as wise and knowledgeable, other workers tend to seek them for advice; young women/mothers are perceived as less productive having additional family responsibilities compared to men; recent receivers of unemployment benefits are having difficulties to integrate into a team, etc.*
- 7. Is there a system of bonuses/premium to encourage or recognize individual's/teams' performance and/or efforts? Are there needs-based allowances for workers? Etc.*

📌 Ask each group to avoid generalizations and encourage all the participants to provide concrete examples.



Further references

- ▶ ILO Social protection platform
<https://www.social-protection.org/gimi/ShowMainPage.action>
- ▶ Toolkit on ILO Social Security Standards (EN) -
<https://www.social-protection.org/gimi/ILO100Ratification.action>
- ▶ Maternity Protection Resource Package (EN/RU) -
<http://mprp.etcilo.org>
- ▶ Building social protection systems: International standards and human rights instruments, ILO, 2017
https://www.ilo.org/secsoc/information-resources/publications-and-tools/books-and-reports/WCMS_651219/lang-en/index.htm
- ▶ 100 years of social protection. The road to universal social protection systems and floors. Vol. 50 :1 country cases, 2019 -
https://www.ilo.org/secsoc/information-resources/publications-and-tools/books-and-reports/WCMS_669790/lang-en/index.htm
- ▶ World social protection report 2019-2017 (ILO, 2019)
<https://www.social-protection.org/gimi/RessourcePDF.action?ressource.ressourceId=54887>
- ▶ General Survey concerning the Social Protection Floors Recommendation, 2012 (No. 202), Universal social protection for human dignity, social justice and sustainable development
https://www.ilo.org/ilc/ILCSessions/108/reports/reports-to-the-conference/WCMS_673680/lang-en/index.htm
- ▶ General Survey concerning social security instruments in light of the 2008 Declaration on Social Justice for a Fair Globalization, ILO, 2011
https://www.ilo.org/ilc/ILCSessions/previous-sessions/100thSession/reports/reports-submitted/WCMS_152602/lang-en/index.htm



Working time

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First published 2020

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Support for Implementation of the Decent Work Country Programme of Uzbekistan Project (ILO DWT and Country Office for Eastern Europe and Central Asia) & International Training Center of the ILO.

Resource Kit for the Design and Learning Activities on Labour Rights / International Labour Organization, , International Training Center of the ILO (ITC-ILO). Geneva: ILO, 2020.

ISBN: 9789220328873 (Web PDF); International Labour Organization; Fundamental Principles and Rights at Work Branch, International Training Center of the ILO. Also available in Uzbek: ISBN 9789220328880; and Russian: ISBN 9789220328897

ACKNOWLEDGEMENTS

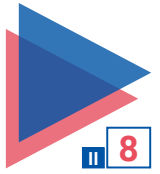
This Resource kit was prepared by Giselle Mitton (ITC-ILO) and Olena Vazhynska (ITC-ILO). Funding for this ILO publication is provided by the United States Department of Labor (USDOL) under cooperative agreement number IL-26629-14-75-K-11 Support for Implementation of the Decent Work Country Programme of Uzbekistan Project (UZB/14/01/USA). One hundred percent of the total costs of the project is financed with Federal funds, for a total of \$6,000,000.00 US dollars.

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Key selected International Labour Standards

Hours of work

- C001** the Hours of Work (Industry) Convention, 1919 (No. 1)
- C030** the Hours of Work (Commerce and Offices) Convention, 1930 (No. 30)
- C047** the Forty-Hour Week Convention, 1935 (No. 47)
- R116** Reduction of Hours of Work Recommendation, 1962 (No. 116)

Weekly rest

- C014** the Weekly Rest (Industry) Convention, 1921 (No. 14)
- C106** the Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106)

Annual holiday with pay:

- C132** the Holidays with Pay Convention (Revised), 1970 (No. 132)

Night work

- C171** the Night Work Convention, 1990 (No. 171)

Part-time

- C175** the Part-Time Work Convention, 1994 (No. 175)



Introduction

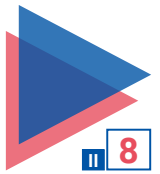
Working-time arrangements are central to employment relations. Hours of work, periods of rest and other working-time arrangements, including part-time and night work, directly influence the day-to-day lives of workers as well as productivity and sustainability of enterprises. Going beyond specific interests of workers or enterprises, working time can have an impact on the national economy in general, the competitiveness of a particular industry or the running of public services. Decent working time can also contribute to solving certain social issues, such as those related to work-life balance, family responsibilities and well-being of workers.

Women and working time

Increasing the participation of women in the labour market significantly influences working-time arrangements. Given that women continue to carry out a large share of unpaid household and care work, they are more likely than men to work shorter hours or to be in part-time employment¹. As a consequence there is increasing worldwide recognition of the need to adopt measures, which would allow workers to improve the balance between their working and personal lives. A number of countries² have introduced staggered working-hours, allowing different starting and finishing times for different groups of workers in the same establishment, and other flexitime arrangements to facilitate work-life balance.

Economic trends and their impact on working time arrangements

New economic trends have led to diversification of working-time arrangements. One of the tendencies is a division of working time into smaller segments among workers to adapt to customers' requirements and to get closer to a '7/24' economy. On the other hand, one of the nowadays challenges is underemployment due to insufficient working hours, which is one of the reasons for excessive overtime due to fear among workers of losing their jobs. While in some industries the working



hours can be excessive, in a number of countries there is rise of jobs that do not guarantee any specific working hours during a day or week – these are so called ‘zero hours contracts’, which are a form of an on-call work³.

New types of work

Technological developments are undoubtedly influencing working-time arrangement nowadays. Taking a closer look at the ‘gig-economy’, known as well as the ‘on-demand economy’, workers get a greater flexibility in arranging their working hours. For instance, being ‘crowdworkers’ they choose the number of microtasks to perform through online platforms in a given period of time they would like to dedicate to this work; while ‘workers on-demand’ perform similar to traditional activities, such as transport, cleaning, clerical work or running errands⁴. These types of work involve a number of challenges, such as unpredictability of working hours, encroachments of non-working time and rest periods, and loss of certain labour rights in the absence of a recognized employment relationship.

Guidance from International Labour Standards

Historically, working time has been one of the primary concerns of the ILO. The very first ILO treaty adopted in 1919 is the **Hours of Work**

3 Ibid

4 To learn more about decent work on digital labour platforms, please consult the ILO report “Digital labour platforms and the future of work: Towards decent work in the online world”, 2018 - https://www.ilo.org/global/publications/books/WCMS_645337/lang-en/index.htm

(Industry) Convention, 1919 (No. 1), which limited daily and weekly hours of work. Throughout the years, the ILO elaborated a range of International Labour Standards on working time covering hours of work, annual paid leave, weekly rest as well as night work, part-time and other working-time arrangements. Working time issues are thus, addressed in a comprehensive manner, and, are covered by the ILO instruments, which are listed by thematic areas below:

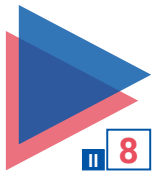
Hours of work

- C001** the Hours of Work (Industry) Convention, 1919 (No. 1) (instrument with interim status)
- C030** the Hours of Work (Commerce and Offices) Convention, 1930 (No. 30) (instrument with interim status)
- C047** the Forty-Hour Week Convention, 1935 (No. 47) (instrument with interim status)
- R116** the Reduction of Hours of Work Recommendation, 1962 (No. 116) (up-to-date instrument)

For the purposes of Convention No. 30, the term **hours of work** means the time during which the persons employed are at the disposal of the employer; it does not include rest periods during which the persons employed are not at the disposal of the employer.

The first two Conventions set the general standard at a maximum of 48 normal hours of work per week and eight hours a day. Later on, the Convention No. 47 established the principle of the -40hour work week. The last, and only instrument with an up-to-date status on hours of work – Recommendation No. 116 - is designed to provide practical guidance on how to progressively reduce hours of work, taking into account the differences in social and economic conditions in the various countries.

Even though these Conventions do not explicitly include **rest breaks** (intervals that workers are allowed to take in order to rest, eat, drink, pray



or satisfy other important needs during the working day), a number of sectoral instruments provide for mandatory breaks, e.g.: the **Hours of Work and Rest Periods (Road Transport) Convention, 1979 (No. 153)** and the **Nursing Personnel Recommendation, 1977 (No. 157)**.

Exceptions to normal hours of work in limited and well-defined circumstances:

1. Permanent exceptions:

- ▶ Intermittent work⁵ should be defined narrowly, as work which is not concerned with production as such and which, by its nature, is interrupted by long periods of inaction, during which the workers concerned have to display neither physical activity nor sustained attention, and remain at their post only to reply to possible calls; such types of work include, for example, doorkeepers, security guards, janitors, etc.;
- ▶ Complementary and preparatory work⁶, which include the work of persons who have to come in before the normal hours for beginning work, or to remain after the day's work is over, such as boiler attendants, engine operators, timekeepers, checkers, etc.;
- ▶ Causes of public interest⁷ requiring determination of the circumstances and limits in which exceptions to normal hours of work may be permitted permanently;
- ▶ Based on the nature of the work/size of population benefitting/number of persons employed⁸ permanent exceptions to normal hours of work are allowed in such sectors and occupations as, for instance, commerce, wholesale and retail, restaurants or hotels.

5 Article 1) 6) (a) of C001, Article 1) 7) (a) of C30 and Para 14 (a) (i) of R116.

6 Article 1) 6) (a) of C001, Article 1) 7) (b) of C30, and para 14 (a) (iii) of R116.

7 Para 14 (a) (ii) of R116.

8 Article 1) 7) (c) of C30.

2. Temporary exceptions:

- ▶ Abnormal pressure of work/unforeseen additional work⁹;
- ▶ Accident, actual or threatened, force majeure or urgent work¹⁰;
- ▶ Suspension in case of war or national danger¹¹.

Limits to exceptions. Overtime.

The extension of the limits on normal hours of work, although possible in certain circumstances, is not unrestricted. Even though neither the Convention No. 1 nor the Convention No. 30 establishes a specific limit on the number of additional hours that may be worked beyond normal hours in the case of permanent and temporary exceptions, they both require the public authority to set those limits.¹²

Bearing in mind the impact that long hours of work can have on workers' health, productivity and work-life balance, on numerous occasions the ILO's Committee of Experts emphasized the importance of prescribing clear statutory limits for the additional hours of work to be undertaken daily, weekly and yearly¹³. The Committee has been also highlighting the need to keep the number of additional hours allowed within reasonable limits that take into account both the health and well-being of workers', and the employers' productivity needs.

It is equally important that any additional hours of work/overtime are remunerated and paid at a higher rate than normal hours, even in cases where compensatory time off is granted¹⁴.

9 Article 1)6)(b) of C001, and Article 2)7)(b), (c) and (d) of C30.

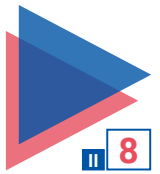
10 Article 3 of C001 and Article 2)7)(a) of C30.

11 Article 14 of C001, Article 9 of C30 and Paragraph 14(b)(vi) of R116.

12 Article 2) 6) of C001, Article 3) 7) of C30 and para 17 of R116.

13 Para 151 of 2018 GS.

14 Article 2)6) of C001 and Article 4)7) of C30.



Weekly rest

- C014** the Weekly Rest (Industry) Convention, 1921 (No. 14) (up-to-date instrument)
- C106** the Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106) (up-to-date instrument)
- R103** the Weekly Rest (Commerce and Offices) Recommendation, 1957 (No. 103) (up-to-date instrument)

ILO Convention No. 14 and ILO Convention No. 106 together with the ILO Recommendation No. 103 cover nearly all economic sectors (one important exception is agriculture):

The Convention No. 14 covers four main types of industrial activity¹⁵:

1. Mines, quarries and other extractive industries;
2. Processing industries;
3. Construction and demolition;
4. Transport by road, railway or inland waterway, including the handling of goods at docks, quays, wharves or warehouses, but excluding transport by hand.

The Convention No. 106 applies to employees in the following establishments:

1. *Automatically*¹⁶:
 - a. Trading establishments;
 - b. Establishments, institutions and administrative services in which the persons employed are mainly engaged in office work, including offices of persons engaged in liberal professions;

15 Article 1 of C014

16 Article 2 (a) (b) of C106

2. Under certain conditions¹⁷:

- a.** The trading branches of any other establishments;
- b.** The branches of any other establishments in which the persons employed are mainly engaged in office work;
- c.** Mixed commercial and industrial establishments;
 - On condition that they are not subject to national regulations or other arrangements concerning weekly rest in industry, mines, transport and agriculture, and that the persons concerned are not employed in the establishment referred to below;

3. In consequence of a formal declaration made by a Member at a time of ratification¹⁸:

- a.** Establishments, institutions and administrative services providing personal services;
- b.** Post and telecommunication services;
- c.** Newspaper undertakings; and
- d.** Theatres and places of public entertainment.

ILO instruments on weekly rest are directly complementary to the hours of work standards, in particular they correlate with the restrictions on the number of hours worked per week.

The above two Conventions set the general standard that workers shall enjoy a **rest period** of at least 24 consecutive hours every seven days. There are three main aspects:

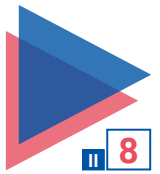
- 1. Duration** – at least 24 hours¹⁹ (subsequently, the Recommendation No. 103 calls for extension of the weekly rest to at least 36 hours²⁰);

17 Article 2 (c) of C106

18 Article 3 of C106

19 Article 6 of C0106, see also General Survey 2018, paras 200-194

20 Para 1 of Recommendation No. 103



2. *Regularity* – in every period of seven days²¹;

3. *Continuity* – consecutive hours²².

Permanent and temporary exceptions

It is important to recall that the issue of exceptions to the principle of general weekly rest is addressed differently in the two Conventions. While Convention No. 14 contains a single provision governing exceptions in very general terms²³, Convention No. 106²⁴ describes precisely the circumstances justifying permanent and temporary exceptions.²⁵ **Concerning compensatory periods of rest** in cases of the suspension or reduction of the weekly rest period, while Convention No. 14 states that each Member shall make, *as far as possible*, provision for compensatory periods of rest (Art. 5 of C14), Art. 2) 7) of Convention No. 106 does intend to ensure that a period of rest comparable with that provided under the general scheme is always granted to workers to whom the general rules are not applicable. There are different methods that can be adopted to grant the compensatory rest to workers²⁶. For example:

- a. *rotation system*: in establishments where the production system cannot be interrupted, this system consists of granting weekly rest to the whole or part of staff on the basis of an internal weekly rotation;
- b. *transfer of the rest day to another day of the week*: transfer of the rest period simultaneously for all staff to a day other than the normal rest day (e.g. from Sunday to another day of the week), or granting of half of the rest period on the rest day, with

21 Article 1) 2) of C014, Article 1) 6) of C106 and Paras 1) 4 ,1) of R103

22 Article 1) 2) of C014, Article 1) 6) of C106 and Paras 1) 4 ,1) of R 103

23 See article 6 of C14: “Each Member will draw up a list of the exceptions...”. The Convention does not make any reference to categories or circumstances.

24 See articles 7 and 8 of C106.

25 See General Survey 2018, paras 234-207. It is also worth recalling that C14 is a highly ratified instrument (120 ratifications compared to 63 for C106).

26 See General Survey 2018, paras 253-235

the other half being postponed until the next day or some other time (e.g. rest from Sunday noon to Monday noon).

It is important for workers' health and well-being to have a compensatory rest of at least 24 hours in cases where a worker is required for whatever reason to perform work on the weekly rest day.

Annual holidays with pay

- C052** the Holidays with Pay Convention, 1936 (No. 52) (outdated instrument)
- C101** the Holidays with Pay (Agriculture) Convention, 1952 (No. 101) (outdated instrument)
- C132** the Holidays with Pay Convention (Revised), 1970 (No. 132) (instrument with interim status)
- R098** the Holidays with Pay Recommendation, 1954 (No. 98) (instrument with interim status)

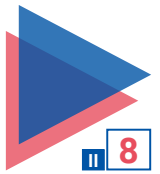
Workers need to benefit in practice from a period of rest and recovery every year in order to protect and maintain their physical and mental health.

Paid annual leave is the period during which workers are given time away from their work while continuing to receive an income and to be entitled to social protection.

Length of annual leave

The Convention No. 52 fixes the minimum duration of annual leave at six working days after one year of continuous service²⁷. The subsequent Convention No. 101 leaves the determination of the length of paid

²⁷ Article 1) 2) of C052



annual leave to national legislation²⁸, while the Convention No. 132 revises the Conventions Nos 52 and 101 in view of the standards set out in these Conventions were out of date. The Convention No. 132 takes into account the technological change and economic progress and has a broader scope of application to include agricultural workers. This Convention provides for at least three working weeks of annual paid holiday for each year of service²⁹.

While Article 1) 6)³⁰ of Convention No. 132 clearly establishes an absolute prohibition on counting public or customary holidays as annual leave, Article 2)6)³¹ of the same Convention leaves it to the competent authority of each country to determine the conditions for applying the same rule to other interruptions of work due to illness or injury. It should also be noted that the prohibition of counting certain types of leave as a part of paid annual leave only applies to the minimum holiday period prescribed by the Convention.

Period of service

Article 4) 5) of Convention No.132 states that under conditions to be determined by the competent authority or through the appropriate machinery in each country, any absence from work for reasons beyond the control of the employed person, such as illness, injury or maternity, and not only absence due to occupational accidents and diseases shall be counted as part of the period of service”.

28 Article 3 of C101

29 Article 3) 3) of C132

30 “Public and customary holidays, whether or not they fall during the annual holiday, shall not be counted as part of the minimum annual holiday with pay...”.

31 “Under conditions to be determined by the competent authority or through the appropriate machinery in each country, periods of incapacity for work resulting from sickness or injury may not be counted as part of the minimum annual holiday with pay”

Increased entitlements to leave

With length of service

- ▶ Recommendation No. 98 encourages an appropriate machinery in each country to determine whether the duration of the annual holiday with pay should increase with length of service or by reason of other factors³². A number of countries provide for the period of annual leave to increase with seniority.

On grounds of age

- ▶ Recommendation also envisages that young workers under 18 years of age should receive a longer period of annual holiday with pay than the minimum provided³³. Young workers in different countries around the globe benefit from additional days of paid annual leave.

Based on other factors

- ▶ Furthermore, some countries decide to grant longer period of annual leave to workers engaged in harmful and hazardous work, work under abnormal conditions or work in certain climatic conditions³⁴.

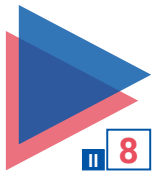
Necessary measures should be in place to ensure that every person taking annual leave receives at least the normal or average remuneration, including the cash equivalent of any remuneration in kind, and that the amounts due are paid in advance of the holiday unless otherwise provided in an agreement applicable to the employer and the employee³⁵.

32 Para 6 of R098, see also General Survey 2018, paras 324-323

33 Para 10 of R098, see also General Survey 2018, para 325

34 see General Survey 2018, paras 328-326

35 Art. 7 of C132, see also General Survey 2018, paras 330-329



In the event of the **division of the holiday**³⁶, Convention No. 132 requires that one of the parts shall consist of at least two uninterrupted working weeks, or 12 working days, based on a six-day working week, unless otherwise provided in an agreement applicable to the employer and the employed person. It is equally important to limiting the **postponement of annual leave**³⁷ to a small portion of the leave entitlement and to ensure that the postponement of leave does not exceed a reasonable period of time, which the Convention No. 132 sets at 18 months.

The Convention also seeks to guarantee that holiday rights are acquired and retained in the event of termination of employment³⁸, irrespective of the grounds on which the employment relationship is terminated.

Night work

- C089** Night Work (Women) Convention (Revised), 1948 (No. 89) (instrument with interim status)
- P089** Protocol of 1990 to the Night Work (Women) Convention (Revised), 1948 (up-to-date instrument)
- C171** Night Work Convention, 1990 (No. 171) (up-to-date instrument)
- R013** Night Work of Women (Agriculture) Recommendation, 1921 (No. 13) (request for information)
- R178** Night Work Recommendation, 1990 (No. 178) (up-to-date instrument)

Historically, a number of Conventions on night work have been adopted by ILO since its creation. One of the first ones – the Night Work (Women)

36 Art. 8 of C132, see also General Survey 2018, paras 354-348

37 Art.9 of C132, see also General Survey 2018, paras 359-355

38 Art. 11 of C132, Para 3) 4) of Recommendation No. 98, see also General Survey 2018, paras 365-361

Convention, 1919 (No. 4) and the Night Work of Young Persons (Industry) Convention, 1919 (No. 6) – sought to protect categories of workers which were exposed to the hazards of night work and more susceptible to exploitation. Subsequently these first standards have been revised in light of the appropriateness of maintaining special protective measures for women taking into consideration the principle of equal treatment and non-discrimination between men and women in employment. After years of debates on international level, the last generation of ILO standards – the Night Work Convention, 1990 (No. 171) and the Protocol of 1990 to the Night Work (Women) Convention (Revised), 1948 – are the result of a dual approach.³⁹

The Night Work Convention, 1990 (No. 171) is the most up-to-date instrument. It applies to all night workers and almost all occupations.

Definition of Night work

All work performed during a period of not less than seven consecutive hours, that includes the interval from midnight to 5 a.m.

Definition of Night worker

An employed person whose work requires the performance of a substantial number of hours of night work which exceeds a specified limit.

There are two aspects of the term “night work” as defined in the Convention No. 171:

1. *The total length of the period defined as night*⁴⁰ – at least seven hours, which is shorter than in previous Conventions, however this period may go beyond seven hours, after consultation with employer and worker representatives;

39 See General Survey 2018, paras. 400 to 416.

40 Article 1 of C171

2. *The interval or core period*⁴¹ – from midnight to 5 a.m. is considered to be the minimum protected period of the night, and any work during this period qualifies as night work.

Specific measures⁴² required by the nature of night work have to be taken for night workers, which include:

- ▶ Protection of their health;
- ▶ Assistance to meet their family and social responsibilities;
- ▶ Opportunities for occupational advancement;
- ▶ Appropriate compensation;
- ▶ Safety measures;
- ▶ Maternity protection.

It is required to provide alternatives to night work to be offered to women for specified periods during and after pregnancy⁴³.

Part-time work

C175 the Part-Time Work Convention, 1994 (No. 175) (up-to-date instrument)

R182 the Part-Time Work Recommendation, 1994 (No. 182) (up-to-date instrument)

A **part-time worker**⁴⁴ is an employed person whose normal hours of work are less than those of comparable full-time worker, that is to say:

41 See ILO: Record of Proceedings No. 30, Report of the Committee on Night Work, ILC, 76th Session, Geneva, 1989, p. 8/30

42 Article 3 of C171, see also General Survey 2018, paras 541-441

43 Article 7 of C171

44 Article 1 (a) of C175 and Para 2 (a) of R182, see also General Survey 2018, paras 567-566

- ▶ Who has the same type of employment relationship;
- ▶ Who is engaged in the same or a similar type of work or occupation; and
- ▶ Who is employed in the same establishment or, when there is no comparable full-time worker, in the same enterprise or, in the same branch of activity.

As national definitions of the full-time work week vary, for comparative statistical purposes part-time work is often defined as working for pay for fewer than 35 hours per week.

Full-time workers affected by partial unemployment⁴⁵ are full-time workers affected by a collective and temporary reduction in their normal hours of work for economic, technical or structural reasons. Full-time workers affected by partial unemployment are not considered to be part-time workers.

Principle of equal treatment

The principle of equal treatment⁴⁶ between part-time and full-time workers provides that part-time workers are entitled to the same protection as comparable full-time workers in respect of:

- ▶ The right to organize, bargain collectively and act as workers' representatives;
- ▶ Occupational safety and health;
- ▶ Discrimination in employment and occupation.

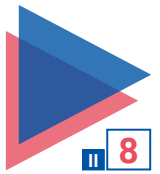
The Convention No. 175 also calls for measures to be taken to ensure that part-time workers enjoy conditions equivalent to those of comparable full-time workers⁴⁷ with regard to:

- ▶ Maternity protection;
- ▶ Termination of employment;

⁴⁵ Article 1 (d) of C175 and Para 2 (d) of R182

⁴⁶ Article 4 of C175, see also General Survey 2018, paras 598-591 ,569-568

⁴⁷ Articles 6 and 7 of C175



- ▶ Other entitlements, such as paid annual leave, paid public holidays, sick leave and, as far as possible, all other forms of leave, in particular paid educational leave, parental leave and leave in cases of illness of a child or another family member of a worker' immediate family.

Principle of proportionality

The principle of proportionality envisages that payments or entitlements may be allocated to a part-time worker in proportion to the hours worked, based on the applicable employment or social protection system. The wage of a part-time worker, calculated proportionally on an hourly, performance-related, or piece-related basis, must not be lower than that of a comparable full-time worker solely because she or he works part-time⁴⁸.

The pro rata rule is also applicable to pecuniary entitlements⁴⁹ relating to:

- ▶ Maternity leave;
- ▶ Termination of employment;
- ▶ Paid annual leave and paid public holidays;
- ▶ Sick leave.

The Recommendation No. 182 provides that part-time workers should benefit on an equitable basis⁵⁰ from financial compensation, in addition to basic wages, which is received by a comparable full-time worker.

48 Article 5 of C175, see also General Survey 2018, paras 618-614 ,569-568

49 Article 7 of C175, see also General Survey 2018, paras 613-599 ,570

50 Paras 11 ,10 and 13 of R182

Sample session 1:

Working time arrangements



OBJECTIVES

- 📌 To identify and analyse different working time arrangements.
- 📌 To structure different working time arrangements in line with decent work standards.



SETTING

- 📌 1-2-4-ALL format for discussion and exchange of ideas, enough space for participants to move around needs to be insured.
- 📌 Working in small groups and using post-its and/or flipchart/ writing board for mapping and analysis of results.



DURATION

- 📌 20 minutes to exchange views in 1-2-4-ALL format.
- 📌 20 minutes for group work discussion.
- 📌 10 minutes for sharing results in plenary and wrap-up.



TASK

1. Individually, participants are invited to list all types of working time arrangements in effect at their workplace.
2. After an individual brainstorming, participants share their results with a neighbour continuing their work in pairs, followed by a discussion in groups of four. Each discussion should not take more than 5 minutes.

3. Divided into groups, participants compile a list of all the collected examples grouping them into: hours of work (including exceptions to normal hours of work and overtime), weekly rest, annual holidays with pay, night work and part-time. Each group of examples is then analysed through the prism of ILO's five dimensions of decent working time¹:
 1. *Promoting health and safety;*
 2. *Advancing the productivity and sustainability of enterprises;*
 3. *Being "family-friendly" and improving work-life balance;*
 4. *Promoting gender equality; and*
 5. *Offering workers a degree of choice and influence over their hours of work.*
6. Results from each group are then shared with all the participants in plenary and discussed {.....}



TIPS FOR TRAINERS:

- 📌 Time-management is important for this exercise, make sure that each step of the exercise does not last longer than 5 minutes.
- 📌 During the initial exchange of listed working time arrangements, you may wish to suggest to participants to share concrete examples based on practices applied to their workplace.
- 📌 Make available the texts of relevant International Labour Standards for consultation throughout the group work;
- 📌 Refer to the ILO Guide to developing balanced working time arrangements.

¹ Additional guidance on decent working time is the ILO's "Guide to developing balanced working time arrangements", 2019 - https://www.ilo.org/travail/whatwedo/publications/WCMS_706159/lang-en/index.htm

Sample session 2:

Part-time and overtime work



OBJECTIVES

- 📌 To explore and analyse compensation and entitlements of workers in part-time work.



SETTING

- 📌 working in small groups and using handouts for cases study analysis.



DURATION

- 📌 30 minutes to analyse the case study and exchange views in groups; 20 for sharing results in plenary and wrap-up; 10 minutes for wrap-up.



TASK

1. In groups, participants analyse and discuss the following case-study:

A group of workers from [xxxxx] comes and complains about working time arrangement and pay discrimination. These are all part-time workers, who have been recently staying longer hours at work due to increased workload. The workers refer to the collective agreement, which stipulates that overtime on regular working days is paid at 150 per cent; work performed on the weekly rest days and during public holidays is paid at 200 per cent. At the same time, overtime is defined as working time performed above the full-time schedule. How would you solve this situation?

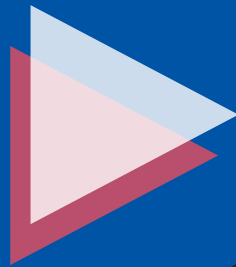


TIPS FOR TRAINERS:

- 📌 Prepare guiding questions to animate the discussion, e.g.:
- 📌 Do part-time workers have the same right to overtime compensation as full-time employees? What does the national legislation say? What do International Labour Standards say?
- 📌 How are basic wages and different types of compensations for part-time workers calculated?
- 📌 What are the benefits available to part-time workers?
- 📌 Should the participants have already completed the module on Equality and non-discrimination, or their background allows go deeper into the discussion: explore the views of the participants whether they see any indicators of wage discrimination in this situation? Link the discussion to indirect discrimination based on sex or another ground of discrimination (e.g. ethnicity, health condition, etc.). To identify possible indirect discrimination in the case at hand, further analysis is needed of the composition of the full-time and part-time groups of workers. If the majority of the full-time employees are men (or belong to the mainstream ethnic group in society, or are urban residents), and the part-time employees are women (or belong to a different ethnic group, or are rural migrant workers), this is most likely a case of indirect discrimination on the grounds of sex, (or ethnicity or social origin).
- 📌 This exercise can be expanded, adding action-oriented brainstorming on how the rights of part-time workers can be ensured; how decent working time can be ensured for all workers; how new or unconventional working time arrangements can be addressed; and how the question of overtime in general is treated (vis-à-vis part-time work, but also family responsibilities, work-life balance, recreational time, etc.).

Further references

- ▶ General survey on working time (ILO, 2018)
https://www.ilo.org/global/standards/WCMS_618560/lang-en/index.htm
- ▶ Guide to developing balanced working time arrangements (ILO, 2019)
https://www.ilo.org/travail/whatwedo/publications/WCMS_706159/lang-en/index.htm



 **1**

Using this resource kit in preparation for a learning activity



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First published 2020

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Support for Implementation of the Decent Work Country Programme of Uzbekistan Project (ILO DWT and Country Office for Eastern Europe and Central Asia) & International Training Center of the ILO.

Resource Kit for the Design and Learning Activities on Labour Rights / International Labour Organization, , International Training Center of the ILO (ITC-ILO). Geneva: ILO, 2020.

ISBN: 9789220328873 (Web PDF); International Labour Organization; Fundamental Principles and Rights at Work Branch, International Training Center of the ILO. Also available in Uzbek: ISBN 9789220328880; and Russian: ISBN 9789220328897

ACKNOWLEDGEMENTS

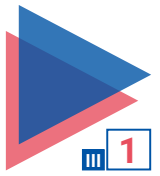
This Resource kit was prepared by Giselle Mitton (ITC-ILO) and Olena Vazhynska (ITC-ILO). Funding for this ILO publication is provided by the United States Department of Labor (USDOL) under cooperative agreement number IL-26629-14-75-K-11 Support for Implementation of the Decent Work Country Programme of Uzbekistan Project (UZB/14/01/USA). One hundred percent of the total costs of the project is financed with Federal funds, for a total of \$6,000,000.00 US dollars.

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Tips for effective adult learning

The contents from this resource kit can be transformed into material for use to develop and deliver awareness raising training activities (e.g. lecture notes, power point presentations, guidance for group exercises, handouts, etc.)

The last section of this resource kit contains material that the user can consult should s/he wish to design and prepare a training activity tailored to a specific audience making reference to the contents of each of the thematic modules. The modules in the kit are not presented in any specific order as they are meant to be used as stand-alone resources.

Below is some practical guidance for the user on how to prepare and deliver simple awareness raising training of short duration in face-to-face contexts.

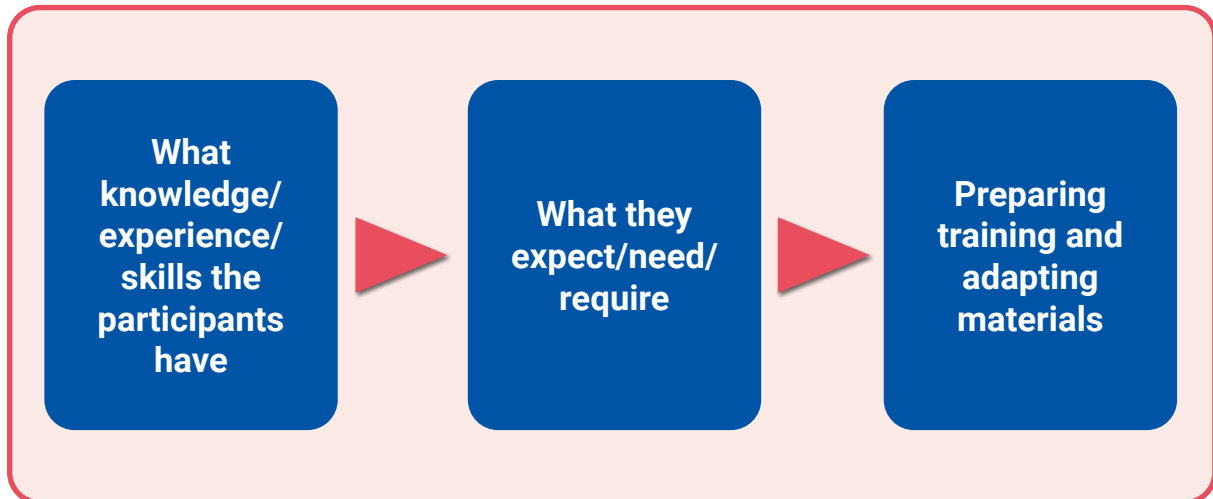
Knowing the audience

It is important that the trainer is familiar with the background of the participants in the training session. Where possible, the trainer should learn about the participants as much as possible, either before the training or at the beginning of the session. The following can be useful for the trainer:

- ▶ Professional, education background, current job/responsibilities of each participant
- ▶ Number of years in this capacity and any previous jobs
- ▶ Past participation in training of similar nature. This would help the trainer to fix the level of instruction
- ▶ Level of language fluency (if the training will be conducted in English)

It is equally important for the trainer to know the needs of participants in terms of:

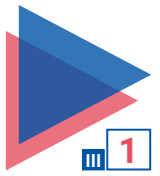
- ▶ expectations regarding new knowledge to be acquired;
- ▶ developing skills and capacity to apply new information/tools;
- ▶ changing attitudes;
- ▶ strengthening commitment.



In order to determine participants' needs, it might be useful for the trainer to conduct a brief survey or simply ask questions encouraging participants to share their knowledge, expectations and/or specific requirements for the training. This will help to design the activity and provide the participants with the information they are interested in acquiring and in a format, which eases the transmission of new knowledge.

Defining Training Needs

Training needs assessment is a particularly useful instrument in exploring those elements of information that would need to be collected prior to planning a training activity.



Examples of assessment methods

- Observation:
 - Minimizes interruptions to (work) routine / Requires highly skilled observer with process and content knowledge
- Questionnaires (pre course survey):
 - Can reach a large number of people in a short time / Not suitable for all target audiences (e.g. low literacy, low internet access)
- Individual Interviews:
 - Can reveal interesting, relevant and unexpected data that you may not uncover otherwise / time consuming
- Group discussions:
 - Can elicit very rich data / Can produce data which is difficult to synthesize
- Documentary review: low-cost / Data may not be representative of needs of learner
- What methods have you been exposed to in the past either as a participant or trainer ? What were the advantages/disadvantages



Setting the objectives

For any successful training it is important to have a clear understanding of the desired outcome of a learning activity or staff development intervention. Learning objectives need to be discussed, formulated and agreed upon in advance. Some of the examples may include:

- ▶ The purpose of this half-day workshop is to familiarize the staff of the institution with the ILO, international labour standards and fundamental principles and rights at work.
- ▶ The main objective of the training session is to introduce international labour standards
- ▶ The aim of the workshop is to assist staff to further consider the practical application of fundamental principles and rights at work.

Specific learning objectives may also be proposed for each thematic module.

Such specific objectives should be contributing to the overall objective and could be listed as learning outputs of each session. For instance:

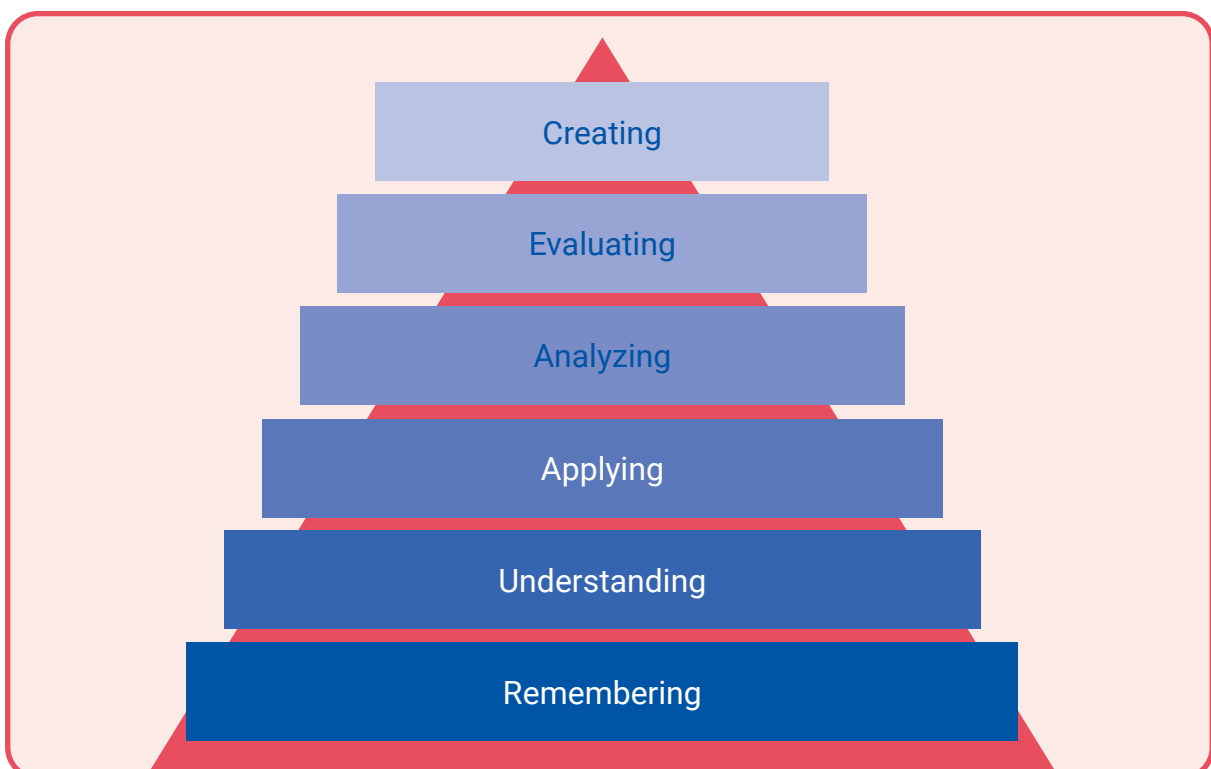
By the end of the workshop, participants will:

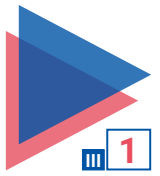
- ▶ Have an understanding of the definition of forced labour; or
- ▶ Learn about the key indicators of forced labour; or
- ▶ Discuss the benefits of social dialogue; or
- ▶ Compare the discrimination in law and in practice in their country/at their workplace, etc.

Specific objectives should reflect the key learning activities and should enable participants in these activities to understand the outcome of the training, what they are expected to learn and which issues the facilitator is expected to cover.

How to formulate learning objectives

When defining the learning objectives of your learning activity, you may wish to refer to the “learning pyramid”, which classifies the learning objectives from a simple remembering of new facts and information to an ultimate creation and change in the daily work patterns. Please bear in mind that the complexity of the learning activity will be directly related to the chosen learning objective level.

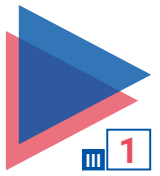




Defining learning objectives

Category	Examples, key words (verbs), and methods/technologies for learning (activities)
<p>Remembering: Recall or retrieve previous learned information.</p>	<p>Examples: Recite a policy. Quote prices from memory to a customer. Recite the safety rules.</p> <p>Key Words: The participant will be able to: define, describe, identify, know, label, list, match, name, outline, recall, recognize, reproduce, select, state</p> <p>Methods/technologies: book marking, flash cards, rote learning based on repetition, reading, etc.</p>
<p>Understanding: Comprehending the meaning, translation, interpolation, and interpretation of instructions and problems. State a problem in one's own words.</p>	<p>Examples: Rewrite the principles of a specific development approach. Explain in one's own words the steps for performing a complex task.</p> <p>Key Words: The participant will be able to: comprehend, convert, defend, distinguish, estimate, explain, extend, generalize, give an example, infer, interpret, paraphrase, predict, rewrite, summarize, translate</p> <p>Methods/technologies: create an analogy, storytelling, Internet search, etc.</p>

Category	Examples, key words (verbs), and methods/ technologies for learning (activities)
<p>Applying: Use a concept in a new situation or unprompted use of an abstraction. Applies what was learned in the classroom into novel situations in the workplace.</p>	<p>Examples: Use a technical manual for a specific task. Apply a specific tool to own context.</p> <p>Key Words: The participant will be able to: apply, change, compute, construct, demonstrate, discover, manipulate, modify, operate, predict, prepare, produce, relate, shows, solve, use</p> <p>Methods/technologies: collaborative learning, create a process, blog, practice, etc.</p>
<p>Analyzing: Separates material or concepts into component parts so that its organizational structure may be understood. Distinguishes between facts and inferences.</p>	<p>Examples: Troubleshoot a piece of equipment by using logical deduction. Recognize logical fallacies in reasoning. Gathers information from a department and selects the required tasks for training.</p> <p>Key Words: The participant will be able to: Analyze, break down, compare, contrast, diagram, deconstruct differentiate, discriminate, distinguish, identifies, illustrate, infer, outline, relate, select, separate</p> <p>Methods/technologies: Fishbowl, debating, questioning what happened, run a test, etc.</p>



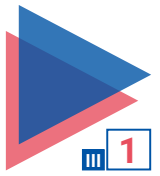
Category	Examples, key words (verbs), and methods/technologies for learning (activities)
<p>Evaluating: Make judgments about the value of ideas or materials.</p>	<p>Examples: Select the most effective solution. Hire the most qualified candidate. Explain and justify a new budget.</p> <p>Key Words: The participant will be able to: appraise, compare, conclude, contrast, criticize, critique, defend, describe, discriminate, evaluate, explain, interpret, justify, relate, summarize, support</p> <p>Methods/technologies: survey, blogging, etc.</p>
<p>Creating: Builds a structure or pattern from diverse elements. Put parts together jto form a whole, with emphasis on creating a new meaning or structure.</p>	<p>Examples: Write an operations or process manual. Design an approach to perform a specific task. Integrate training from several sources to solve a problem. Revise and process to improve the outcome.</p> <p>Key Words: The participant will be able to: categorize, combine, compile, compose, create, devise, design, explain, generate, modify, organize, plan, rearrange, reconstruct, relate, reorganize, revise, rewrite, summarize, tell, write</p> <p>Methods/technologies: Create a new model, network with others, etc.</p>

Types of learning activities

There are different learning styles and various cultural aspects of conducting learning activities to be considered when preparing for a workshop. In certain contexts, lectures are deemed to be the most appropriate for adult learning, while other cultural dimensions may require adult learning to be built on peer-to-peer exchange or knowledge sharing among the colleagues. This resource kit does not propose a specific learning style, but rather provides some simple guidance on how to prepare and deliver training sessions for adult audiences.

Tips for preparing a training session:

- ▶ Be clear about the objectives of the training/ each session;
- ▶ Explore the needs of the audience and prepare a set of learning outcomes; conduct a brief survey, if needed;
- ▶ Have teaching and learning materials ready, revise the participants' expectations to adapt the materials if needed;
- ▶ Bear in mind that participants' capacity to remain focused is normally quite short, think of a variety of learning activities and methods that would help you to keep your audience's attention throughout the training;
- ▶ Brief the presenter/guest speaker if someone has been invited to deliver a presentation on a topic immediately relevant to the contents and objectives of the session;
- ▶ Prepare in advance resources and supporting materials like notepads, pens, flip chart and similar utensils;
- ▶ Inspect the venue for the training to see it is suitable both for lectures and group activities;
- ▶ Ensure that all the equipment such as microphones, lights, PC, projectors to be used are working;
- ▶ If a certificate of completion is to be distributed to the participants, make sure they are signed by someone in authority of a relevant agency/institution;



- ▶ If the training session warrants a detailed evaluation, prepare an evaluation sheet.

Example of learning objectives

Below is an example of a session plan for an adult learning activity on how child and forced labour issues are addressed by businesses around the world.

<p>Session 3</p> <p>How are child labour and forced labour being addressed by business</p> <p>14h00-15h00 (1h)</p> <p>Facilitated by: [name(s)]</p>	<p>Objectives: participants become familiar with different initiatives and action in place by companies to address child labour and forced labour</p> <p>Objectives:</p> <ul style="list-style-type: none"> ▶ the role of business (and social partners) in the UNGP ▶ how are child and forced labour issues are being addressed by businesses <p>The role of business in the UNGP (PPT and Nestlé’s video) (15 min)</p> <p>Exercise on business action on child and forced labour (35 min): participants works in groups of 3x3x3x4 and, with access to a computer, investigate and present to their peers about different initiatives of business to tackle child labour</p> <p>Resource materials: fair recruitment; good practices; Child Labour Platform, etc</p> <p>Wrap-up (10 min)</p>
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Size of the audience

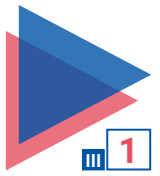
Knowing the background of each participant, it's necessary to consider how this may affect the group dynamics during the training. If the event is intended for a small group, the trainer might want to call upon interactive learning methods and allocate more time for group exchanges. There is a possibility to build on a safe and intimate learning environment, where each participant has a possibility to contribute to the learning process. There is also a risk: small groups might not be diverse enough or participants might not have enough of previous knowledge and experience to contribute to the scheduled exercise. Thorough planning helps to mitigate similar challenges.

Should the group be of a large size exceeding 15-20 participants, additional considerations should be given to time management and active participation, leaving no one behind. In a larger group each member has less time to contribute to the discussion. One of the techniques used by experienced trainers is to break down large groups into smaller ones and during the plenary presentations ask each group to share the findings at the end of the discussion without repeating the previously mentioned ideas. This renders the large group discussion more constructive and easier to facilitate.

Briefing a speaker: some important methodological aspects

Check out some great presentation & facilitation tips & tools!

- ▶ Video: Death by Powerpoint
<http://itcilo.wordpress.com/2007/10/17/presentations/>
- ▶ ITC-ILO "Compass" - the right direction for training and learning
<https://compass.itcilo.org/>



- ▶ [ITCILO Blog],
<http://itcilo.wordpress.com/home/>
- ▶ PresentationZen
<http://www.presentationzen.com/presentationzen/>

Some facilitation tips

Keep the **word-count** on your powerpoint presentation **short** and **concise**; include pictures, graphics and charts.

Information overload “kills” the message!

On average speakers take 3 minutes per slide: **13 slides** are sufficient for a 40 minute presentation.

Every resource person will be **evaluated**.

Evaluation criteria include:

- ▶ achievement of **objectives**,
- ▶ **relevance** of contents,
- ▶ mainstreaming of gender dimension,
- ▶ **technical** and **pedagogical** skills.

Use the **powerpoint** template

How to plan your session?

Learning results What do you want participants to “take home” after your session? What should they be able to understand, to do or to do differently after your session?

Input Provide deep technical information.

Tools Familiarise participants with practical aids they can use easily back home (checklists, manuals, guidelines, ...).

Activities Involve participants and consolidate learning through interactive methods that allow for reflection, practice and exchange.

Increasing gender relevance of your session

We are committed to achieving **equal opportunities for men and women** in the world of work.

- ▶ Use **gender-sensitive** language and illustrations
- ▶ Disaggregate **data** by sex
- ▶ Please include **at least 1 slide on gender** in your presentations
- ▶ Ask these questions:
 - How does the subject **affect** men and women **differently**?
 - **Why** does it affect them differently?
 - What can we **do about** it?

Examples:

Is stigmatization and discrimination of certain occupations or groups tackled? Are policies and effective mechanisms in place to protect women from harassment? Is transportation provided? When do activities take place? Is childcare provided?

Please share good practices!

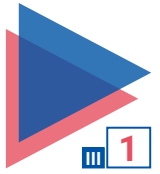
INTERPRETATION...

... IS A HARD JOB!

- ▶ Interpreters need **regular breaks** and to **finish on time!**
- ▶ If you want to **show a video**, please send us the file 4 days in advance. It is not possible to make simultaneous interpretation from videos – speech is quicker in videos than in real life.
- ▶ Please **pace your speech**, take breaks in-between sentences, don't "run" through your presentations!

ABBREVIATIONS: Please use as **few abbreviations as possible**. Participants, translators and interpreters have a hard time understanding what you mean or might mis-understand you!

GRAPHS that get copied & pasted directly into presentations, might not be editable for translators. If possible, please use editable graphs!



What makes a good resource person?

When conducting a session, the trainer is both a trainer, facilitator and, overall, an educator. For an effective training, sharing of knowledge and ensuring learning, the following tips would be useful for a trainer/facilitator.

The subjects covered in this resource kit are highly technical topics. For this reason, the trainer/facilitator should:

- ▶ Have a warm personality, with an ability to show approval and acceptance of trainees;
- ▶ Have strong social skills, with an ability to bring the group together and control it without damaging it;
- ▶ Be able to train in a manner which generates and uses the ideas and skills of participants;
- ▶ Has organising ability, so that resources are booked and logistical arrangements smoothly handled;
- ▶ Be skilled at noticing and resolving participants' problems;
- ▶ Is enthusiastic for the subject matter and is able to put it across in an interesting way;
- ▶ Be flexible in responding to participants' changing needs;

Adapted from Guide on Participatory Learning in Action, IIED, 1995

Logistics and other arrangements

Each organization/institution has its own procedures for organizing learning activities.

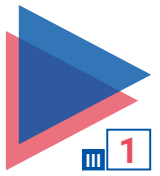
There however some general tips, which could be considered, namely:

- ▶ Clarifying the ownership and distributing tasks and responsibilities;
- ▶ Setting the dates and informing the participants well in advance;
- ▶ Securing the venue and arranging for necessary technical equipment and supporting materials;
- ▶ Arranging for travel and accommodation of external resources persons as well participants travelling from far away, if needed;
- ▶ Ensuring translation services of materials before the training and interpretation during the activity, should be needed;
- ▶ Contacting and briefing the team of facilitators and resource persons;
- ▶ Preparing and adapting materials to match participants' expectations and needs.

It is equally important to think about the seating arrangements during the workshop either for plenary seating or for the group work spaces. For participatory workshops seats could be arranged in "islands" or positioned in circles, so that all the participants face one another. Alternatively, seats could be arranged in a semi-circle, facing the space where the trainers would make presentations or demonstrations during the sessions. Tables may be needed for the participants to take notes or work on a visual output of the group discussions. Room setting considerations are advised not to be overlooked during the workshop preparation.

Tips for the training during the training sessions

- ▶ Invite participants to introduce themselves but manage this period in a timely manner- set a time limit for each person introducing herself or himself and indicate what type of details participants should share (like name, job title, how long at the job, name of the agency s/he works for and her/his expectations from the training); you may wish to use simple ice-breaking exercise or brainstorm the outputs of the training;



- ▶ Introduce the presenter/guest speaker at the beginning of the module;
- ▶ Ensure that the aim and the objective of the session are clearly understood by each participant;
- ▶ During the training, make sure that every participant feels comfortable to be actively engaged and to speak publicly; make sure to encourage everyone to be active; there should be no judging either by other participants or by the facilitator;
- ▶ Encourage discussions but ensure they are on the relevant topics;
- ▶ Provide examples as appropriate, make sure you refer to good practices in similar contexts;
- ▶ Blend lectures/instructions with inputs from participants on the topic;
- ▶ Ensure that each participant is aware of and is comfortable with using various technical terms and specific expressions/denominations; ensure that all the content is understood, and the information is clear;
- ▶ Allow sufficient time for questions and clarifications from participants;
- ▶ If group work is planned for any of the modules, provided a detailed explanation to the participants on the group work, how it will be organized, managed and conducted;
- ▶ Summarize the main points at the end of the session/exercise;
- ▶ Keep to the program schedule.

Commitment and attitudes

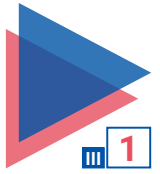
All the participants in the room have to ultimately have an ownership of any output of the training, unless it is an awareness raising or general knowledge sharing activity. In order to gain commitment or change attitudes, participants need to be comfortable openly discussing the subject and should not feel that they are being judged. Time is needed also to take into consideration different aspects, perspectives and ideas. One of the ways to achieve a trusting environment is to set a 'golden

rule' of no "right" or "wrong" opinions or ideas, underlining that different people may have a different vision of the question or may look from a different perspective on the situation. Valuing and respecting diversity is a key to successful facilitation.

Receiving feedback on the training

Self-assessment tools can be used during follow-up exercises in the form of a quiz or questionnaire to understand the participants' level of knowledge and what information has been understood and retained.

Different types of mood meters are examples of simple self-assessment tools, which allow to quickly evaluate the overall personal impression and satisfaction of a learning activity. Below are two examples: one is the mobile application developed by Yale University to measure self-awareness and build emotional intelligence. When organizing a learning activity, the matrix could be adapted and simplified, giving to the participants a choice of "full satisfaction" or "dissatisfaction". Alternatively, another tool is an example of a simple matrix, which could be created using an Excel file. This tool has been developed by Ryazan University to assess human conditions using situational anxiety scale.



Enraged	Furious	Frustrated	Shocked	M	Surprised	Upbeat	Motivated	Ecstatic
Livid	Frightened	Nervous	Restless	O	Hyper	Cheerful	Inspired	Elated
Fuming	Apprehensive	Worried	Annoyed	O	Energized	Lively	Optimistic	Thrilled
Repulsed	Troubled	Uneasy	Peeved	D	Pleasant	Joyful	Proud	Blissful
M	O	O	D	M	E	T	E	R
Disgusted	Disappointed	Glum	Ashamed	E	Blessed	At Ease	Content	Fulfilled
Mortified	Alienated	Mopey	Apathetic	T	Humble	Secure	Chill	Grateful
Embarrassed	Excluded	Timid	Drained	E	Calm	Satisfied	Relaxed	Carefree
Alone	Down	Bored	Tired	R	Relieved	Restful	Tranquil	Serene

Source: Yale University website, The Mood Meter App - <http://ei.yale.edu/mood-meter-app/>

В	С	Д	Е	Ф
ТЕСТ "ШКАЛА СИТУАТИВНОЙ ТРЕВОЖНОСТИ"				
<i>Инструкция.</i> Прочтите внимательно каждое из приведенных ниже утверждений и выберите наиболее подходящий ответ в зависимости от того, как вы себя чувствуете				
№	Утверждения			Ответ
1	Я спокоен			
2	Мне ничто не угрожает			
3	Я нахожусь в напряжении			
4	Я испытываю сожаление			
5	Я чувствую себя свободно			
6	Я расстроен			
7	Меня волнуют возможные неудачи			Вовсе нет
8	Я чувствую себя отдохнувшим			Пожалуй, так
9	Я встревожен			Верно
10	Я испытываю чувство внутреннего удовлетворения			Совершенно верно
11	Я уверен в себе			
12	Я нервничаю			
13	Я не нахожу себе места			
14	Я взвинчен			
15	Я не чувствую скованности, напряженности			
16	Я доволен			
17	Я озабочен			
18	Я слишком возбужден			
19	Мне радостно			
20	Мне приятно			
ИНДЕКС СИТУАТИВНОЙ ТРЕВОЖНОСТИ:				50
ВЫСОКИЙ УРОВЕНЬ				

Source: THE ELEMENTS OF THE TEST COMPUTER SYSTEM FOR THE ASSESSMENT OF THE HUMAN CONDITION Gosteva Y. L., Ryazantseva A. A., Schegolkov R. Y. Ryazan

state radio engineering University [ЭЛЕМЕНТЫ ТЕСТОВОЙ КОМПЬЮТЕРНОЙ СИСТЕМЫ ОЦЕНКИ СОСТОЯНИЯ ЧЕЛОВЕКА Ю.Л. Гостева, А.А. Рязанцева, Р.Ю. Щегольков Рязанский государственный радиотехнический университет] in *Materials of the Conference Biomedsystems 2018, Ministry of Science and Higher Education of the Russian Federation* - https://www.google.ru/url?sa=i&url=http%3A%2F%2Fwww.rsreu.ru%2Fcomponent%2Fdocman%2Fdoc_download%2F11775-sbornik-biomedсистemy-2018&psig=A0vVaw1EbM4bl2cCqNJ6tmlmdy-Z&ust=1585668550918000&source=images&cd=vfe&ved=2ahUKEwjOxfjmwLoAhXFB3cKHQnvDF4Qr4kDegQIARA9

It is equally important to encourage open reflection by the participants and collect their feedback. One of the ways of receiving feedback is to conduct a short exercise as a way of wrapping up a session or closing a learning activity.

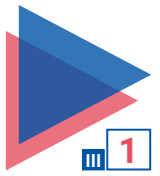
All the participants need to be arranged in a circle or hollow U, so that they all have eye contact with each other. Taking turns, participants are invited to share their experience and complete the sentence: *"I didn't like when..."*. The sentence may refer to anything that happened during the session or day and each participant may choose to say nothing or complete the sentence as many times as necessary. Keep in mind: no one should pass judgement or comment on what others have said.

Once everyone has provided feedback, the same procedure is repeated focusing on what participants have appreciated from the training , completing the sentence: *"I liked it when..."*.

You can also end by asking participants to mention one good thing they felt they had personally contributed to the group – this helps to build self-esteem.

If participants do not feel comfortable speaking in public you may ask them to write on coloured cards what they liked and disliked about the session. The cards are then pinned to a board or stuck to a piece of paper anonymously; a separate piece could be allocated for "suggestions" to collect participants' opinion about what they would like to change in future.

Source: adapted from Donna Brandes and Howard Phillips (1990) in A Trainer's Guide for Participatory Learning and Action, IIED, 1995



Evaluation

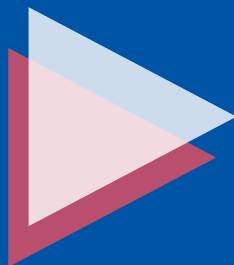
Evaluation can be a useful tool to measure the overall quality of the activity, whether the objectives have been achieved and whether the training materials and content corresponded to the needs and expectations of the participants. Evaluation exercises can be particularly useful for organizing a series of events and working on ‘lessons learned’.

Figure 1. Measuring Training Results

	What	Who	When	How	Why
Level 1	Reaction: Did they like it?	Participants	End of learning activity	Satisfaction Survey or “Smile Sheet”	Determine level of participants’ satisfaction. May indicate need for revision
Level 2	Learning: Did they learn it?	Participants, Trainer	During, before, after learning activity	Pretest/post-test; skills application through role-plays, case studies, exercises	Identify if the trainer has been successful in delivery of course content and achieving program objectives
Level 3	Application: Did they use it?	Participants, supervisors, subordinates, peers	3 to 6 months after program completion	Surveys, interviews, observation, performance appraisal	Determine extent to which they have transferred what they learned in the classroom to the actual work situation
Level 4	Results: Did it make a difference?	Participants, control group	After completion of Level 3 follow-up	Cost-benefit analysis, tracking, operational data	Determine if benefits outweigh costs. Ascertain degree of contribution of program to organizational goals.

Tips for the trainer at the end of the session

- ▶ Suggest ways of accessing additional relevant materials and references for further learning (internet, the ILO resources, publications of ministries etc.);
- ▶ Invite participants to provide feedback on the sessions;
- ▶ Summarize the key outputs of the sessions and brainstorm how the gained knowledge can be used by participants in their daily work or how it can be helpful to the achievement of the mission of the institution/organization;
- ▶ Present the certificates of completion if available;
- ▶ Invite participants to fill in the evaluation sheet and collect them upon their completion;
- ▶ Thank everyone for their attention, participation and contributions during the sessions.



Learning management



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First published 2020

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Support for Implementation of the Decent Work Country Programme of Uzbekistan Project (ILO DWT and Country Office for Eastern Europe and Central Asia) & International Training Center of the ILO.

Resource Kit for the Design and Learning Activities on Labour Rights / International Labour Organization, , International Training Center of the ILO (ITC-ILO). Geneva: ILO, 2020.

ISBN: 9789220328873 (Web PDF); International Labour Organization; Fundamental Principles and Rights at Work Branch, International Training Center of the ILO. Also available in Uzbek: ISBN 9789220328880; and Russian: ISBN 9789220328897

ACKNOWLEDGEMENTS

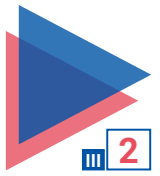
This Resource kit was prepared by Giselle Mitton (ITC-ILO) and Olena Vazhynska (ITC-ILO). Funding for this ILO publication is provided by the United States Department of Labor (USDOL) under cooperative agreement number IL-26629-14-75-K-11 Support for Implementation of the Decent Work Country Programme of Uzbekistan Project (UZB/14/01/USA). One hundred percent of the total costs of the project is financed with Federal funds, for a total of \$6,000,000.00 US dollars.

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Introduction

For the ILO, capacity development is one of its core means of action to achieve decent work and further social justice¹. The ILO defines capacity development as a “process through which individuals, organizations and societies obtain, strengthen and maintain the capabilities to set and achieve their own development objectives over time”². The institutional capacity development for the ILO is thus an endogenous process, in which training and institutional needs of the constituents are prioritized and supported.

This toolkit is designed in a way to stimulate innovative approaches to capacity development and to build an internal institutional capability to conduct staff development activities on subject areas within ILO’s mandate and in the framework of strategies and objectives of an organization/institution. There are important aspects regarding the peculiarities of adult learning and training as part of human resource development outlined below. HR managers, key resource persons for staff training and officials, who have a role in and/or a vision of institutional strategies and the policy agenda that shape training needs, will benefit from the guidance provided in this Module to better understand and use learning management techniques.

-
- 1 ILO-wide strategy for institutional capacity development, GB.335/INS/9
http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_673016.pdf
 - 2 GB.317/POL/6. This definition is largely consistent with the broadly accepted concept defined by the Organisation for Economic Co-operation and Development (OECD) (Development Assistance Committee (DAC), 2006) and used by the UN Development System (high-level evaluation (HLE), 2018).
https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_204751.pdf

Training and learning as part of human resource development

Training and learning constitute a large portion of human resource development activities in any institution or enterprise. Being one of the key components of the talent management system, training and learning enhances people's ability to find and retain a job, as well as supporting the employers in obtaining the workers they need.

In a broader sense, human resource development helps people find their voices in society as it is not only about developing skilled workers, but as well helping human beings to participate fully in working and civic life.

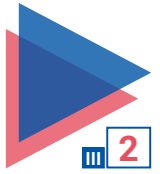
Access to training and learning, and broader – to human resources development programmes must be free from discrimination. Indeed, human resources development should be used as a tool to combat discrimination by providing opportunities to the most disadvantaged groups.

Human resource development:

- ▶ Helps to find and retain a job
- ▶ Supports employers in obtaining the workers
- ▶ Helps finding their voices in society
- ▶ Should be free of from discrimination
- ▶ Should be accessible by all

What is it about?

Training and learning is often focused on the technical aspects of human resources development, however in the work context it has to include as well soft skills, such as teamwork and trade union leadership, information on the citizen's rights and duties and broad range of other issues helping people to make informed choices and decisions in the world of work.



Besides the technical aspects such as skills, knowledge and attitudes, training and learning activities should as well transfer the institutional culture and behaviors expected from the staff. Often these will be based on predefined values and the actual behaviors acceptable within the enterprises and demonstrated by the majority of staff, including management.

The institution's training strategy must include respect for rights at work, non-discrimination, equal opportunities and treatment for women and men (including youth), good governance, transparency and accountability. The successful implementation of such a strategy will depend on the good will and commitment of all stakeholders (including, governments, employers, workers and others), tripartite social dialogue will therefore play an important role.

Training and learning should be inclusive of:

- ▶ Technical aspects and operational issues
- ▶ Soft skills
- ▶ Rules and procedures
- ▶ Information on rights and duties
- ▶ Promoting and sustaining institutional culture

These can be transferred using the wide range of training and learning activities, at any stage

Who is it for?

Human resources development systems should make reasonable efforts to accommodate the needs of potential participants in order to ensure access for all. Human resources development systems also should be flexible, which means that they should accommodate the needs of people receiving training, such as full-time workers, parents with young children, women, persons with disabilities and other distinct groups.

Training and learning activities should provide relevant outputs to both new and current employees, as well as cover all groups of staff, including management and support staff.

The new employees must be introduced to the institution, its culture and its way of doing things. This enables new employees to contribute quickly and effectively to the organization.

Training and learning should be provided to:

- ▶ New employees and current employees
- ▶ All groups of staff, including management and support
- ▶ Often to customers or beneficiaries

Existing employees need to develop themselves as well, adding new skills, knowledge and responsibilities that enable them to grow and to help the institution grow.

Indeed, staff training is an ongoing process throughout the entire relationship between the employee and the employer.

In many circumstances, institutions and enterprises will provide training and learning activities also to their beneficiaries and customers.

Types of training and learning activities for new employees

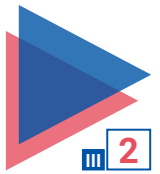
The typology of training and learning activities for new employees includes, but is not limited to:

- ▶ Classroom phase: new recruits receive an overview of the perspective of the organization to see how their roles fit into the bigger picture, they are introduced to the institutional core values, and to the theoretical aspects of their jobs.
- ▶ On-the-job training: new staff learns the technical aspects of their jobs and the specifics from the experienced personnel, and during the work, as they may be learning best through the experience. This phase can be enhanced through an apprenticeship system with trained mentors, which ideally have undergone the mentorship training.

Training and learning for new recruits:

- ▶ Classroom training
- ▶ On-the-job training (with or without apprenticeship or mentorship)

Both can help transferring technical aspects and operations, as well as institutional culture, soft skills, information about rights and duties, rules and procedures.



Types of training and learning activities for current employees

The typology of training and learning activities for current employees includes, but is not limited to:

- ▶ Job-specific training to address employee's needs which evolve within various stages of their current jobs and needs that come in with installation of new technology or new services or products
- ▶ Promotion related training prepares an employee for a higher level of responsibility or managerial authority
- ▶ Cross-training enables employees to perform a variety of different jobs or tasks, increasing their ability to perform multiple tasks, which results in better flexibility
- ▶ Basic skills training which provide opportunities to learn skills that can be applied in any or many positions
- ▶ Cultural seminars that reinforce the institutional culture, promote teamwork and motivate staff, improve cooperation, enhance communication and build better morale.
- ▶ Staff rotation and mobility, which supports moving employees to another location, for a change of perspective and opportunities to cross-enrichment.

Training and learning for existing staff:

- ▶ Job-specific training
- ▶ Promotion related training
- ▶ Cross-training
- ▶ Basic skills
- ▶ Cultural seminars
- ▶ Staff rotation and mobility

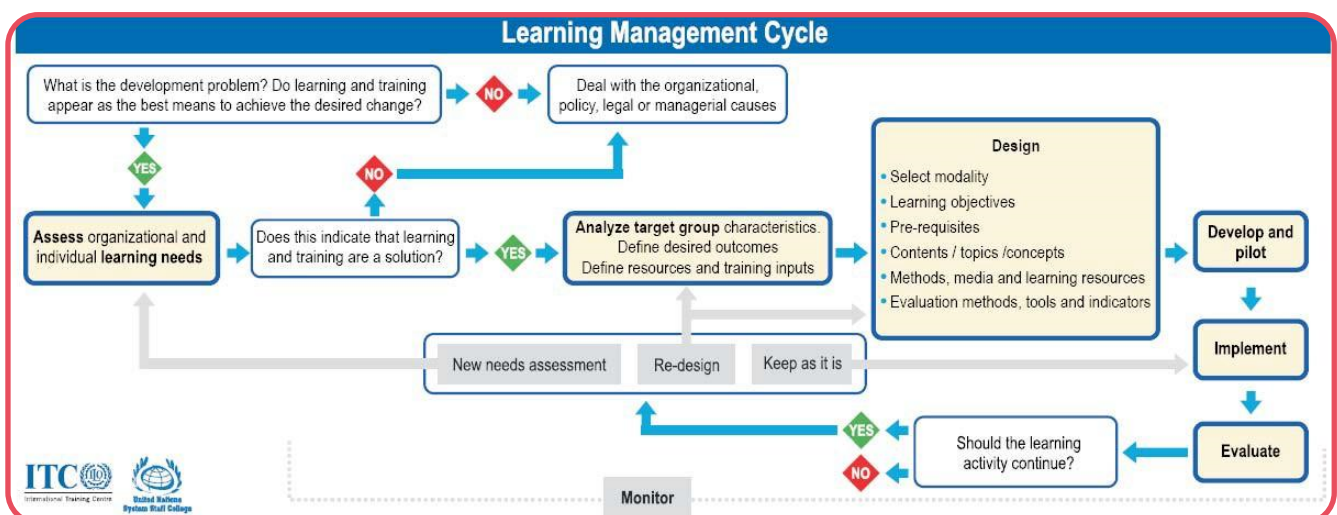
All can help transferring technical aspects and operations, as well as institutional culture, soft skills, information about rights and duties, rules and procedures.

▶ Learning management cycle

A structured process – the Learning Management Cycle – is to assist in the designing, planning and delivering of learning activities. The steps of the Learning Management Cycle are a useful guide to the structuring of learning interventions. The following wider questions need to be addressed throughout the learning management cycle:

- ▶ Who are the learners? **Create Target group profile**
- ▶ What are their needs? **Conduct Learning needs assessment**
- ▶ What information do they need to know and what do they need to do to achieve these objectives (knowledge, skills and attitudes)? **Design Learning objectives**
- ▶ What is the best way for them to learn the knowledge, skills and attitudes (KSA)? **Develop Methodology and technology strategy and Implement it**
- ▶ Is the strategy working or should it be changed? **Conduct Evaluation and revision**

In the Learning management cycle presented below the concept of Evaluation has been incorporated into all the sections and is herein not treated as a separate process because monitoring and evaluation are recurring processes throughout the learning management cycle. Furthermore, gender and multicultural considerations are cross-cutting themes.



▶ Typology of training and learning interventions

There are many learning interventions that may be used to develop capacity. Training is the most common, but also available are: facilitation, coaching, study tours, secondments, peer reviews, action learning sets, webinars, online courses, conferences, reading, videos and improvement projects. Each provides a different opportunity and it helps to understand what we are trying to achieve with the intervention. Questions asked around the intervention maybe around what we are trying to achieve: Are we trying to bring about a change in attitude? Develop new skills or provide additional knowledge and information?

Examples of training and learning activities:

- ▶ Training events of various duration
- ▶ Facilitative workshops
- ▶ Coaching
- ▶ Study tours and visits
- ▶ Secondment
- ▶ Peer reviews
- ▶ Online courses

Webinars

Action learning and projects

Conferences

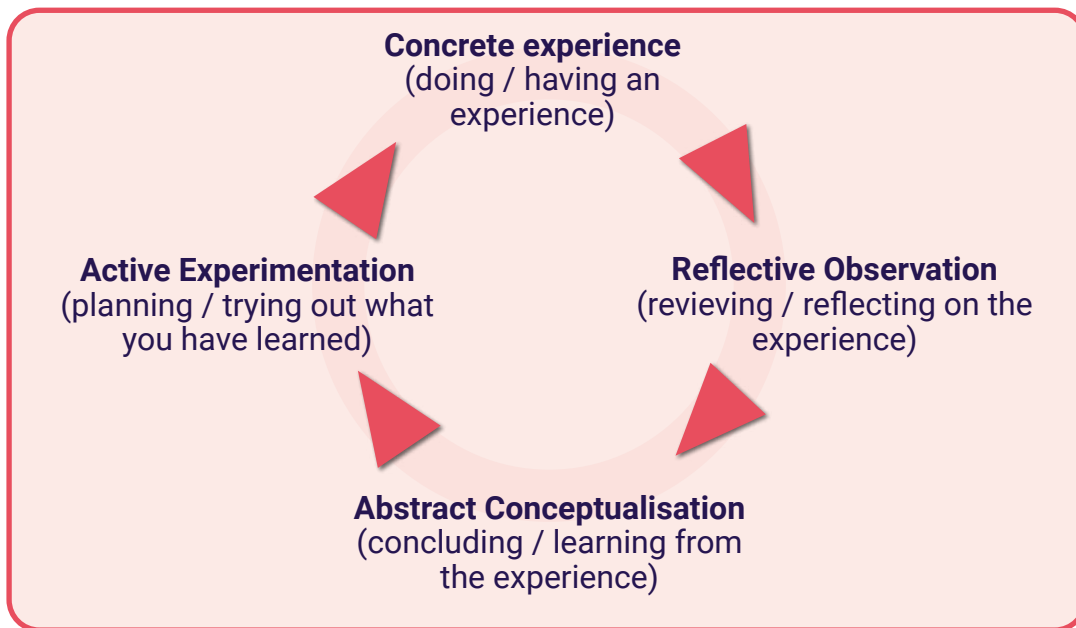
Reading, video and web based content absorption

▶ How adults learn

David Kolb suggested that adults bring their experience to their learning and his research resulted in the Experiential Learning Cycle (1975). Kolb understands learning as a process, and, for learning to take place, it is necessary to pass through the whole process. The starting point is less important, although adults often bring their experience with themselves and this provides an opportunity to learn. The learning cycle may be built into any learning intervention or activity, from training to coaching to study tours.

Experiential learning is exactly what the name implies – learning from experience. All stages of the Experiential Learning Cycle (ELC) are equally important to the process of learning and retention.

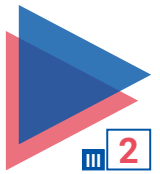
Each stage has a unique and definite purpose and success is increased if all steps are used.



This cycle is recommended for use at design and implementation stage of training and learning activities, in the following way:

1. Experience

- ▶ An activity through which learners create an experience or recall past experience that is relevant to the goals of the training
- ▶ This is the data producing event from which participants can extract and analyze as they complete the learning cycle
- ▶ May simulate a real world problem or issue
- ▶ Common “experiences” include: role plays, case studies, self-diagnostic instruments, games, exercises, calculations, etc.



2. Reflective observation (processing)

- ▶ Participants describe what happened during the experience and share their reactions to it
- ▶ The group analyzes and reflects thoughtfully on what happened
- ▶ The trainer guides and manages the processing of information through effective questioning, for example:
 - What happened in the activity? What did you do?
 - What feelings did you have during the experience?
 - What did you observe? What did you think about?

3. Abstract conceptualization (generalization)

Participants determine how the patterns that evolved during the experience and observation stages relate to the experience of everyday life

Participants summarize what they have learned into concise statements or generalizations

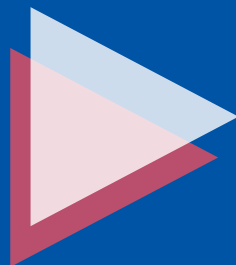
The conclusions reached can be integrated into a theoretical model or framework

The trainer helps the group compare and contrast different conclusions, identifying patterns where they exist, and identifying legitimate areas of disagreement

4. Active experimentation (application)

- ▶ Participants identify and share how they plan to use their new insights in everyday life
- ▶ Trainer leads a discussion on the application of the theories derived, or gives a written assignment to facilitate the planning process:
 - How do you want to do things differently in the future?
 - What steps can you take to apply what you have learned?

- ▶ This step is critical to ensuring that participants leave the learning environment ready and able to use the new knowledge, skills and attitudes
- ▶ May include action plans, the identification of additional learning needs, a temporary return to the real work environment to try something out before returning to the training room, etc.



Compilation of additional reference material on International Labour Standards (ILS) and Fundamental Principles and Rights at Work (FPRW)

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Support for Implementation of the Decent Work Country Programme of Uzbekistan Project (ILO DWT and Country Office for Eastern Europe and Central Asia) & International Training Center of the ILO.

Resource Kit for the Design and Learning Activities on Labour Rights / International Labour Organization, , International Training Center of the ILO (ITC-ILO). Geneva: ILO, 2020.

ISBN: 9789220328873 (Web PDF); International Labour Organization; Fundamental Principles and Rights at Work Branch, International Training Center of the ILO. Also available in Uzbek: ISBN 9789220328880; and Russian: ISBN 9789220328897

ACKNOWLEDGEMENTS

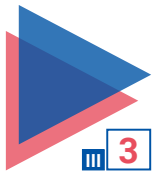
This Resource kit was prepared by Giselle Mitton (ITC-ILO) and Olena Vazhynska (ITC-ILO). Funding for this ILO publication is provided by the United States Department of Labor (USDOL) under cooperative agreement number IL-26629-14-75-K-11 Support for Implementation of the Decent Work Country Programme of Uzbekistan Project (UZB/14/01/USA). One hundred percent of the total costs of the project is financed with Federal funds, for a total of \$6,000,000.00 US dollars.

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Introduction

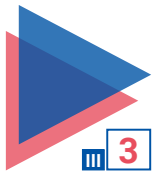
This compilation consists of tools, guidelines and other publications additional to those mentioned as key references in each of the modules of this resource kit. It is intended for users to broaden their knowledge on international labour standards and fundamental principles and rights at work, exploring specific thematic areas and looking for supplementary information.

The list presented below is not exhaustive and consists of available reference material at the time of the publication of the kit. Users are encouraged to avail themselves of the Step-by-Step Guide on how to consult ILO HQ, ILO DWT/CO-Moscow and ITCILO webpages in order to expand their search of the most recent ILO publications, tools and other resources.

List of additional reference on ILS and FPRW

- ▶ NORMLEX – ILO Database on International Labour Standards and National Legislation
<https://www.ilo.org/dyn/normlex/en>
- ▶ The ILO: Laying the foundations of social justice, Infostory
<https://www.ilo.org/infostories/en-GB/Stories/The-ILO/Laying-the-Foundations-of-Social-Justice#laying-the-foundations-fo-socia-justice>
- ▶ Work for a brighter future, interactive report
<https://www.ilo.org/infostories/en-GB/Campaigns/future-work/global-commission>
- ▶ Guide to ILS, 2014
https://www.ilo.org/global/standards/information-resources-and-publications/publications/WCMS_246944/lang--en/index.htm

- ▶ **Rules of the game, 2019**
https://www.ilo.org/global/standards/information-resources-and-publications/publications/WCMS_672549/lang-en/index.htm
- ▶ **Fundamental rights at work and international labour standards, 2003**
https://www.ilo.org/global/standards/information-resources-and-publications/publications/WCMS_087424/lang-en/index.htm
- ▶ **Giving globalization a human face, General Survey on the fundamental Conventions concerning rights at work in light of the ILO Declaration on Social Justice for a Fair Globalization, Report III (Part 1B), 2012**
https://www.ilo.org/ilc/ILCSessions/previous-sessions/101stSession/reports/reports-submitted/WCMS_174846/lang-en/index.htm
- ▶ **Brochure on ILO fundamental principles and rights at work, 2004**
https://www.ilo.org/declaration/info/publications/WCMS_095894/lang-en/index.htm
- ▶ **Overview of the ILO Declaration on Fundamental Principles and Rights at Work, 2004**
- ▶ **ILO100 – Law for Social Justice**
https://www.ilo.org/global/about-the-ilo/how-the-ilo-works/departments-and-offices/jur/law-for-social-justice/WCMS_730958/lang-en/index.htm
- ▶ **ILO Centenary, Our story, your story, Chapter 2 – Rights and labour standards (last page of the Chapter – ratification of fundamental Conventions by country)**
<https://www.ilo.org/100/en/story/rights>
- ▶ **Video: ILO at work**
<https://www.ilo.org/global/about-the-ilo/lang-en/index.htm>
- ▶ **Video: The ILO and the Quest for Social Justice**
<https://www.youtube.com/watch?v=UnN1eejMtVk>
- ▶ **Video: ILO Centenary Declaration**
https://www.ilo.org/global/about-the-ilo/multimedia/video/events-coverage/WCMS_714846/lang-en/index.htm
- ▶ **Timeline: ILO history**
<https://www.tiki-toki.com/timeline/entry/23965/ILO-Century-Project/>
- ▶ **Video: Advancing human rights at work - A look back at 2018**
https://www.ilo.org/global/about-the-ilo/how-the-ilo-works/departments-and-offices/governance/fprw/WCMS_654717/lang-en/index.htm



- ▶ Videos: High level discussion on strengthening fundamental principles and rights at work in the international arena, June 2017
https://www.ilo.org/ilc/ILCSessions/previous-sessions/106/committees/rights-at-work/WCMS_556129/lang-en/index.htm

1. Social dialogue

- ▶ ILO Centenary Stories, Our story, your story: Chapter 1 – Tripartism and social dialogue
<https://www.ilo.org/100/en/story/tripartism>
- ▶ Practical Guide for Strengthening Social Dialogue in Public Service Reform
https://www.ilo.org/sector/Resources/publications/WCMS_161205/lang-en/index.htm
- ▶ The Contribution of Social Dialogue to Gender Equality, 2019
https://www.ilo.org/global/publications/books/WCMS_679957/lang-en/index.htm
- ▶ Building trust in a changing World of Work, 2018
https://www.ilo.org/global/publications/books/WCMS_629764/lang-en/index.htm
- ▶ Social Dialogue in the education sector: An overview, 2007
https://www.ilo.org/sector/Resources/publications/WCMS_160805/lang-en/index.htm
- ▶ Handbook of good human resource practices in the teaching profession - Module 7, 2012
https://www.ilo.org/sector/Resources/publications/WCMS_187793/lang-en/index.htm
- ▶ Improving Employment and working conditions in health services - 5.1. Social dialogue, 2017
https://www.ilo.org/global/docs/WCMS_548288/lang-en/index.htm
- ▶ The future of work in the health sector, 2019
https://www.ilo.org/sector/Resources/publications/WCMS_669363/lang-en/index.htm

2. Fair recruitment

- ▶ Reporting on forced labour and fair recruitment: An ILO toolkit for journalists
<https://readymag.com/ITC/LO/1292461/>
- ▶ Handbook of good human resource practices in the teaching profession - Module 1, 2012
https://www.ilo.org/sector/Resources/publications/WCMS_187793/lang-en/index.htm
- ▶ Deceptive recruitment and coercion
<https://www.ilo.org/infostories/en-GB/Stories/Forced-Labour/Deceptive-Recruitment-and-Coercion>

3. Freedom of association and collective bargaining

- ▶ Freedom of association: A user's guide - Standards, principles and procedures of the International Labour Organization, 2000
https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---normes/documents/publication/wcms_087990.pdf
- ▶ Freedom of association and staff participation in higher education decision-making: A review, 2007
https://www.ilo.org/sector/Resources/publications/WCMS_160795/lang-en/index.htm
- ▶ The Scope of Collective Bargaining in Public Administration, 2019
https://www.ilo.org/sector/Resources/publications/WCMS_727338/lang-en/index.htm
- ▶ eCompilation of Decision of the Committee on Freedom of Association, 2018
<https://www.ilo.org/dyn/normlex/en/f?p=1000:70001:::NO>
- ▶ Can collective bargaining create a fairer economy?
<https://www.ilo.org/infostories/en-GB/Stories/Labour-Relations/collective-bargaining>
- ▶ Video: Freedom of association and the effective recognition of the right to collective bargaining: A foundation of decent work
<https://ilo.cetc.stream/2019/06/13/freedom-of-association-and-the-effective-recognition-of-the-right-to-collective-bargaining-a-foundation-of-decent-work/>

4. Forced labour

- ▶ Eliminating the worst forms of child labour: A practical guide to ILO Convention No. 182 - Handbook for parliamentarians No. 3, 2002
https://www.ilo.org/pardev/partnerships/civil-society/parliamentarians/WCMS_172685/lang-en/index.htm
- ▶ Video: Lured by a job, trapped in forced labour
https://www.ilo.org/global/about-the-ilo/multimedia/video/public-service-announcements/WCMS_235344/lang-en/index.htm
- ▶ Video: Wagner Moura tells the real-life story of a modern-day slave, video
https://www.ilo.org/global/about-the-ilo/multimedia/video/public-service-announcements/WCMS_416993/lang-en/index.htm
- ▶ Video: Robin Wright tells a harrowing real-life story
https://www.ilo.org/global/about-the-ilo/multimedia/video/public-service-announcements/WCMS_416997/lang-en/index.htm
- ▶ Video: David Oyelowo tells the real-life story of a modern-day slave
https://www.ilo.org/global/about-the-ilo/multimedia/video/public-service-announcements/WCMS_416999/lang-en/index.htm
- ▶ Video: Joaquin Furriel tells the real-life story of a modern-day slave
https://www.ilo.org/global/about-the-ilo/multimedia/video/public-service-announcements/WCMS_495566/lang-en/index.htm

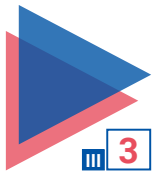
5. Child labour

- ▶ Tackling child labour: 100 years of action, 2019
https://www.ilo.org/ipecc/Informationresources/all-publications/WCMS_709665/lang-en/index.htm
- ▶ Some best practices employed in the project “Combating Child Labour and Human Trafficking in Central Asia - Commitment becomes action implemented in Tajikistan” , 2019
https://www.ilo.org/wcmsp5/groups/public/@europe/@ro-geneva/@sro-moscow/documents/publication/wcms_717019.pdf
- ▶ Regional brief on Child labour for Europe and Central Asia, 2017
https://www.ilo.org/wcmsp5/groups/public/@ed_norm/@ipecc/documents/publication/wcms_597874.pdf

- ▶ Q&A on business and child labour, 2003
https://www.ilo.org/empent/areas/business-helpdesk/faqs/WCMS_DOC_ENT_HLP_CHL_FAQ_EN/lang-en/index.htm
- ▶ Child labour in agriculture, Infostory
<https://www.ilo.org/infostories/en-GB/Stories/Child-Labour/Child-Labour-In-Agriculture>
- ▶ Video: What future for decent work in Europe and Central Asia
https://www.ilo.org/global/about-the-ilo/multimedia/video/institutional-videos/WCMS_578689/lang-en/index.htm
- ▶ Video: Global estimates on child labour
<https://www.ilo.org/global/topics/child-labour/lang-en/index.htm>
- ▶ Video: Child labour ruins childhood (Animation produced by mass-communications students from the University of Sindh, Pakistan for a video competition against child labour initiated and co-funded by ILO Islamabad)
<https://www.youtube.com/watch?v=hCzi0JICV34>

6. Equality and non-discrimination

- ▶ ILO Centenary Stories, Our story, your story: Chapter 3 – Equality and non-discrimination
<https://www.ilo.org/100/en/story/equality>
- ▶ World Employment and Social Outlook: Trends for Women 2018, 2018
https://www.ilo.org/global/research/global-reports/weso/trends-for-women2018/WCMS_619577/lang-en/index.htm
- ▶ Handbook of good human resource practices in the teaching profession - Module 2, 2012
https://www.ilo.org/sector/Resources/publications/WCMS_187793/lang-en/index.htm
- ▶ Improving Employment and working conditions in health services - 2.4. Gender aspects, 2017
https://www.ilo.org/global/docs/WCMS_548288/lang-en/index.htm
- ▶ Women at work: Trends 2016, 2016
https://www.ilo.org/gender/Informationresources/Publications/WCMS_457317/lang-en/index.htm



- ▶ Technical explanatory note: The criminalization of discrimination, 2016
https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-beijing/documents/publication/wcms_498921.pdf
- ▶ Care work and care jobs for the future of decent work, 2018
https://www.ilo.org/global/publications/books/WCMS_633135/lang-en/index.htm
- ▶ Women in Business and Management: The business case for change, 2019
https://www.ilo.org/global/publications/books/WCMS_700953/lang-en/index.htm
- ▶ The gender gap in employment: What's holding women back? Infostory
<https://www.ilo.org/infostories/en-GB/Stories/Employment/barriers-women#intro>
- ▶ Tackling sex discrimination through pay equity, Infostory
<https://www.ilo.org/infostories/en-GB/Stories/discrimination/tackling-sex-discrimination-through-pay-equity>
- ▶ Video: One woman discovers a wage gap
<https://www.youtube.com/watch?v=bm3YfMtgEdI>
- ▶ Video: Equal Pay Campaign, 'shoeshiners'
https://www.youtube.com/watch?v=tUDGK_wLi1w
- ▶ Gender inequality illustrated : Norwegian TUs conduct an experiment
<https://www.independent.co.uk/news/world/international-womens-day-norway-children-video-gender-pay-gap-boys-girls-finansforbundet-trade-union-a8245841.html>

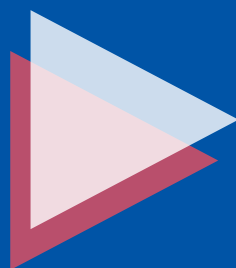
7. Social security and maternity protection

- ▶ ILO Centenary Stories, Our story, your story: Chapter – Social Protection
<https://www.ilo.org/100/en/story/protection>
- ▶ ILO Social protection platform
<https://www.social-protection.org/gimi/ShowMainPage.action>
- ▶ World social protection report 2017-2019
<https://www.social-protection.org/gimi/RessourcePDF.action?ressource.ressourceId=54887>

- ▶ Extending social security to workers in the informal economy: Lessons from international experience
<https://www.social-protection.org/gimi/RessourcePDF.action?id=55728>
- ▶ Fiscal space for social protection. A handbook for assessing financing options
<https://www.social-protection.org/gimi/RessourcePDF.action?id=55694>
- ▶ Handbook of good human resource practices in the teaching profession - Module 6, 2012
https://www.ilo.org/sector/Resources/publications/WCMS_187793/lang-en/index.htm
- ▶ Improving Employment and working conditions in health services - 4.3. Social protection, 2017
https://www.ilo.org/global/docs/WCMS_548288/lang-en/index.htm

8. Working time

- ▶ ILO Centenary Stories, Our story, your story: Chapter – Working conditions
<https://www.ilo.org/100/en/story/conditions/>
- ▶ Handbook of good human resource practices in the teaching profession - Module 4, 2012
https://www.ilo.org/sector/Resources/publications/WCMS_187793/lang-en/index.htm
- ▶ Improving Employment and working conditions in health services - 4.1. Working time organization, 2017
https://www.ilo.org/global/docs/WCMS_548288/lang-en/index.htm
- ▶ Decent Working Time for Nursing Personnel: Critical for Worker Well-being and Quality Care, 2018
https://www.ilo.org/sector/Resources/publications/WCMS_655277/lang-en/index.htm
- ▶ Telework in the 21st Century, An Evolutionary Perspective, The ILO Future of Work series
<https://www.elgaronline.com/view/edcoll/9781789903744/9781789903744.xml>
- ▶ Guide to developing balanced working time arrangements - https://www.ilo.org/travail/whatwedo/publications/WCMS_706159/lang-en/index.htm



Step-by-step guide on ILO/HQ-Geneva, DWT/CO-Moscow and ITCILO-Turin resources



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International Labour Organization; Fundamental Principles and Rights at Work Branch, International Training Center of the ILO

Also available in Uzbek: ISBN 9789220328880; and Russian: ISBN 9789220328897

ACKNOWLEDGEMENTS

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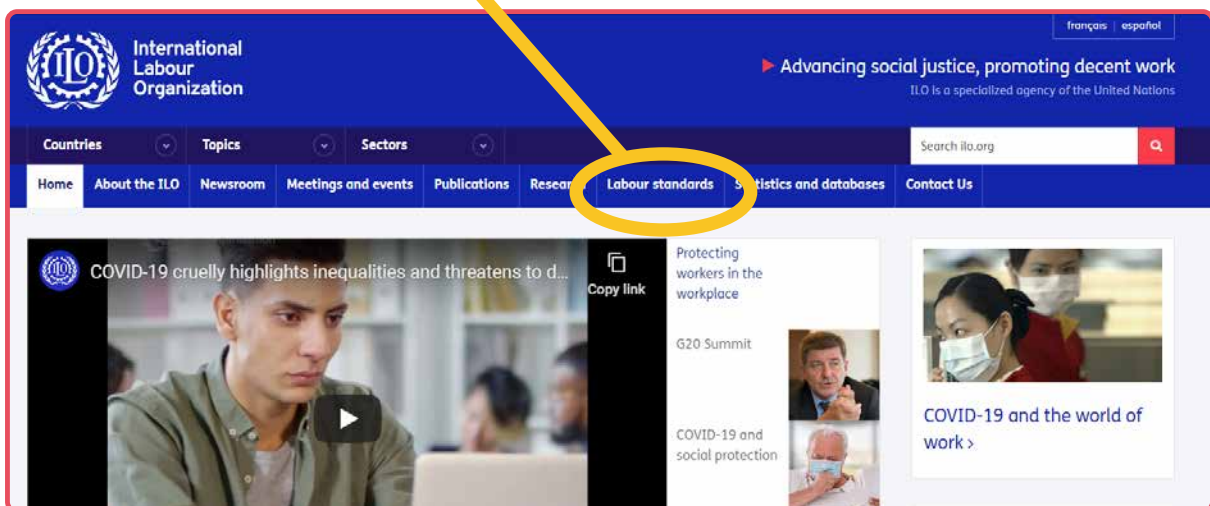
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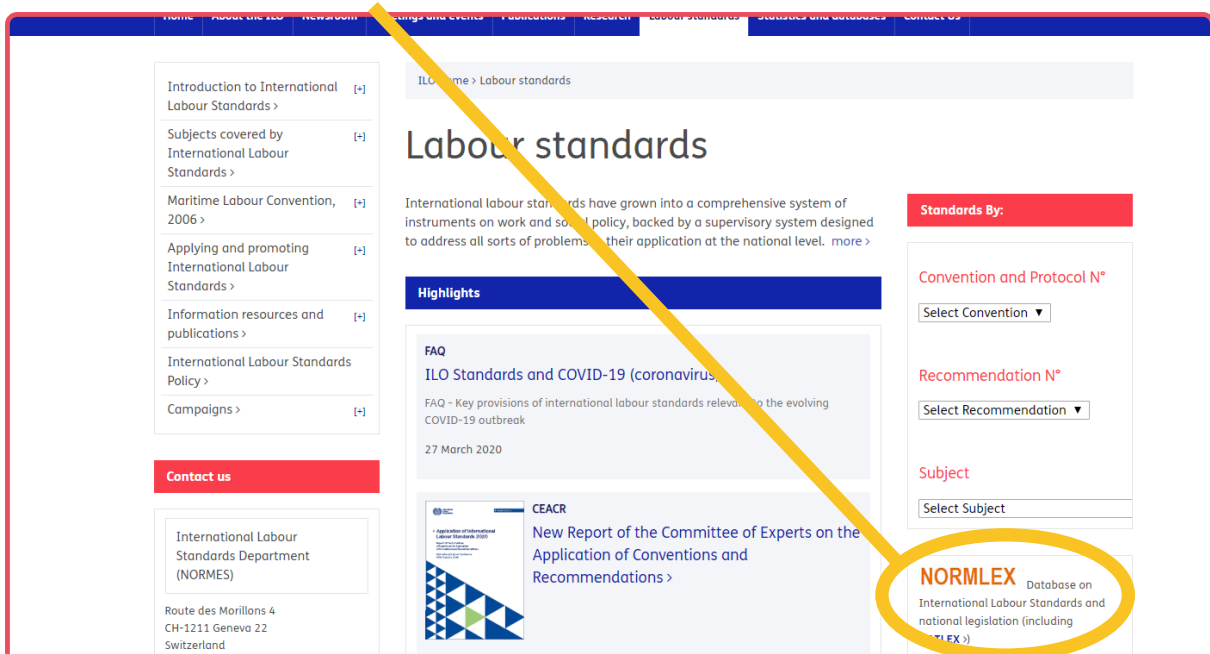
NORMLEX database

NORMLEX is a database which brings together information on ILS (such as ratification information, reporting requirements, comments of the ILO's supervisory bodies, etc.) as well as national labour and social security laws. It also includes **ILS country profiles**.

- ▶ Go to the ILO Website at www.ilo.org
- ▶ Click on **“Labour standards”** on the horizontal menu bar.



- ▶ Click on **“NORMLEX”** on the right side of the screen.



Texts of ILS

The screenshot shows the NORMLEX website interface. At the top, there is a navigation bar with links for 'About the ILO', 'Topics', 'Regions', 'Meetings and events', 'Programmes and projects', 'Publications', 'Labour standards', and 'Statistics and databases'. Below this is the 'NORMLEX Information System on International Labour Standards' header. The main content area is titled 'Conventions' and includes a note: 'Note: Withdrawn Conventions are closed for ratification.' There is a filter section 'Display the list by:' with radio buttons for 'Type', 'Number', 'Subject', and 'Status'. A list of 'Fundamental' conventions is displayed, including C029, P029, C087, C098, C100, and C105. On the left side, a sidebar menu is visible, with 'Conventions' highlighted by a yellow circle. A yellow line points from this circle to the 'Conventions' title in the main content area.

ILO Conventions

- ▶ Click on **“Instruments”** on the left side of the screen.
- ▶ Select the Convention of your interest to display the text.

ILO Protocols

- ▶ Click on **“Instruments”** on the left side of the screen.
- ▶ Select **“Protocols”** from the list that displays.
- ▶ Select the Protocol of your interest to display the text.

ILO Recommendations.

- ▶ Click on **“Instruments”** on the left side of the screen.
- ▶ Select **“Recommendations”** from the list that displays.
- ▶ Select the Recommendation of your interest to display the text.



ILS on a particular subject.

- ▶ Click on **“Instruments”** on the left side of the screen.
- ▶ Click on **“Conventions and Recommendations by subject and status”**.
- ▶ Scroll down until you find the subject of your interest.
- ▶ Select the title of each instrument on the subject of your interest to display the text.

Text of ILS in Russian

- ▶ Click on **“Instruments”** on the left side of the screen.
- ▶ Select the Convention of your interest to display the text.
- ▶ Select **“Russian”** on the horizontal menu bar

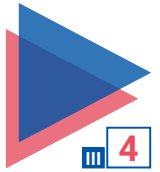
The screenshot shows the ILO NORMLEX website interface. At the top left is the ILO logo and the text 'International Labour Organization Promoting jobs, protecting people'. Below this is a navigation bar with tabs: 'About the ILO', 'Topics', 'Regions', 'Meetings and events', 'Programmes and projects', 'Publications', 'Labour standards', and 'Statistics and databases'. The main heading is 'NORMLEX Information System on International Labour Standards'. The selected instrument is 'C029 - Forced Labour Convention, 1930 (No. 29)'. Below the title, it says 'Convention concerning Forced or Compulsory Labour (Entry into force: 01 May 1932)' and 'Adoption: Geneva, 14th ILC session (28 Jun 1930) - Status: Up-to-date instrument (Fundamental Convention)'. A 'Display in:' menu is visible with options: French, Spanish, Arabic, German, Portuguese, Russian, Vietnamese, Chinese. The 'Russian' option is circled in yellow. Below the menu is a 'Go to article:' link with a list of numbers from 1 to 33. The main content area shows the 'Preamble' of the convention, starting with 'The General Conference of the International Labour Organisation, Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Fourteenth Session on 10 June 1930, and Having decided upon the adoption of certain proposals with regard to forced or compulsory labour, which is included in the first item on the agenda of the Session, and

Country profiles on ILS

Conventions ratified by your country.

- ▶ Click on **“Country Profiles”** on the left or right side of the screen.
- ▶ Scroll down until you find the name of your country and select it.
- ▶ Click on **“List all ratifications”** under **“Ratifications”** to display the list of ratified Conventions.

The screenshot shows the ILO NORMLEX website interface. At the top, there is the ILO logo and the text 'International Labour Organization' and 'Promoting jobs, protecting people'. Below this is a navigation menu with tabs for 'About the ILO', 'Topics', 'Regions', 'Meetings and events', 'Programmes and projects', 'Publications', 'Labour standards', and 'Statistics and databases'. The main content area is titled 'NORMLEX Information System on International Labour Standards' and shows the path 'NORMLEX Home > Country profiles > Uzbekistan'. The country name 'Uzbekistan' is prominently displayed, followed by 'ILO Member since 13.07.1992 - ILO Region: Europe - Correspondence language for the ILO: English'. There are several sections: 'National labour law' with links for 'National legislation', 'Legal research links', and 'Decent Work Country Programme'; 'Ratifications' with a sub-section 'Latest ratifications' listing 'C087 - Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) - 12 Dec 2016', 'C138 - Minimum Age Convention, 1973 (No. 138) - 06 Mar 2009', and 'C182 - Convention on the Worst Forms of Child Labour Convention, 1999 (No. 182) - 24 Jun 2008'. A yellow circle highlights the link 'List all ratifications' under the 'Ratifications' section. Below this is 'Country situation on reporting obligations' with sub-sections for 'Regular reporting (Art. 22/35)', 'Comments adopted by the CEACR', and 'General survey reporting (Art. 19)'. A left sidebar contains various databases like 'NATLEX', 'LEGOSH', 'EPLex', and 'Compendium of court decisions'.



List of comments by the Committee of Experts on the application of ratified Conventions regarding your country.

- ▶ Click on **“Country Profiles”** on the left or right sides of the screen and select your country.
- ▶ Scroll down until you find **“Latest comments”** under **“Country situation on reporting obligations – Comments adopted by the CEACR”**.

The screenshot shows the NORMLEX website interface. The main navigation bar includes 'About the ILO', 'Topics', 'Regions', 'Meetings and events', 'Programmes and projects', 'Publications', 'Labour standards', and 'Statistics and databases'. The left sidebar contains various menu items, with 'Country profiles' highlighted. The main content area displays the 'Uzbekistan' profile, including its membership date (13.07.1992) and region (Europe). Under the 'Country situation on reporting obligations' section, the 'Comments adopted by CEACR' subsection has a 'Latest comments' link circled in yellow. A yellow arrow points from this link back to the 'Country profiles' menu item in the sidebar.

- ▶ Select “Instrument” in the box “Display the list by” at the top.

The screenshot shows the NORMLEX website interface. At the top, there is a navigation menu with 'Labour standards' selected. Below the menu, the page title is 'Comments adopted by the CEACR: Uzbekistan'. A yellow circle highlights the 'Display the list by:' filter, which has three radio buttons: 'Year' (selected), 'Instrument', and 'Comment type'. A yellow arrow points from the instruction above to the 'Instrument' radio button. Below the filter, there are two tables of comments. The first table is titled 'Adopted by the CEACR in 2017' and has one entry: Convention C122 with comment 'Direct Request 2017'. The second table is titled 'Adopted by the CEACR in 2016' and has six entries: C029 (Direct Request 2016), C098 (Observation 2016), C105 (Direct Request 2016), C105 (Observation 2016), C138 (Direct Request 2016), and C182 (Observation 2016). The final entry in the 2016 table is C182 with comment 'Direct Request 2016'.

- ▶ Click on the comment (“Observation” or “Direct request”) under the Convention of your interest to display the text.

Composition, mandate and functioning of the Committee of Experts

Established in 1926 and composed of 20 independent members, the Committee of Experts on the Application of Conventions and Recommendations (CEACR) is the body responsible for the examination of the compliance by member States with Conventions and Recommendations. The examination takes place on the basis of reports sent periodically by governments and observations made by the social partners. The CEACR meets once a year in Geneva.

Upon completion of its work, the CEACR submits its report to the International Labour Conference: the first volume contains its general report and observations concerning specific countries (Report III (Part A)); the second volume is a General Survey on a particular subject, covered by one or more Conventions and Recommendations (Report III (Part B)).

Observations and direct requests of the Committee of Experts

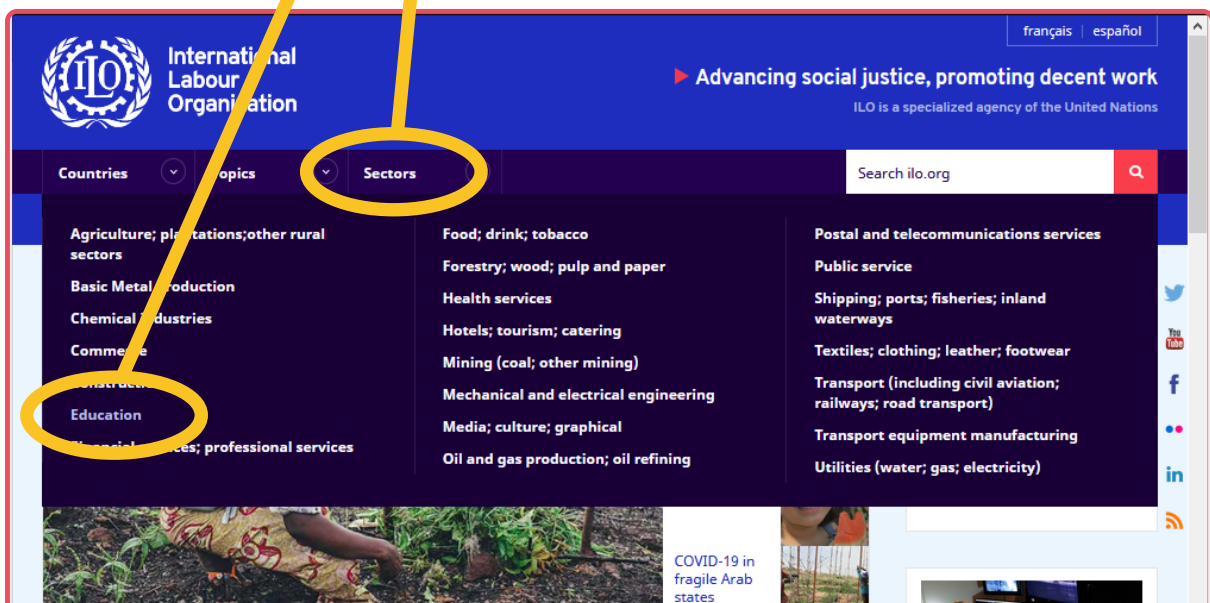
Through its observations, the CEACR assesses to what extent ratified Conventions are applied, in law and in practice, in ILO member States. Accordingly, the CEACR observations identify the points where the law and practice of a country do not comply with the ratified Convention and formulate recommendations in order for the country to respect fully its international obligations. In its observations, the CEACR can also express its satisfaction/ interest regarding the measures taken by the country to implement the ratified Convention.

Direct requests, addressed directly to the government concerned, deal with more technical questions. They aim to obtain further information on national legislation and measures taken to comply with international labour standards, or explanations on issues mentioned in government reports.

ILO resources by sector

Education sector

- ▶ Go to the ILO Website at www.ilo.org
- ▶ Click on “**Sectors**” on the horizontal menu bar
- ▶ Choose “**Education**” in the expanded menu



- ▶ Scroll down the page to browse resources under **“Publication”** section

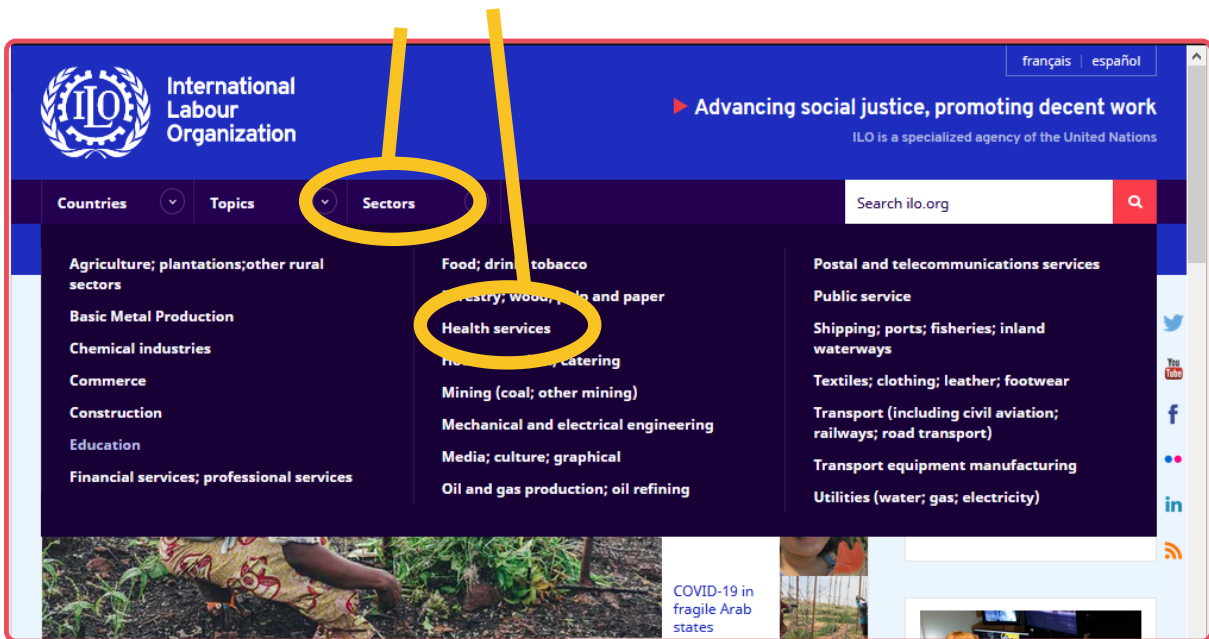
The screenshot shows the ILO website's 'Education sector' page. The header includes the ILO logo and the tagline 'Advancing social justice, promoting decent work'. The navigation menu has options for 'Home', 'About the ILO', 'Newsroom', 'Meetings and events', 'Publications', 'Research', 'Labour standards', 'Statistics and databases', and 'Contact Us'. The main content area is titled 'Education sector' and contains a paragraph about the ILO's support for international education goals. A sidebar on the left lists various sectors, with 'Education' selected. A 'Browse resources' section on the right lists items by type: Meeting document (32) >, Publication (9) >, and Event (7) >.

- ▶ Browse resources under **“Publication”** section and consult relevant standards-related materials under **“Standards and tools”** section.

The screenshot shows two sections of the ILO website. The 'Standards and tools' section is highlighted with a yellow circle and lists several documents: 'ILO Policy Guidelines on the promotion of decent work for early childhood education personnel (2014) >', 'Handbook of good human resource practices in the teaching profession (2012) >', 'An HIV/AIDS Workplace Policy for the Education Sector in the Caribbean (2011) >', and 'An HIV/AIDS Workplace Policy for the Education Sector in Southern Africa (2006) >'. The 'Publications' section is also highlighted with a yellow circle and features a featured article titled 'COVID-19 and the education sector >' by Valentyna Yelina, dated 15 June 2020, and another article titled 'Environmental integrity and doing business in Zimbabwe: Challenges and'.

Health services

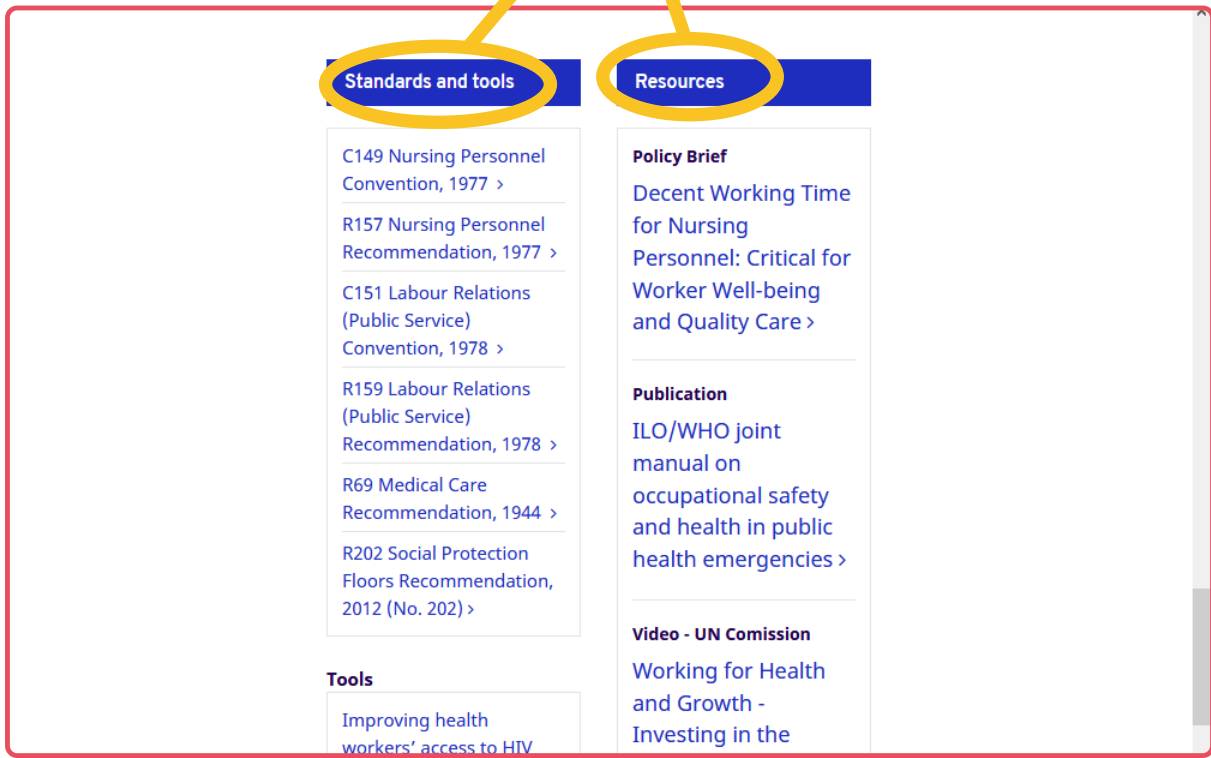
- ▶ Go to the ILO Website at www.ilo.org
- ▶ Click on “**Sectors**” on the horizontal menu bar
- ▶ Choose “**Health services**” in the expanded menu



- ▶ Scroll down the page to browse resources under “Publication” section

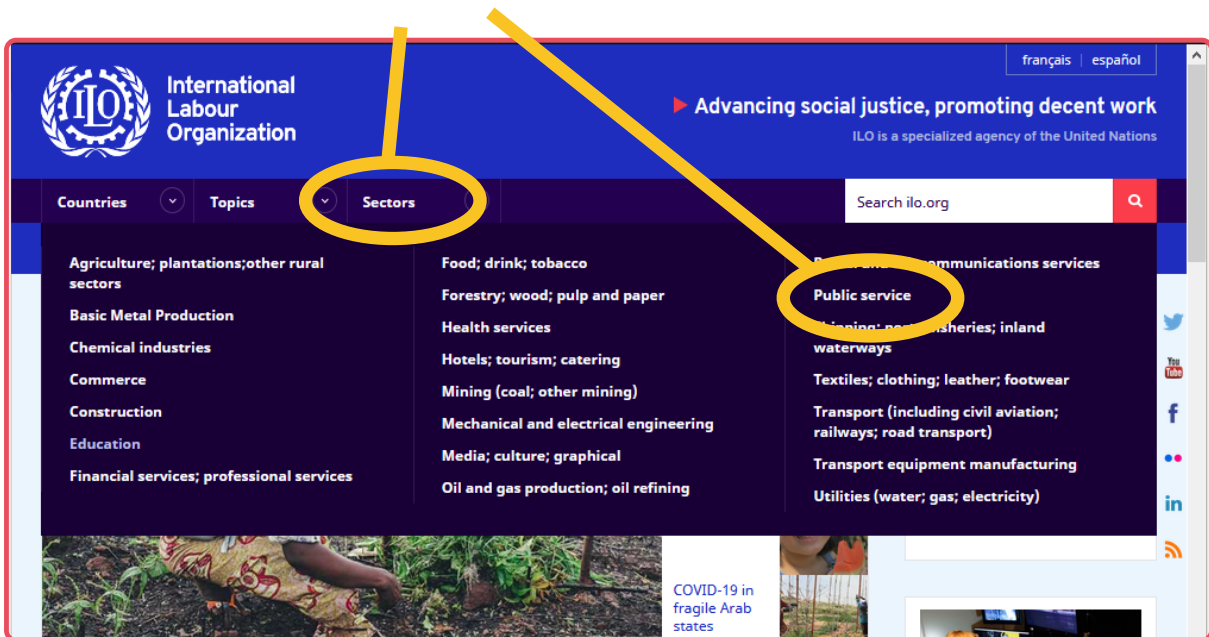


- ▶ Browse resources under “**Resources**” section and consult relevant standards-related materials under “**Standards and tools**” section.



Public service

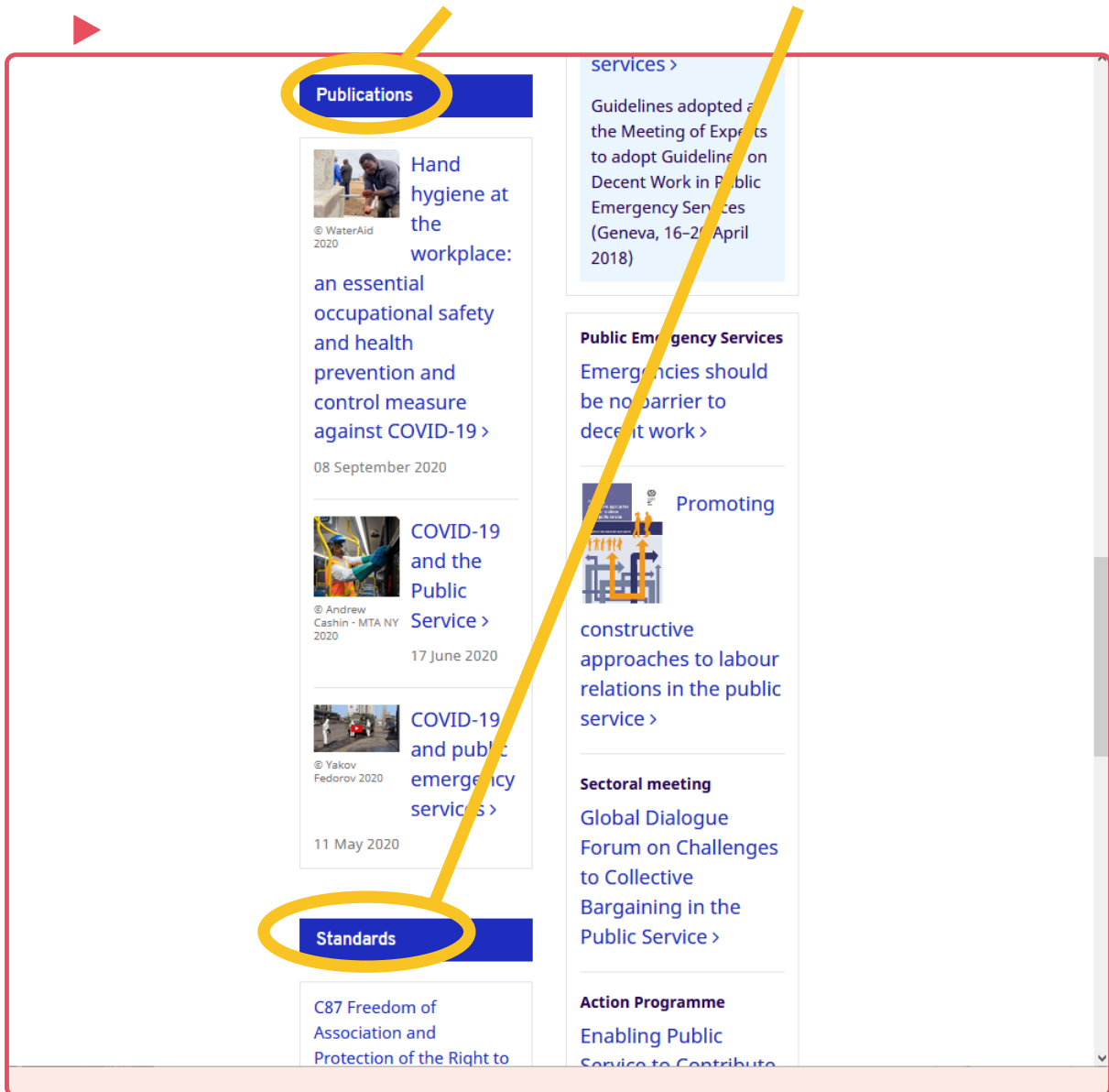
- ▶ Go to the ILO Website at www.ilo.org
- ▶ Click on **“Sectors”** on the horizontal menu bar
- ▶ Choose **“Public service”** in the expanded menu



- ▶ Scroll down the page to browse resources under **“Publication”** section

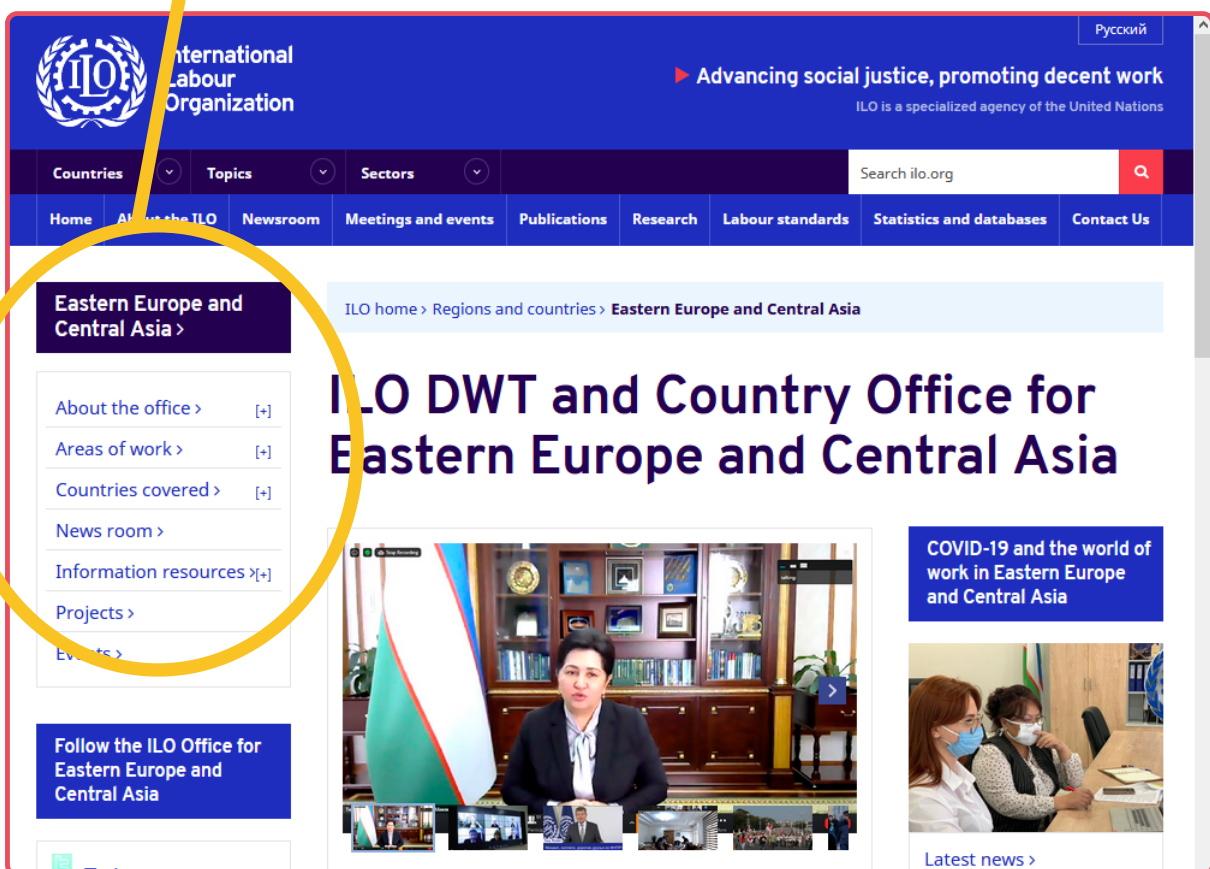


- ▶ Browse resources under “**Publication**” section and consult relevant standards-related materials under “**Standards**” section.



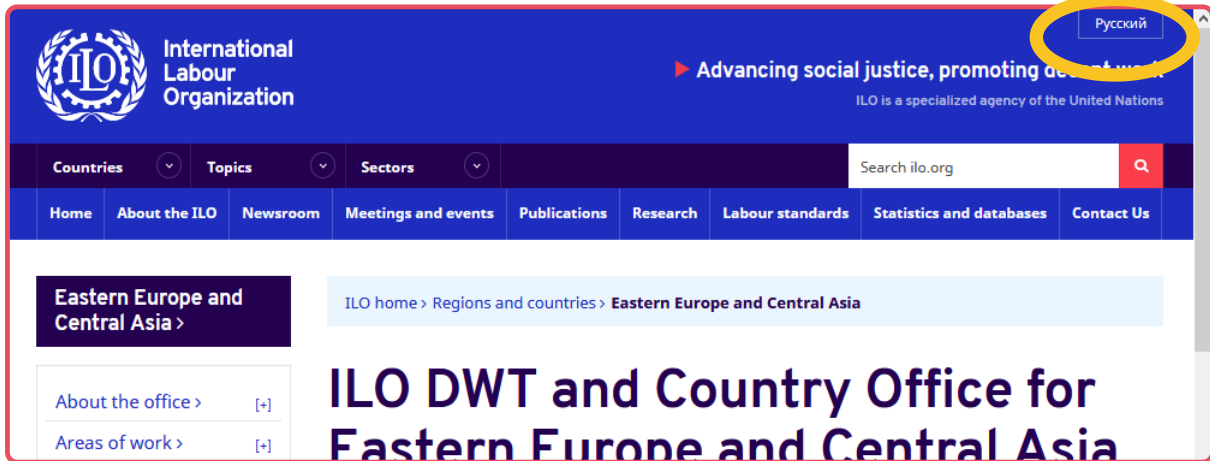
ILO Decent Work Team and Country Office for Eastern Europe and Central Asia

- ▶ Go to the ILO DWT/CO-Moscow webpage at <https://www.ilo.org/moscow/lang-en/index.htm>
- ▶ Browse by category displayed on the left-hand side bar:
learn *About the office, Areas of work (employment, enterprise development, gender equality, international labour standards, occupational safety and health, social protection, workers' and employers' organizations), countries covered, news room, information resources, projects, events.*

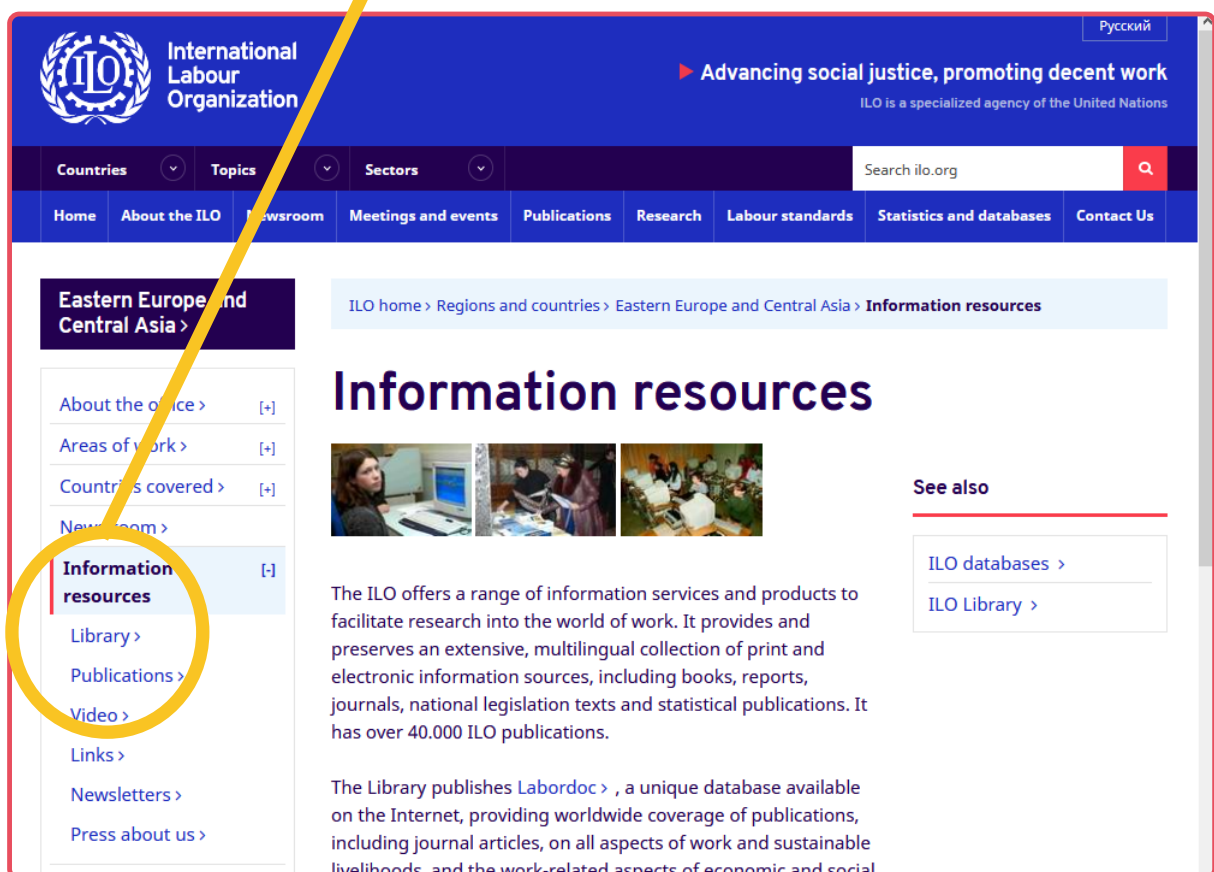


The screenshot shows the ILO website interface. At the top, the ILO logo and 'International Labour Organization' are visible. The main navigation bar includes 'Countries', 'Topics', and 'Sectors'. A search bar is present on the right. Below the navigation, a yellow circle highlights a sidebar menu with the following items: 'Eastern Europe and Central Asia >', 'About the office > [+]', 'Areas of work > [+]', 'Countries covered > [+]', 'News room >', 'Information resources >[+]', 'Projects >', and 'Events >'. The main content area features the title 'ILO DWT and Country Office for Eastern Europe and Central Asia' and a video player showing a woman speaking. To the right, there is a section titled 'COVID-19 and the world of work in Eastern Europe and Central Asia' with a 'Latest news >' link below it.

- ▶ To change your language selection, click “**Russian**” at the top right corner of the page:



- ▶ To browse the most recent publications, click on “**Information resources**” on the left hand side bar;
- ▶ Choose “**Publications**” in the expanded menu

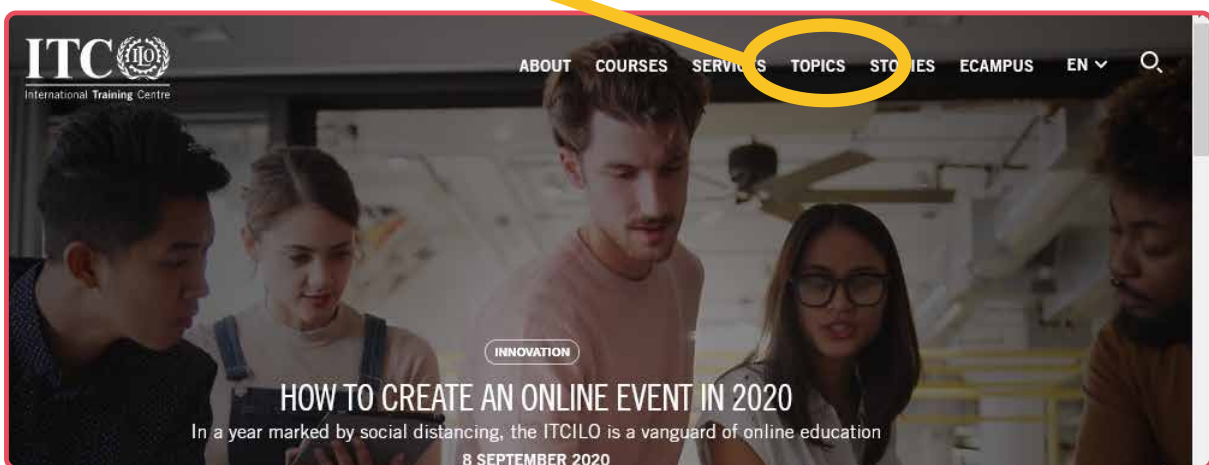


ITCILO training

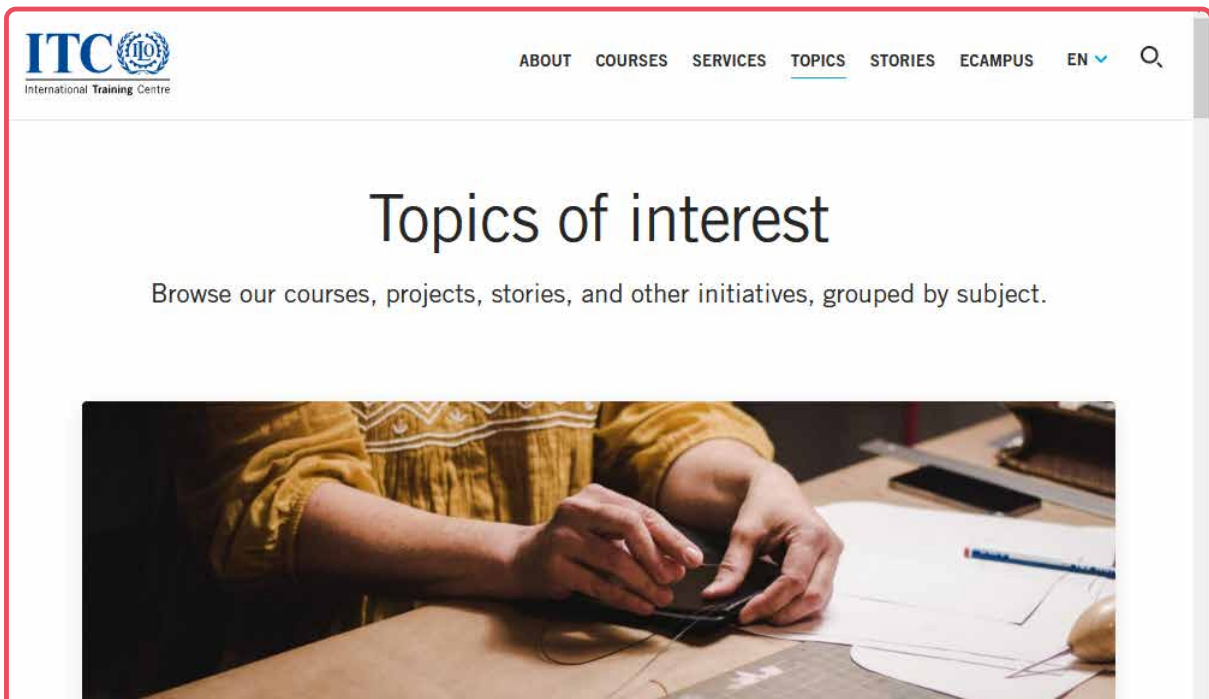
▶ Go to <https://www.itcilo.org>

Find topics of interest

▶ Click on the “Topics” tab on the horizontal menu bar

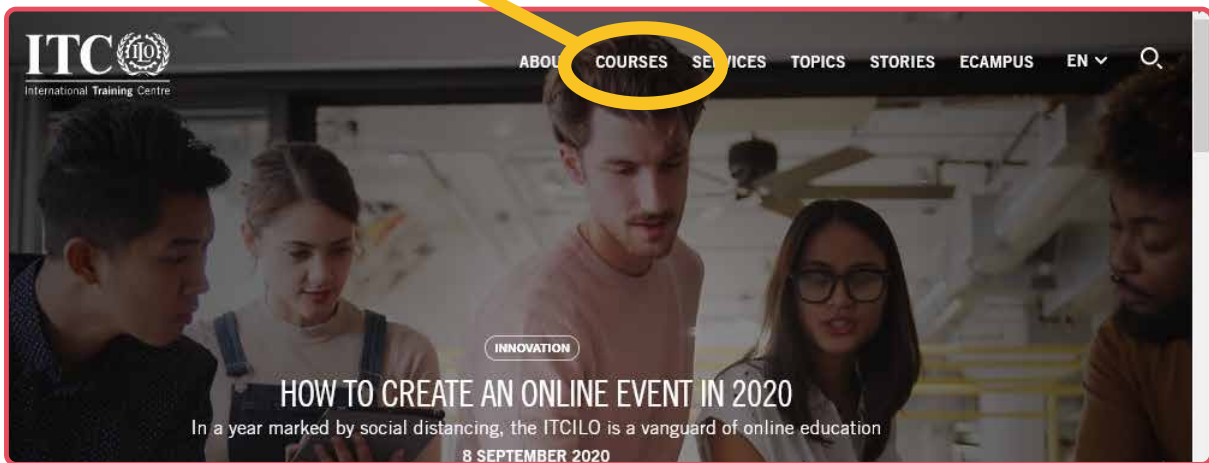


▶ Select a topic of interest to browse the upcoming activities

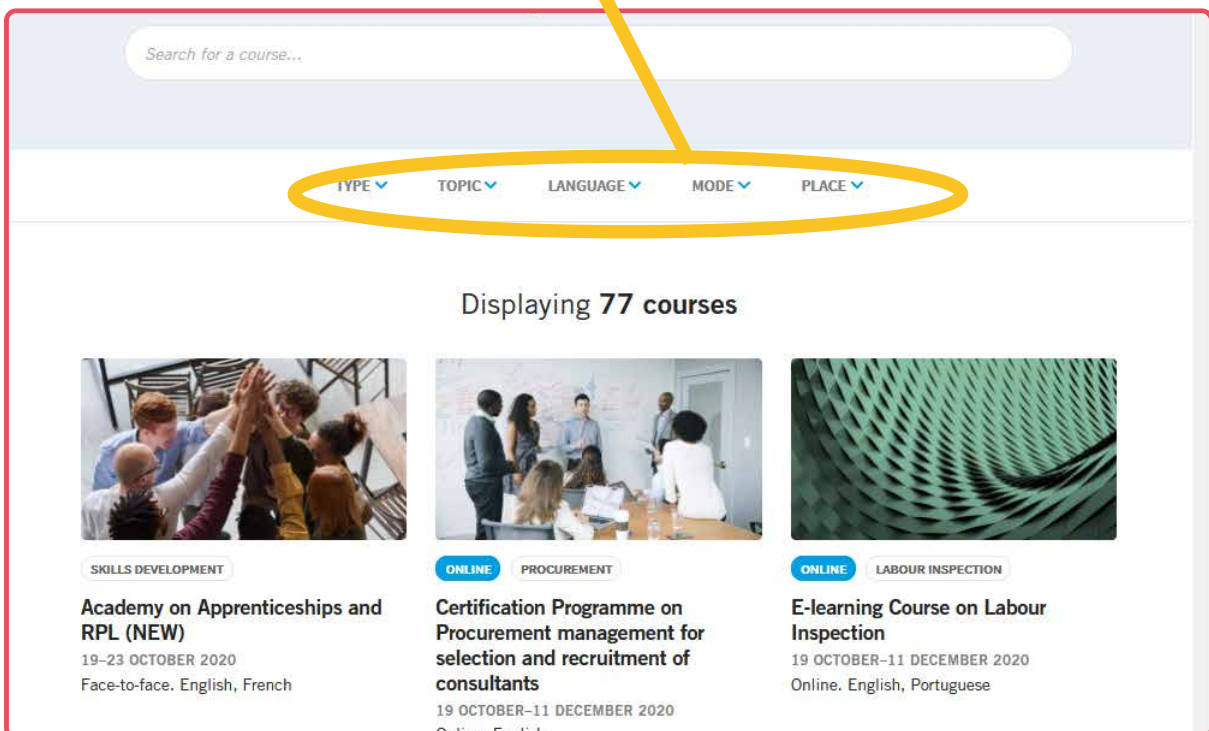


Find upcoming activities

- ▶ Click on the **“Courses”** tab on the horizontal menu bar



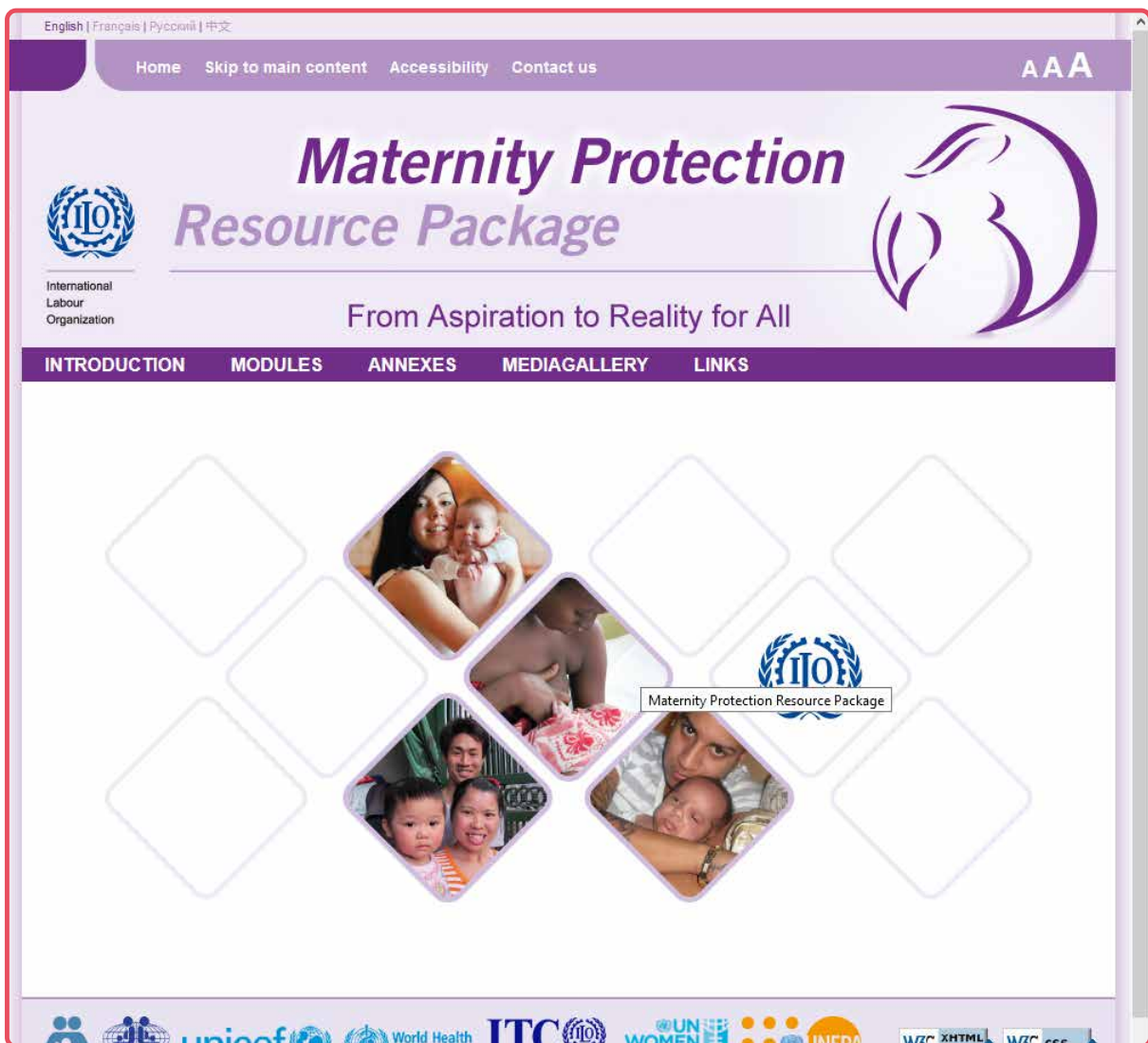
- ▶ Find your course using the filters **“type”**, **“topic”**, **“language”**, **“mode”**, **“place”** if needed



▶ Links to selected tools

Maternity Protection Resource package

▶ <http://mprp.itcilo.org/pages/en/index.html>



The screenshot shows the homepage of the Maternity Protection Resource Package. At the top, there are language options (English, Français, Русский, 中文), navigation links (Home, Skip to main content, Accessibility, Contact us), and a AAA accessibility icon. The main header features the ILO logo, the title "Maternity Protection Resource Package", and the tagline "From Aspiration to Reality for All". Below the header is a navigation menu with links for INTRODUCTION, MODULES, ANNEXES, MEDIAGALLERY, and LINKS. The central content area displays a grid of diamond-shaped images: a woman holding a baby, a woman breastfeeding, a woman with two children, and a woman holding a newborn. A central ILO logo is overlaid on the grid with the text "Maternity Protection Resource Package". The footer contains logos for UNICEF, World Health Organization, ITC, UN WOMEN, and IWCED, along with technical specifications like W3C XHTML and W3C CSS.

Ergonomic Checkpoints app

► https://www.ilo.org/safework/info/publications/WCMS_438082/lang-en/index.htm

[News and statements >](#)

[Areas of work > \[+\]](#)

[Sectors and industries >](#)

[Knowledge base > \[-\]](#)

[Standards and other instruments > \[+\]](#)

[Policy documents >](#)

[Publications and technical tools](#)

[Training materials >](#)

[Promotional materials > \[+\]](#)

[Useful links >](#)

[Country profiles > \[+\]](#)

[CIS Network >](#)

[Events and training > \[+\]](#)

[Projects >](#)

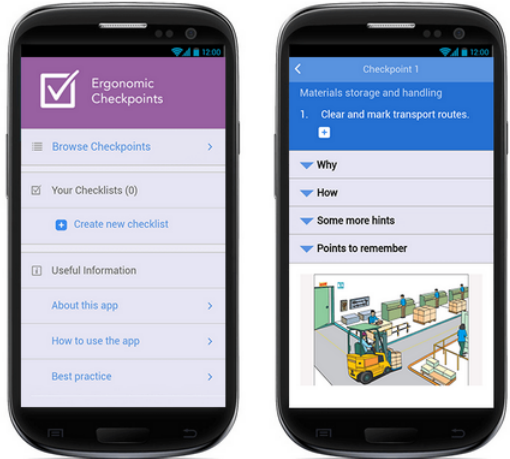
Creating safe and healthy workplaces

Ergonomic Checkpoints app

The Ergonomic Checkpoints app allows you to create interactive checklists of ergonomic checkpoints to use in the workplace. There are 132 checkpoints in total. The app also includes best practice recommendations for taking action and implementing effective improvements in ergonomics in the workplace.

Download the app

- [iOS version >](#)
- [Android version >](#)



Phone version of the app

Features

Tools ⚙️

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Key resources

[Ergonomic checkpoints: Practical and easy-to-implement solutions for improving safety, health and working conditions >](#) [\[pdf 7916KB\] >](#)

Eliminating and Preventing Forced Labour: Checkpoints app

► https://www.ilo.org/global/publications/WCMS_460489/lang-en/index.htm

- Journals >
- Meeting documents >
- Mobile apps >
- Working papers >
- World of Work magazine > [-]

Eliminating and Preventing Forced Labour: Checkpoints app

This mobile app allows business managers and auditors to create interactive checklists that will help them ensure a forced labour-free operation. There are 38 checkpoints in total – each one provides best-practice recommendations for taking action.

Type: Publication

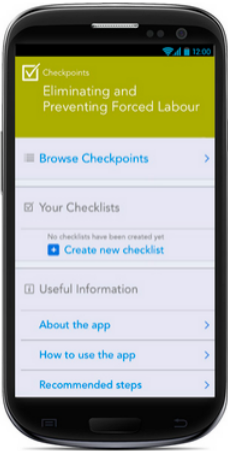
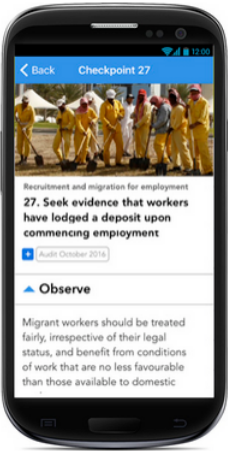
Date issued: 16 March 2016

Format available: Mobile App (Android and iOS)

Download the app

- [Android version >](#)
- [iOS version >](#)

If you do not own a smartphone or a tablet, you can access all the content of this application on a [PDF file >](#).


Phone version of the app

Tools ⚙️

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Mobile App

Eliminating and Preventing Child Labour: Checkpoints app >

Key resources

Eliminating and Preventing Forced Labour: Checkpoints (PDF version) > [pdf 156KB] >

Supporting children’s rights through education, the arts, and media (SCREAM): Education Pack -

► https://www.ilo.org/ipec/Informationresources/WCMS_IPEC_PUB_5364/lang-en/index.htm

IPEC >

- The Programme > [-]
- What is child labour > [-]
- Sectors and topics > [-]
- Child labour statistics > [-]
- Action against child labour > [-]
- Projects >
- Partners > [-]
- Regions and countries >
- Campaign and advocacy > [-]
- Events >
- News >
- Publications and resources [-]**
 - Publications >
 - eLearning tools on child labour >
 - Slideshows >

ILO home > About the ILO > How the ILO works > Departments and offices > International Programme on the Elimination of Child Labour (IPEC) > Publications and resources > Supporting children's rights through education, the arts, and media (SCREAM): ...

Supporting children's rights through education, the arts, and media (SCREAM): Education Pack

The SCREAM programme offers a unique opportunity to engage a wide range of community actors and organizations in the promotion of social justice and universally recognized human and labour rights. For more information see: www.ilo.org/scream

Instructional material | 01 December 2002
Contact(s): ipec@ilo.org

Reference: 92-2-113 240-4[ISBN]
INT/00/09/070[ILO_REF]
<http://www.ilo.org/ipecinfo/product/download.do?type=document&id=1559> >

Download:
htm - 0.1 MB
Supporting children's rights through education, the arts, and media (SCREAM): Education Pack

Tags: education, child labour, mass media
Regions and countries covered: Global

Tools

This content is available in
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español > français > Bahasa
Indonesia > italiano > Khmer >
Kirgiz > монгол > Myanmar >
नेपाली > Chewa > português >
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shqip > Українська > اردو > tiếng
Việt >

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Mainstreaming child labour concerns in education sector plans and programmes

► https://www.ilo.org/ipec/Informationresources/WCMS_IPEC_PUB_20035/lang--en/index.htm

The screenshot shows the ILO website interface. At the top, there is a navigation bar with categories: Countries, Topics, Sectors, and a search bar. Below this is a secondary navigation bar with links: Home, About the ILO, Newsroom, Meetings and events, Publications, Research, Labour standards, Statistics and databases, and Contact Us. The main content area features a left sidebar with a tree view under 'IPEC >', including links for 'The Programme >', 'What is child labour >', 'Sectors and topics >', 'Child labour statistics >', 'Action against child labour >', 'Projects >', 'Partners >', 'Regions and countries >', 'Campaign and advocacy >', 'Events >', 'News >', and 'Publications and resources [-]'. The 'Publications and resources' section is expanded to show 'Publications >', 'eLearning tools on child labour >', and 'Slideshows >'. The main content area displays the title 'Mainstreaming child labour concerns in education sector plans and programmes' with a breadcrumb trail: 'ILO home > About the ILO > How the ILO works > Departments and offices > International Programme on the Elimination of Child Labour (IPEC) > Publications and resources > Mainstreaming child labour concerns in education sector plans and programmes ...'. Below the title is a short description: 'This resource material considers the links between tackling child labour and promoting Education for All. The material is designed to support a short training workshop on these issues and it includes activities and a model workshop programme.' A metadata box lists: 'Type: Book', 'Date issued: 20 December 2011', and 'Reference: 978-92-2-125611-3[ISBN] INT/08/59/USA[ILO_REF]'. A 'Download:' section provides the title 'Mainstreaming child labour concerns in education sector plans and programmes'. A 'Contains:' section lists 'Annex : Presentations >'. A 'Tags:' section includes 'child labour, education' and a 'Regions and countries covered:' section lists 'Global'. On the right, a 'Tools' section offers language options (español, français, Русский), font size controls (A, A+, A++), a print button, and social media sharing options (Facebook, Twitter, G+).