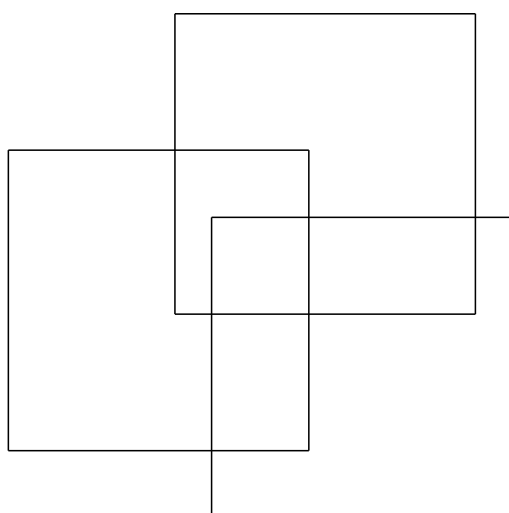




Final report

**Meeting of Experts to adopt Guidelines on the Promotion
of Decent Work and Road Safety in the Transport Sector**
(Geneva, 23–27 September 2019)



MERTS/2019/11

INTERNATIONAL LABOUR ORGANIZATION

Sectoral Policies Department

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INTERNATIONAL LABOUR OFFICE, GENEVA

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Final report, Meeting of Experts to adopt Guidelines on the Promotion of Decent Work and Road Safety in the Transport Sector (Geneva, 23–27 September 2019), International Labour Office, Sectoral Policies Department, Geneva, ILO, 2019.

ISBN 978-92-2-031935-2 (print)
ISBN 978-92-2-031936-9 (Web pdf)

Also available in French: *Rapport final*, Réunion d'experts chargée d'adopter des principes directeurs sur la promotion du travail décent et de la sécurité routière (Genève, 23-27 septembre 2019), ISBN 978-92-2-031937-6 (print), ISBN 978-92-2-031938-3 (Web pdf), Geneva, 2019; and in Spanish: *Informe final*, Reunión de expertos para adoptar directrices sobre la promoción del trabajo decente y la seguridad vial en el sector del transporte (Ginebra, 23-27 de septiembre de 2019), ISBN 978-92-2-031939-0 (print), ISBN 978-92-2-031940-6 (Web pdf), Geneva, 2019.

ILO Cataloguing in Publication Data

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Printed by the International Labour Office, Geneva, Switzerland

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Introduction

1. The Meeting of Experts to Adopt Guidelines on the Promotion of Decent Work and Road Safety in the Transport Sector was held in Geneva from 23 to 27 September 2019.
2. The Meeting was attended by seven experts from Governments, eight experts nominated by the Employers' group and eight experts nominated by the Workers' group of the Governing Body, as well as by 30 Government observers. There were seven observers from official and non-governmental international organizations. Women constituted 39 per cent of overall participants and 30 per cent of experts.
3. The purpose of the Meeting was to review and adopt a set of guidelines on the promotion of decent work and road safety in the transport sector, based on a draft prepared by the Office.
4. The Officers of the Meeting were:

Chairperson: Dr H. Mapuranga (Government, Zimbabwe)

Vice-Chairpersons: Mr J. Kleniewski (Government, Poland)
Mr M. Pereira García (Employer, Spain)
Mr M. Kaine (Worker, Australia)

Worker spokesperson: Ms Wol-san Liem (Republic of Korea)

5. The Chairperson recalled that the purpose of the Meeting was to develop and adopt guidelines on the promotion of decent work and road safety in the transport sector, with the objective of providing a tool for employers, workers, governments and all road transport chain parties seeking to realize decent work in the road transport sector and improve road safety outcomes. In the absence of any other ILO guidelines and of any similar or recent text on this topic, the Office had reviewed all past ILO work relating to road transport to develop the draft to be discussed.
6. The Secretary-General of the Meeting, Ms Alette van Leur (Director, ILO Sectoral Policies Department), highlighted the adoption, on the occasion of the ILO's 100th anniversary, of the ILO Centenary Declaration for the Future of Work. Its human-centred approach showed the way forward for the ILO in decades to come. The 108th (Centenary) Session (2019) of the International Labour Conference had also adopted two standards particularly relevant to the road transport sector: the Violence and Harassment Convention, 2019 (No. 190) and its corresponding Recommendation, to shape the future of work based on dignity and respect, free from violence and harassment. The issues of road safety and the safety and health of transport workers had gained significant attention at the international level in recent years, and had been a concern of the ILO since the first global standards for the road transport sector were adopted 80 years previously.
7. In 2015, the Tripartite Sectoral Meeting on Safety and Health in the Road Transport Sector adopted a resolution requesting the Office to convene a tripartite meeting of experts to adopt guidelines on best practices in road transport safety. That request had been taken up as a recommendation by the 2017 sectoral advisory bodies and subsequently endorsed by the ILO Governing Body in March of the current year.
8. She expressed the hope that the guidelines would provide meaningful guidance for their intended users. Participants should share their expertise and insights, and work towards a

consensus with the aim of providing practical information, inspiration and guidance to those engaged in road transport services. ILO guidelines were not legally binding, nor were they subject to ratification or supervisory mechanisms established under ILO international labour standards. Nonetheless, they were based on the full principles, rights and obligations set out in those standards, and nothing in the guidelines should be understood as lowering such standards.

9. The Deputy Secretary-General introduced the procedures applicable to the Meeting based on the new Standing Orders for Meetings of Experts, adopted by the ILO Governing Body in November 2018.
10. The Executive Secretary presented an overview of the background, preparatory work and content of the draft guidelines. In terms of structure, topics and drafting style, the draft mirrored the *Guidelines on decent work in public emergency services* adopted in 2018. During the preparatory work, the Office had sought to avoid reinventing the wheel and to include tripartite agreed text to the extent possible, adapting it as little as was necessary. The draft guidelines were based on principles derived from international instruments, UN Conventions, previous ILO work related to the road transport sector, and other documents.
11. The draft guidelines consisted of three main parts: first, the introduction dealt with the scope and a number of sectoral considerations; the second part included measures to ensure decent work; and the third addressed the means of action.
12. The draft guidelines addressed the following main themes:
 1. Definitions, coverage of workers and recent sectoral considerations.
 2. Fundamental principles and rights at work.
 3. Employment, diversity, statistics and employment arrangements.
 4. Working conditions, including remuneration, rates and working and driving times.
 5. Occupational safety and health (OSH).
 6. Measures of social security and employment injury protection.
 7. Social dialogue.
 8. Fair recruitment and contracting practices.
 9. Training and professionalization of the sector.
 10. Monitoring and evaluation.
13. It was emphasized that Part 3, regarding means of action, complemented Part 2 (measures to promote decent work) by providing a coherent set of tools. Parts 2 and 3 were hence mutually reinforcing and not mutually exclusive.
14. The Employer Vice-Chairperson observed that the road transport sector was and would continue to be a strategic sector for economic development and the exercise and advancement of citizens' rights, and was an essential element for the creation of wealth, tourism, and social development. The sector significantly contributed both to gross domestic product (GDP) and to the overall employment rate.

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15. The structure, characteristics, importance, level of development and infrastructure of the road transport sector, be it freight or passengers, varied considerably from one State to the other. Nonetheless, common traits could be identified in the sector for the vast majority of member States. The road transport sector had undergone substantial changes over the past few decades owing to globalization, the liberalization of the profession, and management practices in supply chains, which in turn may have placed significant pressure on the sector. In addition to generating employment, this evolution might have had, as an indirect consequence, a negative impact on the working conditions of workers in the sector and on road safety.
 16. The statistics were telling: 1.3 million people died and 50 million persons were injured each year in road traffic accidents, 10 to 22 per cent of which involved commercial vehicles. This illustrated that, despite previous ILO work on road safety issues, much remained to be done. The high numbers were evidence of a pandemic. Road safety represented a public policy issue and a shared responsibility among governments, employers and workers. A tripartite forum was thus ideal to adopt guidelines to promote decent work and road safety.
 17. Consideration needed to be given to all issues having a direct or indirect effect on the occurrence of road accidents or likely to help improve working conditions in the sector and road safety as a whole. Such topics included in particular: (i) informal transport services performed outside the regulatory framework, which also led to unfair competition; (ii) the importance of training and skills development for the drivers, workers and managers of transport companies; and (iii) the anticipated opportunities and risks of the ongoing technological revolution such as the digitalization and future automation of commercial vehicles.
 18. The Worker Vice-Chairperson drew attention to the severe consequences of road traffic accidents by relating a tragic event in Australia recently that had resulted in the death of two car drivers as a result of a truck driver's fatigue. He had fallen asleep at the wheel, having been forced by his employer to perform two consecutive 12-hour shifts on pain of dismissal. This resulted from increased pressure on such employers deriving from increased commercial competition. Each year some 500,000 deaths in the road transport sector (40 per cent of the total number) involved commercial vehicles of some sort, including trucks, buses, taxis, courier workers, and transport workers using online platforms. The responsibilities of governments towards their citizens, of employers towards their workers, and of unions towards their members should be acknowledged to help end this avoidable loss of life.
 19. Notwithstanding the enormous human costs, a 2018 report by the World Bank had found that halving deaths and injuries due to road traffic would add 14 per cent to GDP per capita in India and 15 per cent in China in the period 2014–38. A 2015 study by the World Health Organization (WHO) estimated that road traffic incidents cost Australia 2.1 per cent of GDP. These costs were being borne by transport companies, governments, workers, and their communities. Unfortunately, the costs were not borne equally.
 20. The core problem in the transport sector ran deeper than the mere regular maintenance of vehicles, the robustness of road rule regimes, the problems associated with overloading, or driver-related factors such as fatigue and speeding. The key issue was the pressure the road transport sector was under from actors normally positioned at the top of the global supply chain with the power to set industry standards. Those powerful entities decided which transport operators received supply contracts, the value at which transport services were priced, and the conditions under which commercial vehicle drivers worked. Transport companies and workers in the sector were compelled to accept the set prices. As a result of this pressure, profit margins in transport supply chains had eroded to unsustainably low levels. Transport companies suffered and were obliged to reduce costs, and some did so by forgoing necessary fleet upgrades or cutting back on maintenance, which amounted to unfair competition. Transport workers suffered in turn, as drivers were increasingly squeezed by

strenuous demands, precarious working arrangements, and low pay, making them more likely to adopt risky behaviour such as driving when fatigued, speeding, overlooking vehicle maintenance and overloading, which were major causes of crashes. This in turn eroded the fiscal base of governments, who had to make up for substandard working conditions and rates through already strained social security programmes, and to shoulder the costs of road crash fatalities and damage to public property.

21. Such global competitive pressures would continue to worsen in coming years. The economic shifts brought about by globalization had also led to the ruthless exploitation of migrant cross-border transport workers: in Europe, the International Transport Workers' Federation had uncovered employment practices resulting in the abuse, exploitation and even the trafficking of truck drivers. In addition, digital disruptors had now targeted the road transport sector, which would only magnify pressure.
22. The Safe Rates model represented a best practice to address the growing supply chain pressures by recognizing the link between the value of transport services and road safety outcomes, and by ensuring supply chain accountability. Multiple efforts were already being made in this regard across the world, and the Meeting must ensure that this issue was addressed correctly. Furthermore, in order to achieve a sustainable and safe industry, it was necessary to address issues such as challenges to freedom of association and collective bargaining, especially in non-standard forms of employment; migrant workers' rights, particularly in transport corridors; poor sanitary standards; the low proportion of women working in the sector; and deficits in training systems.
23. The Government Vice-Chairperson highlighted the importance of developing the guidelines, as most types of activity involved transportation. The outcome of the Meeting would be relevant not only to different countries worldwide, but also for the UN system as a whole.
24. The expert from the Government of Finland underlined the global need for the guidelines. The Office draft was in harmony with the work of the European Union (EU) in relation to road transportation, which aimed to ensure adequate social protection, guarantee fair competition, and improve road safety by diminishing road fatigue. The European Commission also worked to enhance the working conditions of drivers and the attractiveness of the transportation sector, and guaranteeing work-life balance and equal pay for equal work. The Meeting should first discuss the scope of the guidelines before moving on to their actual substance.
25. The expert from the Government of Chile stated that his country was moving forward to improve working conditions, to enhance decent work for workers in the sector and in terms of preventing occupational hazards in the transport sector. Chile was implementing a National Occupational Safety and Health Policy, a Road Safety Policy and a Road Safety National Agreement. These tools were in place to reduce the number of road accidents and to protect the occupational safety and health of workers. The guidelines would be helpful both in terms of public policy and at company level.
26. The expert from the Government of Brazil stated that road transport issues were of great concern to his country. While all aspects of the guidelines were important, labour inspection in the road transport sector was vital to improve the working conditions of drivers and enforce labour law, and thus improve road safety outcomes.
27. The United Nations Secretary-General's Special Envoy for Road Safety, Mr Jean Todt, addressing the Meeting via a video message, observed that one person died every 24 seconds in a road accident, and that up to 80 per cent of the crashes were caused by human error. Decent work deficits were the root cause of many accidents. Within the UN system, the ILO's expertise and convening power to discuss the issue of decent work and transport workers had no equal. He hoped that the experts' consideration of national and regional

specificities, challenges and opportunities for the road transport sector would culminate in the adoption of strong guidelines.

28. The observer representative of the World Bank welcomed the Meeting, which was of particular value as a tripartite event. The year 2020 would see the convening of the Third Global Ministerial Conference on Road Safety, which aimed to reach high-level consensus on continued global road safety targets and collaboration up to 2030. The goals of the Decade of Action had not been met, and it was clear the net of actors involved needed to be widened. The guidelines would hence provide valuable input to the Decade. Governments, employers and workers had a shared role and responsibility to help victims of accidents. The World Bank had helped governments assess their infrastructure to increase safety and related policies, and tripartite dialogue would add to the ideas needed. The new Safeguards policy launched by the World Bank provided a set of technical tools to support workers, employers and citizens to tackle the challenge of road safety under infrastructure operations. A key need in pursuing decent work was diversity. The ILO jobs survey of 2017 had showed that among the obstacles faced by women wishing to join the workforce, access to safe and affordable transport was of key importance. Road transport was a predominantly male sector, but this was changing, and the ILO guidelines would assist the process. She looked forward to the outcome of the Meeting.

Consideration of the draft guidelines ¹

29. The following account of the discussion follows the structure of the draft guidelines, not the chronological consideration of its sections.

Part 1. Introduction

Paragraph 1

30. The three Vice-Chairpersons supported the text as drafted. The Worker Vice-Chairperson proposed to add additional statistics at a later stage. The paragraph was adopted as drafted.

Paragraph 2

31. The Employer Vice-Chairperson proposed to add “and social” to follow “economic” in the first line. This proposal was adopted, and the paragraph was adopted as amended.

Paragraph 3

32. The Executive Secretary announced a number of corrections and changes requested by the United Nations Economic Commission for Europe: in the second line the number 70 should be replaced by 59; the final sentence should become a new paragraph; at the end a new sentence should be added, to read: “In addition, it houses the secretariat of the United Nations Road Safety Fund.” The paragraph was adopted with these changes.

Paragraph 4

33. The Employer Vice-Chairperson questioned the value of the references to the WHO’s Global Plan for the Decade of Action for Road Safety 2011–2020. It would be complete only in the

¹ NB. All references and numbers of sections and paragraphs are related to the original draft submitted to the meeting. Where the outcome of discussion on a point is not clear, the text of the guidelines reproduced in the appendix should be taken as the authentic adopted text.

coming year. Similarly, the reference to “activity 6 of pillar 4” in the sixth line was redundant. The document should be more forward looking.

34. The Worker Vice-Chairperson preferred to retain the reference: in the ILO Meeting of 2015 and its resolution, references to the Decade and Plan of Action had ensured policy coherence across the international stage. He asked the observer representative of the WHO to provide an update on the Decade.
35. The observer representative of the WHO stated that activity 6 of pillar 4 of the Global Plan read as follows:

Set and seek compliance with transport, occupational health and safety laws, standards and rules for safe operation of commercial freight and transport vehicles, passenger road transport services and other public and private vehicle fleets to reduce crash injuries.

For the sake of coherence, it should be retained. The Decade would, on its conclusion, result in an outcome that would provide guidance for the future, like previous UN Decades. A meeting held in November 2017 had set 12 voluntary global performance targets for road safety, number 11 of which referred to legislation to be enacted by all member States: “By 2030, all countries to enact regulation for driving time and rest periods for professional drivers, and/or accede to international/regional regulation in this area.” In addition, a ministerial conference was foreseen in February 2020 to decide on new directions for road safety resulting from the Decade.

36. The Employer Vice-Chairperson accepted the views of the Worker Vice-Chairperson and the WHO. The paragraph was adopted as drafted.

Paragraph 5

37. The paragraph was adopted as drafted.

Terms of reference of the Meeting

38. Paragraphs 6 and 7 were adopted as drafted.

I. Definitions

Paragraph 8

39. The Worker spokesperson proposed the deletion of the last sentence, since informal forms of transport included two- and three-wheeled vehicles.
40. The Employer Vice-Chairperson observed that, if the guidelines were to apply to both short- and long-distance road freight transport, it was essential to provide a clear definition of it. As part of a package proposal involving paragraphs 8, 9, 12 and 19, it was suggested adding, between “road vehicle” and “whether publicly or privately owned ...”, the words “which is legally authorized to deliver commercial transport services as defined in paragraphs 13 and 14”. The Employers proposed to retain the sentence: “This definition excludes two- and three-wheeled vehicles” previously suggested for deletion.
41. The Worker Vice-Chairperson strongly rejected the Employers’ package proposal for the reasons given under paragraph 9.

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42. Following deliberation by a small group of experts, the Employer Vice-Chairperson withdrew his previous proposal on condition that the original text of the draft was retained, which implied retaining the second sentence.
 43. The Government Vice-Chairperson accepted the compromise proposal.
 44. While appreciative of the compromise proposal, the Worker Vice-Chairperson regretted the proposed exclusion of two- and three-wheeled vehicles. He called strongly for the second sentence not to be deleted, since the lack of regulation of such vehicles had become an area of great concern in many parts of the world. He requested that the Government and Employers' groups consider this when discussing the item.
 45. The Employer Vice-Chairperson agreed that two- and three-wheeled vehicles was a sector in growth and that the Office had been wise to exclude it from the scope: the text referred mainly to commercial motor vehicles (CMVs) and not to other vehicles. If two- and three-wheeled vehicles were to be taken into consideration, many changes to the text would have had to be made. He insisted on maintaining the deletion.
 46. The Government Vice-Chairperson proposed a compromise: to leave the paragraph in its current state and add in the proposed footnote the words: "Governments may choose to apply these guidelines to these vehicles in part or in full for road freight transport."
 47. The Worker Vice-Chairperson supported the Government group's proposal, since it allowed governments to decide whether to include two- and three-wheeled vehicles in the application of the guidelines.
 48. The Employer Vice-Chairperson objected to the proposed footnote, since it would open a precedent for governments to apply the guidelines as they saw fit to any type of vehicle.
 49. The Government Vice-Chairperson stated that in Asia and Latin America, densely populated countries, the problems related to two- and three-wheeled vehicles was important and needed to be reflected in any document aimed at promoting safety in the transport sector.
 50. The Government Vice-Chairperson, speaking on behalf of the Government of the Philippines, stressed that this was a delicate issue in many countries and should be reflected in the text. It would not harm CMV drivers if they were to follow the same rules as two- and three-wheeled vehicles. He requested that the Employers reconsider their position and consider the problems of other continents.
 51. The Secretary-General observed that the conclusions of 2015 included no reference to two- or three-wheeled vehicles. It was not clear whether the draft guidelines were adequate to address all that was needed to deal with problems concerning two- and three-wheeled vehicles. Any government, worker or employer could apply the draft guidelines as they wished: there was no restriction. The technical meeting to be held in 2020 on the urban transport sector offered a suitable opportunity to address these issues. The text could be left as drafted.
 52. The Worker Vice-Chairperson supported the proposal by the Government Vice-Chairperson. A Worker expert from Uganda had, all week, endeavoured to include references to address the carnage related to two- and three-wheeled vehicles. The technical meeting in 2020 would only adopt conclusions, not guidelines. The Workers would be very disappointed if the outcome excluded such vehicles. History would show that this was the wrong decision.
 53. The expert from the Government of Brazil stated that cargo motorcycles were used widely in the country to deliver merchandise of all kinds, and the guidelines would be useful if

governments decided to apply them to two- and three-wheeled vehicles. His Government would address the needs of workers who made their living on two or three-wheeled vehicles.

54. The last sentence was retained, and the paragraph was adopted as drafted.

Paragraph 9

55. The Employer Vice-Chairperson observed that, if the guidelines applied to both short- and long-distance road freight transport, it was essential to clearly define a professional commercial freight driver. As part of the package proposal involving paragraphs 8, 9, 12 and 19, it was proposed to add, between “CMV driver refers to a person” and “– whether wage-earning ...”, the words: “who possesses a commercial licence and is fit to drive a commercial motor vehicle in accordance with applicable legislation”. The Employers also proposed to delete the second sentence.

56. The Worker Vice-Chairperson rejected the Employers’ package proposal, since it would have the effect of confining the operation and protection of the guidelines notionally to good operators who engaged licensed and trained drivers only. The proposal ignored the objective of the guidelines by leaving rogue operators completely untouched. One of the objectives of the ILO Centenary Declaration for the Future of Work, 2019 was to promote transition from the informal to the formal economy, but the Employers’ proposal seemed to seek the opposite, undermining an important reason for convening the Meeting by leaving behind the most vulnerable workers.

57. The Employer Vice-Chairperson reaffirmed the common goal of transitioning from the informal to the formal economy. While it was important to combat unfair competition between companies operating in the informal economy and those operating legitimate businesses, the prevalent reality needed to be considered when defining a “CMV driver”, since a driver operating a commercial vehicle without a licence in accordance with the law was not performing a formal activity.

58. The Worker Vice-Chairperson reiterated that such a definition would alter the scope and exclude the most vulnerable workers intended to be protected by the guidelines, and could have the effect of undermining the objective of improving the application of labour standards. In the Workers’ view, a “professional driver” was one who performed work for payment, and that included informal workers. An additional paragraph could be included elsewhere in the guidelines to cater for the Employers’ concern for formality in conformity with the Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204).

59. The Secretary-General of the Meeting confirmed that restricting the definition of CMV drivers to those who were licensed would seriously limit the scope of the guidelines, which was not the intention of the Employers who had supported the ILO Centenary Declaration. Provisions on ambitions and recommendations belonged in the latter part of the guidelines. As the Meeting was clearly not intended to lower existing international standards, she suggested reverting to the original formulation of the definition and to address this issue under paragraph 16 on informal CMV drivers, which was based on existing international instruments.

60. Following deliberation by a small group of experts, the Employer Vice-Chairperson withdrew his previous proposal concerning the first sentence and agreed to keep the initial wording. The second sentence of the original text should however be deleted.

61. The Government Vice-Chairperson accepted the compromise proposal.

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62. While appreciative of the compromise proposal, the Worker Vice-Chairperson regretted the deletion of the second sentence concerning crew members.
 63. The paragraph was adopted with the deletion of the second sentence.

Paragraph 10

64. The Government Vice-Chairperson proposed to join the concepts in subparagraphs (a) and (b) of the paragraph so that the definition of “employer” would read: “any person or entity that employs wage-earning CMV drivers”.
65. The Employer Vice-Chairperson and the Worker spokesperson did not agree with this change and preferred to maintain the original text. The Government Vice-Chairperson withdrew his proposal.
66. The paragraph was adopted as drafted.

Paragraph 11

67. The Worker spokesperson proposed to add, at the end of the first sentence of the definition of “road transport chain parties” the following words: “directly or indirectly through instructions to another road transport chain party, or otherwise contracts for transport services, such as a business controller of an online digital platform”.
68. The Government Vice-Chairperson accepted the proposal. The Employer Vice-Chairperson expressed doubts and sought clarification.
69. The Worker spokesperson submitted a compromise proposal to partially delete the previously proposed phrase “directly or indirectly through instructions to another road transport chain party, or otherwise contracts for transport services,” retaining the rest, while replacing “such as” with “including” so as to read: “including a business controller of an online digital platform”. The Government Vice-Chairperson agreed with the Workers’ revised proposal.
70. The Employer Vice-Chairperson objected to this proposal. The 2015 Tripartite Sectoral Meeting on Safety and Health in the Road Transport Sector had used the term “transport network companies” in its resolution on transport network companies – “Transporting tomorrow”, and this represented the only compromise wording that the Employers could envisage.
71. Following informal consultations on the definitions it was agreed to retain the paragraph as drafted.

Paragraph 12

72. The Government Vice-Chairperson considered that the paragraph ought to leave governments free to define their national laws and regulations as they deemed best. The Employer Vice-Chairperson supported this view.
73. The Worker Vice-Chairperson noted that the reference in the definition of “long-distance” to a return journey was problematic for passenger transport. The Workers proposed to insert, between “all” and “transport for which the return journey ...”, the wording “intercity transport or”, so as to reflect the fact that long-distance transport was best described by intercity operations, a concept previously used in ILO instruments and guiding documents, which could add clarity and a useful delineation of the coverage. As regards the proposed

reference to national laws and regulations, he suggested adding it at the end of the definition, supplemented by the words “in line with international labour standards”.

74. The Employer Vice-Chairperson expressed doubts regarding the association of international labour standards with national laws, since the former did not necessarily address long-distance travel. The term “intercity” was not appropriate, since much intercity transport involved only short distances of less than ten kilometres. As part of a package proposal involving paragraphs 8, 9, 12 and 19, the Employers suggested that, if the guidelines were to apply to both short- and long-distance freight transport and only long-distance passenger transport, the first part of paragraph 12 should read as follows: “Long-distance passenger transport refers to all transport as defined by national laws and regulations” to accommodate the Governments’ concerns.
75. The Worker Vice-Chairperson strongly rejected the Employers’ package proposal.
76. The Employer Vice-Chairperson reiterated that this issue required determination by national authorities due to the diversity of countries.
77. Following deliberation by a small group of experts, the Employer Vice-Chairperson suggested that this definition should only concern long-distance passenger transport and should read: “Long-distance passenger transport refers to all transport for which the journey calls for more than nine hours of driving (or the maximum daily driving period applicable to CMV drivers), or covers more than 450 kilometres or in line with national laws and regulations.”
78. The Government Vice-Chairperson supported the compromise proposal.
79. While appreciative of the compromise proposal, the Worker Vice-Chairperson regretted the suggested reference to national laws and regulations and questioned the scope of drivers covered. The amendment would leave a gap in worker protection between the current scope of long-distance passenger transport and the future meeting on urban transport. Recalling governments’ responsibility to protect workers from fatigue and other hazards, he proposed to add, after the phrase “in line with national laws and regulations”, the phrase “, in conformity with international labour standards”.
80. The Employer and Government Vice-Chairpersons accepted the amendment, the latter emphasizing the differences between countries regarding distances travelled and time spent on the road.
81. The proposal was adopted as sub-amended by the Worker Vice-Chairperson and the paragraph was adopted as amended.

Paragraph 13

82. Following deliberation by a small group of experts, the Employer Vice-Chairperson proposed to replace the term “heavy” with “commercial”, so that the definition would read: ““Road freight transport service” refers to the carriage of commercial goods by CMVs.”
83. The Worker Vice-Chairperson proposed, for the purpose of consistency with paragraph 8, to move the word “commercial” to qualify “carriage” rather than “goods”. The proposal was adopted.
84. The paragraph was adopted as amended.

Paragraph 14

85. In the definition of “road passenger transport service”, the Worker spokesperson proposed the deletion of the term “predetermined” before “stopping points” in order to reflect the reality of passenger transport.
86. The Government Vice-Chairperson proposed, in order to allow for the widest possible interpretation of the definition, the deletion of the words “for specified intervals” after “carriage of passengers” and the removal of the clause “with passengers being taken on board and set down at predetermined stopping points” at the end of the definition. The Employer Vice-Chairperson and the Worker spokesperson endorsed the proposal, which was adopted.
87. The paragraph was adopted as amended.

Paragraph 15

88. To ensure coherence with the agreed scope of the guidelines, the Worker spokesperson proposed the deletion of the term “long-distance” before “road freight”, and the Government Vice-Chairperson suggested inserting “long-distance” before “passenger transport services”. These amendments were accepted.
89. The paragraph was adopted as amended.

New paragraph

90. The Worker spokesperson proposed a new paragraph, to follow paragraph 15, including a definition of “safe rates”. The Safe Rates model had proven to be an effective system for enforcing minimum pay and rates of remuneration as well as other health and safety standards, and was referenced as a best practice in the 2015 ILO resolution concerning best practices in road transport safety, which had been the basis for convening this Meeting. The proposed definition would read: “‘Safe rates’ refers to safe and fair remuneration of CMV drivers calculated with the objective of protecting the community and road transport workers from all health and safety hazards and preventing accidents.” She concluded by offering several examples from around the world of the Safe Rates model being used successfully in practice.
91. The Employer Vice-Chairperson reiterated that road safety was linked to multiple factors, and had no direct relation to pay. It had been shown that people who earned more money, for example as a result of years of experience, did not reduce their workload. The Employers could not find scientific causal evidence of the link between rates and safety in the studies supplied by the Workers. Other measures like capacity-building, training, risk-prevention policies, formalization, better infrastructure and maintenance, technology, labour inspection to avoid high-risk conduct, and sensitization campaigns for citizens were factors contributing to improving road safety.
92. The Government Vice-Chairperson observed that there were sectors and countries with fewer accidents and equal pay, where improved training and awareness had made a difference, but he could not support the proposed new paragraph.
93. The Worker Vice-Chairperson firmly rejected this argumentation, since a vast array of academic and judicial sources had confirmed that rates of pay were correlated with drivers’ decisions on reducing driving speed and driving distances, which affected accident rates. However, in view of the objections raised and in a spirit of compromise, he withdrew the proposal.

Paragraph 16

- 94.** In the definition of “non-wage-earning CMV drivers”, the Employer Vice-Chairperson proposed to: (i) replace the words “an employer” with “the prime contractor”; and (ii) remove the reference to “informal CMV drivers and CMV drivers working for micro and small enterprises”, adding the word “and” before “owner-operators”. The suggestion would remove the reference to informal drivers; and to drivers working for small and medium-sized enterprises, which was already included in the previous definition.
- 95.** The Worker spokesperson suggested using the word “contractor” instead of the “prime contractor”. While accepting the deletion of the reference to drivers in micro and small enterprises, the Workers opposed the removal of the reference to informal drivers proposed by the Employers. The resolution concerning statistics on work relationships, adopted by the 20th International Conference of Labour Statisticians in 2018,² had included “dependent contractor” as a category, and the reference should match this. She therefore proposed to add, after “independent CMV drivers”, the words: “dependent contractor CMV drivers, CMV drivers in forms of disguised employment relationships, and ...”. The latter reference would ensure that the guidelines captured all specific forms of employment relationships, which would promote formalization and good business models of employers and ensure improvements in current substandard forms of work.
- 96.** The Government Vice-Chairperson suggested, for compromise purposes, retaining the original text of the paragraph while removing the reference to “CMV drivers in micro and small enterprises”.
- 97.** The Employer Vice-Chairperson opposed the addition suggested by the Workers. All parties shared a common goal, but the section on definitions was not the correct place to address it. He signalled agreement with the compromise proposal put forward by the Government Vice-Chairperson.
- 98.** The Worker Vice-Chairperson said that their proposed text would ensure that the guidelines captured the existing forms of employment relationships, including those related to formalization. This would demonstrate good business models of employers and ensure improvements in current substandard forms of work.
- 99.** The Employer Vice-Chairperson agreed that all the parties shared the intent of the Worker’s proposal, but the section on definitions was not the correct place to highlight this. The Employers agreed with the proposal made by the Governments.
- 100.** The Employer Vice-Chairperson agreed: (i) to use the words “a contractor”; (ii) to retain the references to “informal CMV drivers”; and (iii) to insert a reference to “dependent contractors”. However, he opposed the reference to “CMV drivers in forms of disguised employment relationships”. These proposals were adopted and the paragraph was adopted as amended.

Paragraph 17

- 101.** In the definition of “social partners”, the Employer Vice-Chairperson proposed to include the words “representatives of” before “employers”. The proposal was adopted and the paragraph was adopted as amended.

² [Resolution concerning statistics on work relationships.](#)

II. Scope and objectives

Paragraph 18

- 102.** The Employer Vice-Chairperson disputed the extent to which “duty” as such was shared between governments, social partners, and road transport chain parties, as opposed to responsibilities. In the international sphere, in line with the UN *Guiding Principles on Business and Human Rights*, the duty to protect the public lay primarily with governments. In addition, decent work deficits were not the only cause of road accidents. He therefore proposed that the paragraph read: “It is the duty of governments, and the shared responsibility of the social partners and road transport chain parties, to promote actions to protect the public, passengers and other road users against preventable crashes and dangers and other factors that affect road safety. The extent to which CMV drivers can present risks to other road users and other factors that impact road safety has become a public policy concern.”
- 103.** The Worker Vice-Chairperson accepted the first proposal, provided that the reference was to “take” action, and not “promote”. He proposed also that the phrase “, including those that result from decent work deficits” be inserted to follow “working conditions of CMV drivers”. He proposed to delete “can” from “can impact”: it was not disputed that the working conditions of CMV drivers affected road safety.
- 104.** The Government Vice-Chairperson observed that the duty to protect the public was a concern for governments that was not merely political. Decent work deficits in a given country depended to some extent on governments, but far more so on employment relationships. Final responsibility regarding crashes depended on road safety education, beginning in schools.
- 105.** The expert from the Government of Brazil preferred the original version of the first sentence. As regards the second, it was not disputed that decent work deficits caused accidents. It was hence a shared responsibility to improve the working conditions of CMV drivers.
- 106.** The Employer Vice-Chairperson accepted the nuance inserted by the Worker Vice-Chairperson in replacing “promote” by “take”. The reference should however be to “deficient” working conditions of CMV drivers.
- 107.** The Worker Vice-Chairperson felt it would be more appropriate to refer to the “decent work deficits of CMV drivers”. The proposal was adopted.
- 108.** The Government Vice-Chairperson proposed that the second sentence be simply deleted as a whole. The first sentence should however refer to a “shared” duty. In the event of crashes, governments had only limited room for manoeuvre: they were not responsible for crashes; it was the shared responsibility of the parties directly involved.
- 109.** The expert from the Government of Australia proposed that the reference to duty be removed, and the remaining responsibility shared. The opening sentence would then begin: “It is the shared responsibility of governments, social partners and road transport chain parties [to protect the public ...]”. The Government Vice-Chairperson supported this proposal.
- 110.** The Worker Vice-Chairperson preferred to retain the split between governments’ duty and the responsibility of the social partners.
- 111.** The Secretary-General stated that, in line with the UN *Guiding Principles on Business and Human Rights*, governments had a duty, whereas the social partners had responsibilities.

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112. The Employer Vice-Chairperson was strongly opposed to the Government proposal. The state of roads often played an important role in accidents, and maintaining those roads was the sole duty of the government. Clearly, the human factor could not be ignored but it was not the only factor.
 113. The Secretary-General of the Meeting stated that the position of the Office was that “duty of government”, was the appropriate language and that the concerns raised by the Government Vice-Chairperson were addressed in the amendments proposed. The inclusion of the words “shared responsibility” addressed the nuance of governments not being solely responsible for road accidents.
 114. The Worker Vice-Chairperson and the Employer Vice-Chairperson reiterated their common view that governments had the duty to protect, whereas social partners and road transport chain actors had a shared responsibility in this regard. The Worker Vice-Chairperson added that the final sentence of the paragraph was important and that the proposals needed further consideration. The text helped to inform the reader of the motivations underlying the guidelines and the need for intervention for public safety.
 115. The Government Vice-Chairperson disagreed: it was not solely a government duty but rather a shared responsibility of all parties involved and of society as a whole, as rightly set out in paragraph 27, which referred to a “shared and collaborative responsibility of governments, social partners and road transport chain parties”. Each and everyone had both the responsibility to practise road safety and prevent crashes, and the duty to do so under relevant national criminal law.
 116. The Worker and Employer Vice-Chairpersons reiterated their common view that governments had the duty to protect, whereas social partners and road transport chain actors had a shared responsibility in this regard.
 117. The Government Vice-Chairperson reiterated his view. Paragraph 27 of the draft referred to “a shared and collaborative responsibility of governments, social partners and road transport chain parties”. They each had both the responsibility to promote road safety and prevent crashes, and the duty to do so under relevant national criminal law.
 118. The Secretary-General of the Meeting reiterated that the idea of government duty as opposed to social partners’ responsibility was in line with the UN *Guiding Principles on Business and Human Rights*. The guidelines were not legally binding and could not be understood as lowering standards.
 119. The Government Vice-Chairperson stated that the term “duty” would only be acceptable if the phrase “resulting from decent work deficits” was removed and not left open to interpretation.
 120. The Secretary-General explained that the sentence dealt with the duty of governments to protect the public from preventable crashes (including those resulting from decent work deficits), but not to protect the public from decent work deficits.
 121. The Worker Vice-Chairperson opposed the deletion of the words “resulting from decent work deficits”, but in order to ensure progress he accepted to delete the words “duty of governments” and use the term “shared responsibility” for all parties. The Employer Vice-Chairperson accepted this proposal.
 122. It was agreed to retain the original verb “to protect” in the first sentence, and to add the words “and other factors that can impact road safety” after “decent work deficits of CMV drivers” in the second sentence. The proposal was adopted.

123. The paragraph was adopted as amended.

Paragraph 19

- 124.** The Worker Vice-Chairperson observed that the mandate defined for the Meeting by the Governing Body in 2015 referred to the need to protect the community and road transport workers without necessarily limiting the scope: it referred to the industry at large. Governments and the social partners had been free since then to make proposals for the content of the guidelines. The guidelines now before the Meeting, however, ignored the basic concerns he had described in his opening statement. He therefore proposed to delete the limitation to “long-distance”, even though some of the most egregious violations of road safety rules were found in that sector. To remove this restriction on scope, moreover, would bring the guidelines into line with the WHO Global Plan for the Decade of Action for Road Safety 2011–2020. Restricting the scope to “long-distance” road freight – a conventional concept – would mean a failure to address the more serious disruptive practices of digital economy operators, who were fast moving into the sector and fragmenting its structures to obviate regulations, which was not in the interests of conventional freight employers. In Africa, for example, there was the evasive tactic of establishing “dry ports”.
- 125.** The Employer Vice-Chairperson appreciated the concern expressed by the Worker Vice-Chairperson for conventional employers in the sector, but it would not be practical to attempt to cover urban transport. The text of 2015 had only mentioned urban transport in one context. To include it would mean extensive revision of the draft text.
- 126.** The Government Vice-Chairperson stated that governments had discussed this matter at length, and supported the view of the Worker Vice-Chairperson.
- 127.** The Employer Vice-Chairperson preferred the text as drafted, but would propose amendments to paragraph 12 so as to leave governments free to define their own driving time and distance limits.
- 128.** The Government Vice-Chairperson stressed that the Government experts were quite flexible on this delicate issue, and considered that the paragraph should leave governments free to define their own national laws and regulations as they deemed best. The guidelines should not limit local decision-making processes.
- 129.** The Employer Vice-Chairperson supported this view.
- 130.** The Worker Vice-Chairperson stated that their final view may depend on the final wording of paragraph 12. The types of problems that the practical parts of the guidelines were intended to address were shown by statistics to be more serious outside the “long-distance” sector: there were more crashes, involving more light vehicles. The term “long-distance” had a confining effect on the scope of the guidelines and should be removed. He cited a study conducted in the United States that found that light vehicles were involved in four times as many accidents as heavy, long-distance transport vehicles; a study conducted in Australia by the New South Wales Injury and Risk Management Centre had found that the issue of fatigue was just as important among short-distance drivers as it was among long-distance drivers. This was due to the high number of short-distance trips completed in a single shift, which could regularly last between 11 and 14 hours. The protection afforded by the guidelines should hence not be arbitrarily limited. The text as drafted represented an anomaly among historical ILO standards in the sector. He then requested that two Worker experts recount concrete examples of situations of which they had experience.
- 131.** A Worker expert from the Netherlands described local deliveries carried out within 200 kilometres of the port of Rotterdam. One of the companies involved was based in Poland and had hired a driver from the Philippines. This driver had been required to pay for his own

flight to the Polish embassy in Malaysia as a tourist, where he was issued with a work visa for Poland and a working contract in Polish, which he did not understand. The Polish registered truck he was provided with upon his arrival in Europe was expected to double as his place of residence while he was employed by the company, and he lived in it for over twelve months. He was in addition provided with false papers to show to authorities. This situation was not legal in Europe, or anywhere. It was not an isolated incident, but rather an example of a situation that was common throughout the sector. These were highly skilled drivers with proficient English language skills and experience working abroad. The well-being of such drivers was seriously undermined: many were described as depressed and sometimes suicidal.

- 132.** This situation endangered not only the drivers, but road safety in general. None of the workers interviewed in the course of the study were in situations that were compliant with decent work standards. When the drivers were told that the ILO would hold the present Meeting on this sector they had been hopeful. For this reason the scope of the guidelines should include all drivers, regardless of the number of miles driven.
- 133.** A Worker expert from Uganda provided an example of the new “dry ports” in Africa. These were distribution points located further inland from sea ports and connected by rail, fragmenting road transport logistics. This new phenomenon showed that the guidelines should be forward looking and should recognize that the definition of long distance as currently understood would not be relevant forever. Several dry ports would be built in the coming years, and workers would be in place to service them. However, such workers would not be driving long distances under the current definition. They were paid by the mile, which contributed to increased driver fatigue and road accidents.
- 134.** The Worker Vice-Chairperson observed that the restriction of the context to long-distance transport in paragraph 19 should be viewed also in the light of the definition of that term proposed in paragraph 12. Several existing sectoral standards used the term only to highlight the fact that long-distance drivers were a particularly vulnerable group, and not to limit the scope of the texts themselves. For this reason the guidelines were anomalous, but he suspected that the consequences of the language used was probably unintended.
- 135.** The Secretary-General of the Meeting assured the Worker’s group that their view was understood. She agreed that the language used had had an unintended consequence. In view of the separate technical meeting to be held in 2020 on urban transport, the scope of the present guidelines should logically be taken to include everything else. The correct wording should hence be “road freight and long-distance passenger transport services”.
- 136.** The Government Vice-Chairperson supported the statements by the Worker Vice-Chairperson and the Secretary-General of the Meeting.
- 137.** The Employer Vice-Chairperson stated that they were in agreement with the Workers’ concerns about short-distance drivers, and would not overlook that reality. Negotiations should use the language of the draft document as a basis. The text was not, in his view, anomalous: the focus of the Meeting on a particularly vulnerable group within the transport sector was an intentional decision, corroborated by the separate treatment of urban transport in a forthcoming meeting. He disagreed with the Secretary-General’s proposal to adjust the language. The previous sectoral meeting on transport had covered the whole sector, but little attention had been paid to short-distance drivers. He cautioned against widening the scope of the document as this would unnecessarily complicate the discussion and make it much harder to adopt guidelines. Some issues were specific to short-distance drivers and would be difficult to reconcile with the rest in the time available. The Employers were flexible about the meaning of the term “long-distance” in practice with respect to the conditions or legislation of a particular country, such as small island nations where long-distance trips

could never meet the distance or time requirements of the existing definition but where the guidelines could still be applicable.

138. The Worker Vice-Chairperson thanked the Secretary-General for the explanation of the error. The Workers had assumed that all aspects of the guidelines were open for comment, including the scope. It was difficult to believe that the Employers had not thought that the scope was open for discussion. Urban transport would be covered in the 2020 technical meeting, which would presumably adopt only conclusions. There would nevertheless be some overlap.
139. The Secretary-General of the Meeting observed that the 2015 resolution did not refer to long- or short-distance transport. The Office considered the guidelines to be appropriate for both long- and short-distance road freight, but not for urban passengers, since there were some significant differences: different employers were involved, both public and private. The technical meeting on urban passenger transport would adopt conclusions with a view to the subsequent adoption of guidelines.
140. The expert from the Government of Poland, speaking in reply to the case highlighted by the Worker expert from the Netherlands, drew attention to the severe shortage of drivers and well-educated staff in the sector in Europe. Poland tried to ensure decent work for all, including drivers and other professional groups. Workers were not obliged to know the details of intergovernmental agreements: the case involved bilateral agreements between the Governments of Poland and the Philippines. The company concerned was financed from abroad. The case was being investigated and he looked forward to it being solved.
141. The expert from the Government of Brazil emphasized that governments were not indifferent to the discussion on scope. They had concluded before the Secretary-General's statement that the draft guidelines must apply to "road freight and long-distance passenger transport".
142. Following a recess, the Worker Vice-Chairperson noted that the Employers had agreed that the guidelines applied to "road freight and long-distance passenger transport", provided that reference was made to national laws and regulations in the definition of the term "long-distance" in paragraph 12. The proposal was adopted. The paragraph was adopted as amended.

Paragraph 20

143. The Employer Vice-Chairperson proposed to replace "crisis" by "challenges" at the end of the first sentence. This proposal was adopted, and the paragraph was adopted as amended.

III. Sectoral considerations

A. Increased demand

Paragraph 21

144. The Employer Vice-Chairperson proposed to replace "many" with "some" in the last line of the paragraph.
145. The Worker spokesperson observed that this was an important aspect of current issues in the sector. The globalization of supply chains and logistics revolutions had created huge demand for cheap and flexible services, which led to precarious employment and transport workers lacking any guarantee of regular work and many basic rights. Increased demand had been accompanied by unfair levels of competition, particularly through the entry of on-demand digitized platforms driven by venture capital, which were eroding the industry standards that

they, the employers and the governments held dear. This was the result of unsustainable and unfair competitive labour practices. The widespread devaluation of transport services had heightened in the era of increased globalization and trade liberalization, giving opportunities for new entrants into the sector. She hence proposed to add, at the end of the sentence, the phrase “with the move towards on-demand services posing substantial challenges for the maintenance of minimum legal standards for CMV drivers’ working conditions, especially in the context of the so-called gig economy”.

146. The Employer Vice-Chairperson observed that the phrase “gig economy” was not well defined and was translated inconsistently. Its exact meaning should be clarified.
147. The Worker spokesperson stated that in other ILO documents the gig economy was defined as “digital platforms and crowd-sourced work.” It also referred to the shared economy, and hence covered a range of new forms of economic activity mediated by online platforms.
148. The Employer Vice-Chairperson disliked the proposed addition: the challenges created by new forms of companies could be addressed in paragraph 28, under the discussion about digitalization.
149. The Government Vice-Chairperson considered that the guidelines should be practical, not descriptive, and he hence proposed the deletion of paragraphs 21 to 25.
150. The Worker spokesperson suggested that discussion of new entrants to the market was relevant to the context of increased demand. The Office could provide previously agreed text on emerging forms of work from other ILO instruments. Instead of replacing the word “many” with “some”, as proposed by the employers, they could remove the word “work of many” so that the text read “... for the conditions of transport workers”.
151. The Employer Vice-Chairperson opposed this proposal.
152. The Secretary-General of the Meeting, in response to a request for draft wording regarding the paragraph, proposed the following: “The move towards on-demand services may pose decent work challenges for CMV drivers’ working conditions, especially in the context of platform work in the transport sector.”
153. The Worker spokesperson accepted the text proposed by the Office.
154. The secretary of the Employers’ group suggested adding “and opportunities” after the term “challenges” to make the proposal more balanced. The Worker spokesperson objected that the opportunities were already addressed in paragraph 22, and that the purpose of paragraph 21 was to focus on challenges in the context of platform work in the transport sector, and particularly the upholding of legal standards for CMV drivers. The secretary of the Employers’ group maintained that paragraph 22 did not refer to platform work.
155. The Government Vice-Chairperson considered that the paragraph as amended was acceptable but not necessary.
156. The Worker spokesperson affirmed their preference for the text as drafted, and did not accept the addition of the word “opportunities” proposed by the Employers. In response, the secretary of the Employers’ group proposed to delete the last sentence.
157. The Government Vice-Chairperson proposed to revert to the original proposal, to replace the term “many transport workers” by “some transport workers” at the end of the paragraph. This proposal was not adopted.
158. The paragraph was adopted without change.

Paragraph 22

159. The Employer Vice-Chairperson considered that paragraphs in this section should not contain suggestions or recommendations, and suggested removing the word “should” from the first sentence of the paragraph.
160. The Worker spokesperson noted that this section provided important guidance. It could be moved from this section elsewhere in the text.
161. The Employer Vice-Chairperson agreed with this proposal and suggested the text be added in Part 3.
162. The Government Vice-Chairperson proposed the addition of “, but are not limited to,” after “These may include ...” and the deletion of the last sentence of the paragraph.
163. The expert from the Government of Brazil explained that this sentence seemed to contradict the rest of the text. It was unclear how the “expected growth and importance of e-commerce” would balance shifts in demand.
164. The Government Vice-Chairperson considered that it was not the role of the Meeting to discuss possible scenarios of industry composition, fragmentation, or informality.
165. The Worker spokesperson agreed that it was difficult to deal with the impact of e-commerce in one sentence: maybe text could be reproduced from existing ILO instruments.
166. The Employer Vice-Chairperson accepted the deletion of the last sentence, even though e-commerce had had an impact on the industry.
167. The Secretary-General of the Meeting added that the section was about context rather than guidance and so more specific text could be proposed elsewhere.
168. Following a recess, the Secretary-General proposed the following text:

Possible shifts in demand may include, but are not limited to, policy-induced modal shifts (such as to railways) or disruptions to the manufacturing industry (such as three-dimensional printing and reshoring) that may have implications for the sector’s workforce planning and training.

169. The paragraph was adopted as amended.

B. Industry composition, fragmentation and informality

Paragraph 23

170. The Employer Vice-Chairperson supported the text as drafted.
171. The Worker spokesperson considered that this section should reflect the impact of increased fragmentation on workers in the industry. Many professional drivers had been effectively forced to work as independent or self-employed workers, which enabled their effective employers to evade social charges. Consequently, they lacked fundamental labour rights and social security. She proposed to amend the third sentence, after “subcontracting”, to read “[subcontracting] and have amplified commercial incentives encouraging the misclassification of workers to avoid legal obligations”.
172. The Government Vice-Chairperson suggested replacing “Owner-operators” to “Non-wage-earning CMV drivers” in the final sentence.

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- 173.** The Employer Vice-Chairperson supported the proposal by the Government Vice-Chairperson, but not that by the Workers. In reply to the Worker Vice-Chairperson, he was not aware of any objective or direct impact of intensified competition or amplified commercial incentives that had led to the misclassification of workers. While some workers were left exposed to gaps in labour law, this was not a direct consequence of fragmentation or segmentation.
- 174.** The Worker spokesperson stated that one of the most prevalent forms of fragmentation was the misclassification of workers as “self-employed” when they had de facto regular employers. As a consequence of strategies by the industry in the wake of the Asian financial crisis of the late 1990s and early 2000s, some 97 per cent of truck drivers in the Republic of Korea were now independent contractors or misclassified. This was a global issue: the state of California had recently passed legislation to prevent the misclassification of drivers.
- 175.** The Employer Vice-Chairperson doubted that the effects described were caused exclusively by fragmentation and segmentation of the sector.
- 176.** The Worker spokesperson instead proposed the text “... have intensified competition and the misclassification of workers to avoid legal obligations.”
- 177.** The Employer Vice-Chairperson suggested instead adding “In some cases, misclassification of workers is an issue.” at the end of the paragraph. The proposal was adopted.
- 178.** Following informal discussions, it was agreed to adopt the proposal by the Government Vice-Chairperson to replace “Owner-operators” by “Non-wage-earning CMV drivers” in the final sentence.
- 179.** The paragraph was adopted as amended.

Paragraph 24

- 180.** The secretary of the Employers’ group proposed: (i) to delete the following first words of the paragraph: “Workers in the sector, including dependent” and start the paragraph with the term “Self-employed workers”; (ii) to replace “are vulnerable” with “can be vulnerable”; (iii) to delete the second sentence; and (iv) to add the following new sentences: “Operating a small trucking business, including as a self-employed worker or owner-operator, can be the road to opportunity, financial independence and flexibility. A strong framework of business and safety regulation can encourage these small businesses and ensure they comply with national laws and regulations.”
- 181.** The Worker spokesperson opposed the amendments to the initial text, which emanated from the conclusions of the 2015 Tripartite Sectoral Meeting on Safety and Health in the Road Transport Sector. The secretary of the Employers’ group agreed to retain the text as adopted in 2015, but considered that it still required further elaboration through the proposed two sentences. The Worker spokesperson signalled acceptance of the additional text if its scope was broadened by replacing “trucking business” with “road transport business”. The secretary of the Employers’ group agreed to this sub-amendment. The Government Vice-Chairperson, while considering that paragraphs 24, 25 and 26 could be deleted to avoid repetitive and descriptive text, accepted the proposed wording.
- 182.** The paragraph was adopted as amended.

Paragraph 25

- 183.** The secretary of the Employers' group proposed the deletion of "might" in the last sentence, as it was clear and evident that informal work gave rise to occupational safety and health and public safety concerns. The Worker spokesperson agreed with the proposal.
- 184.** The Worker spokesperson also wished to put on record her initial intention to suggest a reference to fundamental principles and rights at work in the sentence dealing with the vulnerability of informal workers, which would now depend on how informality was accommodated.
- 185.** The paragraph was adopted as amended by the secretary of the Employers' group.

New paragraph

- 186.** The Worker Vice-Chairperson proposed to move paragraph 38 to follow paragraph 25.
- 187.** The Employer Vice-Chairperson suggested deleting that paragraph. It did not fit logically into the section where it originally appeared. The secretary of the Employers' group observed that the text was taken from the 2015 resolution. If that was to be reproduced, then it should be reproduced in full.
- 188.** The Executive Secretary stated that the text was a combination of the fifth paragraph of the 2015 resolution concerning best practices in road transport safety, and the full text of paragraph 21 of the 2015 conclusions.
- 189.** The secretary of the Employers' group stated that they accepted the original two sentences of the paragraph. The rest should be deleted.
- 190.** The Worker Vice-Chairperson agreed and withdrew their proposed new second sentence and the alternative proposal to include the words "including low rates of remuneration" in the first sentence.
- 191.** The Government Vice-Chairperson recalled the Governments' objection to descriptive provisions.
- 192.** After discussion, it was agreed to replace the entire paragraph by a combination of the full text (adapted for grammar) of the fifth paragraph of the 2015 resolution concerning best practices in road transport safety, and the full text of paragraph 21 of the 2015 conclusions. It would hence read:

The road transport industry is characterized and impacted by multiple supply chains and contracting chains which often lead to pressures on margins that can leave transport workers unable to exercise their fundamental principles and rights at work. Social dialogue can pave the way to reconcile market competition, transport worker occupational safety and health, and road safety. However, recent developments in some countries in the road transport sector have weakened social dialogue, worker bargaining power and fundamental labour rights to some workers in the transport sector. International standards and tools can positively influence the initiation of social dialogue at the national and sectoral levels. Social dialogue can also lead to a mutual understanding on the needs and costs associated with safe and decent road transport operations.

- 193.** The paragraph was adopted as agreed.

C. Linking road safety to decent work

Paragraph 26

- 194.** The Worker spokesperson proposed to add the following sentence after the first sentence: “Commercial pressures can lead to reductions in CMV driver pay, which in turn can encourage unsafe on-road practices.” The purpose was to highlight the link between driver pay or remuneration and the risk of road accidents, which was proven in the scientific literature.
- 195.** The secretary of the Employers’ group opposed the new sentence, referring to other studies showing the opposite finding, and preferred to retain the original language as adopted in 2015. The Government Vice-Chairperson, while not in favour of such formulations, preferred the initial wording adopted in 2015 without the suggested addition.
- 196.** The Worker spokesperson retracted the proposed sentence in view of the lack of support, and suggested inserting, in the first sentence, after “Pressure from supply chain entities” the words “including low rates of remuneration”.
- 197.** The Employer Vice-Chairperson considered that there was not enough evidence-based data to link low remuneration with risky driving behaviour. The secretary of the Employers’ group stated that the original text should be retained, since it reflected the conclusions adopted at the Tripartite Sectoral Meeting on Safety and Health in the Road Transport Sector of 2015.
- 198.** The Government Vice-Chairperson supported the text as initially drafted.
- 199.** The secretary of the Employers’ group proposed to delete the last two sentences, for the same reasons.
- 200.** The Worker Vice-Chairperson, while preferring to retain the original text, in view of time constraints accepted the proposal, which was adopted.
- 201.** The paragraph was adopted as amended.

Paragraph 27

- 202.** The Meeting supported the text as drafted and accepted a proposal by the Employers to move paragraph 27 to precede paragraph 26, so as to start the section with the idea of shared collaborative responsibility.
- 203.** The paragraph was adopted as drafted and moved as agreed.

D. Digitalization

Paragraph 28

- 204.** The secretary of the Employer’s group proposed to: (i) delete the term “should” in the first sentence; (ii) end the first sentence at “technologies”; (iii) start the second sentence with the words “For example, [... the use of ...]” so that the word “including” was deleted; and (iv) merge the third and the second sentence by deleting the words “These technologies”. These amendments were adopted.
- 205.** The Government Vice-Chairperson suggested the deletion of the term “road freight” before “transport operations” in the last sentence. The amendment was accepted as the limitation to road freight had been unintentional.

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- 206.** The Worker spokesperson suggested adding the following two sentences at the end: “The introduction of new technologies must be preceded by social dialogue and democratic consultations of the social partners and stakeholders. CMV driver data must be protected in line with the ILO code of practice on the protection of workers’ personal data.”
- 207.** The secretary of the Employers’ group opposed the proposed amendment, since new technologies were sometimes mandated by governments and often introduced to increase safety, such as the scanning of eyes to detect fatigue. Discussion and training before the introduction of new technologies were desirable, but prior social dialogue and consultations could hold back the tide of progress. Sometimes market needs required the introduction of new technologies: the prior conduct of social dialogue or consultations should not be obligatory.
- 208.** The Government Vice-Chairperson shared the Employers’ view, stating that governments were not always involved in technological advances: the proposal was illogical and at odds with real-life experience, since developments in new technologies were so fast that having social dialogue before their introduction was theoretically important but practically difficult.
- 209.** The Secretary-General of the Meeting observed that the text was only part of the introduction; Part 3 dealt specifically with the role of social dialogue.
- 210.** The Worker spokesperson firmly rejected the idea that technology drove itself and that there was no time for societies and social partners to engage in social dialogue. She withdrew the first sentence of the Workers’ amendment, but asked that, in this context, the record cite the following extract from the ILO Centenary Declaration for the Future of Work: “the ILO must direct its efforts to: (i) ensuring a just transition to a future of work that contributes to sustainable development in its economic, social and environmental dimensions; and (ii) harnessing the fullest potential of technological progress and productivity growth, including through social dialogue, to achieve decent work and sustainable development, which ensure dignity, self-fulfilment and a just sharing of the benefits for all”.
- 211.** As regards the second part of the amendment concerning data protection, the Worker spokesperson stated that the referenced code of practice, though 22 years old, was still relevant to the protection of workers’ personal data. However, the reference could be deleted if it would solve the problem, while retaining the wording “CMV driver data must be protected”. The secretary of the Employers’ group and the Government Vice-Chairperson had no objection in principle to the protection of CMV driver data. The secretary of the Employers’ group agreed in principle to the inclusion of a sentence on the topic, subject to consensus-based language, and the use of “should” rather than “must”. The proposal was adopted.
- 212.** Following the creation of a new section XIII, it was decided to move this paragraph as amended to that new section (see below, where it is labelled as paragraph 185).

Paragraph 29

- 213.** The secretary of the Employers’ group proposed to: (i) replace both occurrences of the word “crashes” with “accidents”; (ii) replace the wording “should also be considered” with “are also to be considered”; (iii) end the first sentence at the word “considered” and start the second sentence with “The use of new technologies”; (iv) replace “is likely to” with “could”; (v) delete the final words “due to electronic monitoring by employers, management and road transport chain parties.”; and (vi) make the sentence more balanced by adding at the end “while in other instances it could contribute to a better management of work–life balance and mental well-being.”

214. The Worker spokesperson accepted the changes to the first sentence but proposed to retain the original text of what now became the second sentence. The Government Vice-Chairperson agreed to the proposals concerning the first sentence, but proposed to delete the second sentence, since the use of new technologies could always contribute to the increase of job stress. The secretary of the Employers' group proposed either to find a balance regarding the wording or to delete it. In a spirit of compromise, the Worker spokesperson accepted the deletion of the second sentence.

215. The first sentence was adopted as amended by the Employers, and the new second sentence was deleted. The paragraph was adopted as amended.

Paragraph 30

216. The secretary of the Employers' group proposed to delete the second sentence, as constituents should not make recommendations on matters such as logistics, mobility, or interoperability, which were outside the ILO's mandate.

217. The expert from the Government of Finland, speaking on behalf of the Government experts, proposed to add the words "in line with the protection of personal and trade data" at the end of the second sentence. The proposal was accepted.

218. In addition, the secretary of the Employers' group suggested deleting the first part of the second sentence, "Governments, social partners and road transport chain parties should encourage"; and to start the second sentence with "The development of".

219. These proposals were adopted and the paragraph was adopted as amended.

Paragraph 31

220. The Worker spokesperson raised concerns that the paragraph only dealt with freight exchange platforms and load boards and did not address passenger transport.

221. The secretary of the Employers' group expressed doubts as to whether the paragraph was within the ILO's mandate. The Government Vice-Chairperson questioned the need for the paragraph, as it merely provided an option and related to unpredictable developments. The secretary of the Employers' group agreed that the paragraph could be deleted.

222. The Worker spokesperson did not accept the deletion of the paragraph, as it dealt with important developments. She suggested as a compromise retaining the first sentence of the original text while removing the second sentence.

223. The secretary of the Employers' group and the Government Vice-Chairperson preferred the deletion of the entire paragraph. The Worker spokesperson accepted the majority view.

224. The paragraph was deleted.

E. Automation

Paragraph 32

225. The Employer Vice-Chairperson proposed to delete the words "governments, social partners and road transport chain parties should bear in mind that".

226. The Government Vice-Chairperson proposed to delete the final sentence, which seemed an obvious inference.

227. These proposals were adopted, and the paragraph was adopted as amended.

Paragraph 33

228. The Worker spokesperson proposed that the paragraph should refer more specifically to the barriers faced by women, and proposed to add, after “promote”, the words: “the training and retraining opportunities needed to support the access of women of all ages to higher-paid work, in roles created by new technologies”.

229. The Employer Vice-Chairperson felt that gender issues would be better addressed in the following section. As he had observed in other contexts, the word “should” was not appropriate. He hence proposed to delete the words “governments should promote”, to replace “update their” by “updating”, and insert “can help” after “training policies”. The paragraph would then read: “Depending on the level of vehicle automation and types of skills required, effective social dialogue and updating competencies and training policies can help to effectively manage the transition and train the road transport sector’s workforce for skill transfers.”

230. The paragraph was adopted as amended.

F. Demographics and gender

Paragraph 34

231. The Government Vice-Chairperson observed that road safety was an issue that should be included in education systems at all levels.

232. The paragraph was adopted without change.

Paragraph 35

233. The Worker spokesperson stated that women faced special problems in the road transport environment. She proposed to add, after the second sentence, a new sentence, to read: “A particular barrier for women is lack of access to welfare facilities, particularly sanitation;” and to replace “unequal” by “men continue to be over-represented in the sector”.

234. The Government Vice-Chairperson preferred to state the issue more positively and call for more women to be recruited.

235. The Employer Vice-Chairperson agreed with the Government Vice-Chairperson, but suggested this aspect be taken up elsewhere in the text.

236. The Secretary-General observed that, in line with the more usual wording in ILO texts, the wording should be: “The road transport sector is still highly male-dominated”. This proposal was accepted, and with this change and the new third sentence, the paragraph was adopted. The Worker Vice-Chairperson proposed to adopt this wording, and add “and gendered” at the end, meaning gender-based segregation. The proposal was adopted and the paragraph was adopted as amended.

G. Environment and climate change

Paragraph 36

237. The Employer Vice-Chairperson proposed that the second sentence be moved to a later section of the text more specific to its contents. This proposal was adopted.

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238. The Government Vice-Chairperson observed that in that second sentence the reference to governments should be removed, since the subject was commercial transport. The Employer Vice-Chairperson disagreed: climate change mitigation and a just transition required tripartite cooperation.
239. The paragraph was adopted as amended, on the understanding that the second sentence would be inserted at a later point in the text.

Part 2. Promotion of decent work and road safety

IV. Fundamental principles and rights at work

240. The secretary of the Employers' group proposed to insert the term "fundamental" between "relevant ratified ILO" and "Conventions" in view of the title of the section. The Worker spokesperson rejected the proposal.
241. The Secretary-General of the Meeting cautioned that ILO fundamental Conventions did not require ratification to be fully applicable to all member States by virtue of membership, and that the original text was used in paragraph 15 of the conclusions concerning decent work in global supply chains adopted at the 2016 International Labour Conference. She suggested a modification of the title of section IV by adding the words "and relevant international labour standards". The proposal was adopted. The secretary of the Employers' group withdrew his proposal.

Paragraph 37

242. The secretary of the Employers' group suggested adding the wording "under the conditions set out in each Convention" at the end of the paragraph, in order to respect the implementation modalities and scope of application of the various existing Conventions. The Worker spokesperson felt that the addition was redundant. The secretary of the Employers' group explained that the proposed text was necessary since the paragraph potentially referred to numerous ILO Conventions. The proposed text had also been used in other ILO documents, such as the *Guidelines on decent work in public emergency services*. The proposal was adopted and the paragraph was adopted as amended.

Paragraph 38

243. The Employer Vice-Chairperson proposed that the paragraph be deleted, since it was purely descriptive, and the text was already lengthy. The Worker spokesperson preferred to retain it: it set the context. The Government Vice-Chairperson saw no reason to delete it.
244. The Chairperson proposed that it be moved to another section.
245. The Worker Vice-Chairperson proposed to move this paragraph to follow paragraph 25. The proposal was adopted, and the paragraph was moved.

Paragraph 39

246. The Worker spokesperson proposed that the text of subparagraph (d) be expanded by adding, after "transport services" in the second line: "and to protect victims and provide access to remedies,".
247. The Employer Vice-Chairperson felt it preferable to retain the simple form of the reference, which was that commonly used.

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248. The secretary of the Worker’s group explained that the intention was to include principles embodied in the Protocol of 2014 to the Forced Labour Convention, 1930, and asked that the relevant part of that Protocol be provided to the Meeting.
249. The Head of the Transport and Maritime Unit quoted the relevant passage from the Protocol.
250. The proposal was adopted, and the paragraph was adopted as amended.

New paragraph

251. The Worker spokesperson considered that other civil liberties, human rights, and fundamental principles and rights at work should be more specifically addressed, and accordingly proposed to add, after paragraph 39, a new subheading, entitled “Freedom of association and collective bargaining rights”, and to add a new paragraph, to read as follows: “CMV drivers in non-standard forms of employment and informal CMV workers often lack access to freedom of association and collective bargaining rights. Governments must ensure that all CMV drivers, regardless of their employment status, and irrespective of whether they work in the formal or informal sector, have full access to these fundamental and enabling rights; such rights can only be exercised within the framework of a system that guarantees respect of other fundamental human rights.”
252. The Employer Vice-Chairperson felt that the import of the proposal was already covered more simply in paragraph 39(a). It was important not to overburden the text.
253. The Government Vice-Chairperson stated that, while no governments present opposed the principle of freedom of association, many governments would have difficulty in specifically addressing this need within the sector.
254. The secretary of the Workers’ group observed that, while other sections addressed fundamental principles and rights at work, freedom of association merited special mention, given the seriousness of disputes concerning its exercise, some of which had involved murder. The 1998 Declaration on Fundamental Principles and Rights at Work mandated governments to ensure respect for the right and its free exercise.
255. The Government Vice-Chairperson questioned the usefulness of citing extensive legal bases in guidelines. Should other international texts also be included? The Employer Vice-Chairperson supported this statement.
256. Following informal consultations, the Worker Vice-Chairperson stated that the parties had agreed on language elsewhere on fundamental rights in regard to collective bargaining. He hence withdrew the proposal.

Paragraph 40

257. The Employer Vice-Chairperson observed that the various subparagraphs did not apply equally to both employers and road transport chain parties. He therefore proposed to add “as far as is reasonably practicable” at the end of the introductory sentence. Subparagraph (b) should end with the words: “to the extent that is required by national law”. In subparagraph (f) he proposed to delete “regardless of ethnicity or national origin,” since this was only one of the possible grounds for discrimination. Subparagraph (g) should read: “promote and implement due diligence in accordance with the UN Guiding Principles remedy framework to ensure respect for the fundamental principles and rights at work of CMV drivers”. Subparagraph (h) should begin: “ensure that, where applicable, ...” and the phrase “where applicable” be removed at the end.

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- 258.** The Worker spokesperson was opposed to the insertion in the introductory sentence. In subparagraph (b) the issue at stake was not national law, and she proposed instead that the paragraph end at “documentation”. In subparagraph (c) she proposed a grammatical change, from “or” to “and”. She accepted the proposed deletion in subparagraph (f). In subparagraph (g) she was opposed to the effective deletion of “adequate classification, corporate duty, due diligence and remedy frameworks to ensure respect for the”. As regards subparagraph (h), the principle of equal treatment in remuneration was enshrined in the fundamental Conventions, but she accepted the proposed deletion of the last two words.
- 259.** The Employer Vice-Chairperson observed that if subparagraph (b) was to apply to road transport chain parties, then some explanation of the principle was needed.
- 260.** The Government Vice-Chairperson accepted the proposed deletion in subparagraph (f).
- 261.** The Secretary-General observed that it would not be acceptable in an ILO text to restrict the application of the fundamental principle of equal pay for work of equal value, which was enshrined in many texts, including a fundamental Convention. Making the term “where applicable” apply to equal pay in subparagraph (h) was hence unacceptable, except in so far as it might be used to refer to an established minimum wage. Qualifications like “as far as is reasonably practicable” were unnecessary, since this was only recommended practice, and should be removed from the text. Some 12 provisions would be affected if this phrase were to be deleted throughout the guidelines. Expressing understanding for the Employers’ desire to communicate the nuance that some responsibilities were not shared among the parties but rather were the sole responsibility of one, she suggested replacing “and” with “or”.
- 262.** In view of the many exchanges concerning the use of the term “should” and requests to define the distribution of responsibilities among those listed in such phrases, the Secretary-General shared the opinion of the Legal Adviser: the use of the word “should” was general drafting practice in non-legally binding instruments, such as Recommendations. There was no need to refer to national law or practice, since codes of practice and guidelines had no impact on national legislation. Furthermore, qualifications such as “where applicable” and “where relevant” were unnecessary, since guidelines only offered recommended practice. The guidelines, when adopted and published, would include an explanatory note at the beginning regarding their impact, purpose, effect, and non-legally binding status.
- 263.** The Employer Vice-Chairperson accordingly accepted that “where applicable” should apply only to minimum-wage concerns, and instead to refer to “wage-earning CMV drivers”.
- 264.** The Worker spokesperson observed that in some cases drivers were reduced to non-wage-earning status in order to disguise their real employment status. They should enjoy rates of pay equal to their wage-earning counterparts. She hence opposed the addition. The Worker Vice-Chairperson further explained that the intention of the clause was to eliminate a legal loophole whereby if one party fulfilled its duty, the others were no longer obliged to act. The reality of the road transport sector was that in most situations every party had a duty to fulfil. He therefore proposed to retain “and”, and replace the proposed addition “as far as is reasonable practicable” with “to the extent of their influence”.
- 265.** The Employer Vice-Chairperson raised the concern of loading more responsibility than appropriate on road transport chain parties, which were not represented at the meeting, and suggested convening a separate forum regarding the impact of supply chains to this end. They hence rejected the Workers’ proposal.
- 266.** The Worker Vice-Chairperson accepted the initially proposed addition while retaining “and” so that the chapeau would read: “Employers, employers’ organizations and road transport chain parties should, as far as is reasonably practicable”. The proposal was adopted.

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- 267.** As to subparagraph (b), the Worker spokesperson suggested ending the sentence after “OSH documentation”, thus deleting any qualification starting “to the extent that ...”; and adding the following second sentence: “Guidance can be provided by the Workers’ Representatives Convention, 1971 (No. 135).”
- 268.** The Secretary-General of the Meeting observed that the relevant portion of the Convention was its Article 2. The language in the draft guidelines was fully in line with the language of the Convention.
- 269.** The secretary of the Employers’ group underlined the importance of including the text as found in Article 2(3) of Convention No. 135. The Worker spokesperson stated that the verbatim use of the Convention language was acceptable, and supported the proposal. The proposal was adopted.
- 270.** With respect to subparagraph (c), the Employer Vice-Chairperson stated that the sentence should read “licensing and employment” and not “licensing or employment”. The proposal was adopted.
- 271.** As regards subparagraph (f), the Worker spokesperson accepted the deletion of the phrase “regardless of ethnicity or national origin”. The proposal was adopted.
- 272.** Regarding subparagraph (g), the Meeting agreed with the deletion proposed by the Employer Vice-Chairperson of the words “adequate classification, corporate duty, due diligence and remedy frameworks to ensure respect for the”.
- 273.** In subparagraph (h), the Worker spokesperson recalled that the proposed words “enjoy the principle of” before “equal pay” were not consistent with the Equal Remuneration Convention, 1951 (No. 100) and suggested retaining the original text “are paid equal pay”. The Employer Vice-Chairperson signalled agreement if their proposal to add “wage-earning” before “CMV drivers” was accepted.
- 274.** The secretary of the Workers’ group agreed in principle to the inclusion of “wage-earning”: it applied to both Convention No. 100 and the Minimum Wage Fixing Convention, 1970 (No. 131). Hence the principle of equal pay for work of equal value applied to all workers. This could have been expressed more clearly in the text.
- 275.** A new subparagraph (i) was inserted here as a consequential change in paragraph 141, with the text “take the appropriate actions with regards to their OSH obligations in line with the Occupational Safety and Health Recommendation, 1981 (No. 164).”
- 276.** These proposals were adopted and the paragraph was adopted as amended.

Paragraph 41

- 277.** The Worker Vice-Chairperson observed that occupational safety and health was not covered by section IV, but the ILO Centenary Declaration had recognized occupational safety and health as fundamental to the realization of decent work, and work was under way to integrate its consideration into related procedures.
- 278.** The Employer Vice-Chairperson proposed to add a new subparagraph at the end, to read: “(e) comply with the instructions given for their own safety and health and that of others, and with safety and health procedures.”
- 279.** The secretary of the Workers’ group disagreed with the proposed new subparagraph (e). The text was taken from Part III of the Occupational Safety and Health Convention, 1981 (No. 155) and from Recommendation No. 164. Part III of Convention No. 155 contained

specific obligations both for employers and for workers or workers' organizations, not exclusively for workers and workers' organizations. Balance should be achieved by also capturing the obligations of the employers in the field of occupational safety and health. Reference could be made to the text of the relevant parts of the Convention and Recommendation. The Worker spokesperson added that the relevant sections of the Convention and Recommendation were not currently reflected in the text on the obligations of employers and governments, but only in respect of those of CMV drivers and workers' organizations.

- 280.** The Employer Vice-Chairperson stated that the obligations under the paragraph were placed on CMV drivers and workers' organizations, and that it appeared to be the correct place for subparagraph (e). Obligations of employers and governments were listed in the preceding paragraphs. It would be acceptable to include text in the paragraph on employers' obligations to reflect, in simple terms, that employers had an obligation to respect OSH standards in line with international labour standards.
- 281.** The Worker spokesperson stated that the proposal was acceptable, and suggested using the formulation from Paragraph 10 of Recommendation No. 164 on the duties of employers. The Meeting agreed in principle with a new subparagraph (e) and a consequential change to the preceding paragraph.
- 282.** The Secretary-General proposed the following text: "take the appropriate actions with regard to their OSH obligations in line with Recommendation No. 164." The proposal was adopted and the paragraph was adopted as amended.

A. Coercion and forced labour

Paragraph 42

- 283.** The Employer Vice-Chairperson proposed to delete the first sentence, as it was a mere observation. The Worker spokesperson was opposed to the proposal, since it helped explain the context. In clause (a)(iii) she proposed to replace "size and weight" by "size, weight, and load". Overloading was a serious and frequent safety hazard in the sector in many countries.
- 284.** The Employer Vice-Chairperson observed that the text was heavy, and the proposed deletion of the first sentence would lighten the text.
- 285.** Both proposals were adopted and the paragraph was adopted as amended.

Paragraph 43

- 286.** The Worker spokesperson proposed to add, after "enforcement and inspection" the words "and support capacity-building for joint or complementary enforcement and inspection by trade unions." The Worker expert from the Netherlands explained the background to the Workers' proposal. In the Netherlands, his foundation was a trade union body engaged in enforcement and inspection for road safety and related social issues. In the EU, they had the power to enforce rules, since they could often see and be made aware of issues that governments could not access. Cross-border freight, however, was a problem for effective inspection.
- 287.** The Government Vice-Chairperson opposed the proposal. He proposed that the last sentence read: "Increased cooperation, including the exchange of information between authorities and labour inspection findings, would improve the effectiveness of enforcement in all countries in cross-border transport."

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288. The Employer Vice-Chairperson opposed the proposal by the Workers, but supported that made by the Government Vice-Chairperson
289. The expert from the Government of Brazil observed that inspection and enforcement were government responsibilities, and could not be conferred on third parties. Trade unions could request inspections, but could not themselves conduct them.
290. At the final sitting, the Worker Vice-Chairperson stated that, in view of the agreement on section XII.A, the paragraph should be retained as drafted. It was so decided.

B. Forced labour and child labour

Paragraph 44

291. The Worker Vice-Chairperson observed that “sensitization” was understood to include awareness-raising activities.
292. The paragraph was adopted without change.

C. Other fundamental principles and rights at work dimensions for road transport operations

293. The Employer Vice-Chairperson proposed that the heading be changed to “Other dimensions for road transport operations”. This proposal was adopted.

Paragraph 45

294. The paragraph was adopted without change.

Paragraph 46

295. The Worker spokesperson proposed that a sentence be added at the end, to read: “Drivers should be able to use such reporting mechanisms without fear of retaliation.”
296. The Government Vice-Chairperson thought it should also include a reference to the principle of confidentiality, and so proposed instead: “Confidentiality should be ensured and CMV drivers reporting criminal actions should not suffer any kind of retaliation.”
297. This proposal was adopted and the paragraph was adopted as amended.

V. Employment

A. Statistics and data on workforce characteristics

Paragraph 47

298. The Employer Vice-Chairperson proposed to replace “truck drivers” by “CMV drivers”, in subparagraphs (c), (e) and (m); and to insert “wage-earning and” before “non-wage-earning” in (m). These proposals were adopted.
299. The Government Vice-Chairperson proposed to replace “including” in the first sentence, by “which may include, where appropriate, and/or according to national laws”, since regulations and local solutions could influence dissemination.

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- 300.** The Worker spokesperson asked the Secretary-General to provide guidance on the proposed addition in view of the opinion of the Legal Adviser.
- 301.** The Secretary-General of the Meeting reiterated the opinion of the Legal Adviser that guidelines did not concern national law, as they were advisory and non-binding, and provided guidance for countries wishing to regulate the sector.
- 302.** The Worker spokesperson took it that the phrase “and/or according to national laws” was hence contrary to the recommendation of the Legal Adviser. She opposed the proposal by the Government Vice-Chairperson as a whole.
- 303.** The Worker spokesperson proposed to add “disaggregate” after “collect” in the first sentence. This proposal was adopted.
- 304.** The Government Vice-Chairperson insisted that there should be flexibility to accommodate the different legal regimes in different countries. The first suggested deletion was acceptable, but the phrase “which may include, where appropriate” should remain. The Meeting agreed with this compromise proposal.
- 305.** The proposal was adopted and the paragraph was adopted as amended.

Paragraph 48

- 306.** The paragraph was adopted without change.

Paragraph 49

- 307.** The Government Vice-Chairperson proposed to replace “should” by “may, where appropriate and according to national laws”. The Secretary-General of the Meeting observed that as the document was non-binding and of a global nature, and as “should” allowed governments adequate flexibility for implementation, the inclusion of “according to national laws” could have the effect of diluting the guidelines.
- 308.** The Government Vice-Chairperson withdrew the phrase “and according to national laws” from his amendment, but wished to retain the replacement of “should” by “may”. This proposal was adopted and the paragraph was adopted as amended.

B. Shortages and turnover

Paragraph 50

- 309.** The Employer Vice-Chairperson proposed that, in subparagraph (I), “welfare” be replaced by “rest”: the term as translated into Spanish seemed odd. The Worker Vice-Chairperson opposed the proposal, since sanitation needs should also be foreseen. The secretary of the Employers’ group proposed that the subparagraph refer to “CMV drivers’ welfare, rest and parking facilities”. This proposal was adopted.
- 310.** The Worker spokesperson proposed to delete “long-distance” in the first sentence, in accordance with the agreement on scope. The proposal was adopted.
- 311.** The Government Vice-Chairperson proposed to add, after “promote measures” in the sixth line, the phrase: “to increase attractiveness and”. The proposal was adopted.
- 312.** The Worker spokesperson proposed to add a new second sentence, to read: “Lack of participation by women means that the industry is failing to benefit from a fully

representative workforce”; and to add, at the end of subparagraph (g), the phrase: “and for reintegration into professional activity”. These proposals were adopted.

- 313.** The Worker spokesperson proposed to add, after “stress,” in subparagraph (h), the phrase: “eliminating material incentives which induce workers to engage in unsafe on-road practices and drive excessively long hours”: it was important, after experiences within the industry, to recognize the material incentives inducing unsafe practice, and this concern was of major relevance to OSH issues in road transport. The secretary of the Employers’ group opposed the proposal.
- 314.** The Worker spokesperson stated that, in view of the lack of support for the changes suggested in the second sentence of subparagraph (h), she proposed instead to replace “material incentives which induce” with the term “pressure” so as to read “eliminating pressure to engage in unsafe on-road practices.” The proposal was adopted.
- 315.** The Worker spokesperson proposed to add in subparagraph (o), after “harassment”, the words “and discrimination”; and after “gender” the words “sexual orientation and gender identity”.
- 316.** The expert from the Government of Poland agreed to the first two proposals, but opposed the last. The expert from the Government of Brazil stated for the record that his Government understood “gender” to mean “biological sex” (male or female) and reserved his position regarding subparagraph (o).
- 317.** The proposal was adopted.
- 318.** The Employer Vice-Chairperson proposed, in subparagraph (p), to replace “machinery” by “systems”. This proposal was adopted.
- 319.** The paragraph was adopted as amended.

Tackling driver shortage: National employment strategy

Paragraph 51

- 320.** The Government Vice-Chairperson proposed to add, after “Governments”, the phrase “in order to tackle driver shortages,” This proposal was adopted, and the paragraph was adopted as amended.

Paragraph 52

- 321.** The paragraph was adopted as drafted.

Paragraph 53

- 322.** The Employer Vice-Chairperson proposed to delete the words “a fund with seed money for”; and, in subparagraph (d), to delete “real estate investments, in particular investment in”. These proposals were adopted, and the paragraph was adopted as amended.

Paragraph 54

- 323.** The Government Vice-Chairperson proposed to replace “providing subsidies for the purchase or implementation of” by “incentivizing road transport chain parties to implement”.

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- 324.** The Worker spokesperson observed that the draft only proposed considering such subsidies: it was for governments to decide for themselves. The new text would be better as an addition, but not as a replacement.
- 325.** The Government Vice-Chairperson considered that safety devices were in everyone's interest, and all should be encouraged to provide them.
- 326.** The secretary of the Employers' group agreed with the Workers. He proposed to add "financially" before "incentivizing" in the proposed new text. The Government Vice-Chairperson was opposed to this proposal, and it was withdrawn.
- 327.** The paragraph was adopted as amended by the Government Vice-Chairperson.

Paragraph 55

- 328.** The paragraph was adopted as drafted.

C. Diversity and industry image

Paragraph 56

- 329.** The Government Vice-Chairperson proposed to combine the chapeau of the paragraph with paragraph 58, and to delete its subparagraphs. This would entail inserting, after "should focus on" in the third line, the full text of paragraph 58.
- 330.** The Worker Vice-Chairperson, supported by the Employer Vice-Chairperson, was opposed to the deletion of the subparagraphs, and saw little purpose in the proposed combination. The Government Vice-Chairperson withdrew his proposal to delete the subparagraphs, but maintained his proposal to move paragraph 58. The proposal was adopted.
- 331.** The Worker spokesperson proposed that the second sentence be expanded as follows: "Governments and social partners should focus on the need to achieve greater gender, ethnic and other diversity of CMV drivers. Enhanced and sustained efforts are required to eliminate prejudice and discrimination in line with the equality of employment of opportunity and treatment principles set out in Convention No. 111 to attract more:"
- 332.** The proposal was adopted and the paragraph was adopted as amended.

Paragraph 57

- 333.** The Employer Vice-Chairperson proposed to delete ", documenting and following up" in subparagraph (a). The Worker spokesperson preferred at least to retain "and following up". The amendment was adopted as so sub-amended.
- 334.** The Government Vice-Chairperson suggested to add, in subparagraph (d), the word "all-inclusive" after "implementing". The proposal was adopted.
- 335.** The paragraph was adopted as amended.

Paragraph 58

- 336.** This paragraph was moved to paragraph 56, as described above.

Paragraph 59

337. The Government Vice-Chairperson proposed that subparagraph (a) read: “make efforts to attract and train more women and under-represented groups to join the sector”. The proposal was adopted, and the paragraph was adopted as amended.

Paragraph 60

338. The Employer Vice-Chairperson proposed to add “where possible” after “should” in the first line. The Worker spokesperson reiterated that “should” always embodied the idea of “where possible” in English. The proposal was withdrawn.

339. The Worker spokesperson proposed to add “, free and” before “clean” in subparagraph (a). The proposal was adopted, and the paragraph was adopted as amended.

Paragraph 61

340. The secretary of the Employers’ group proposed to delete the reference to the Workers with Family Responsibilities Convention, 1981 (No. 156). The Worker spokesperson observed that the Convention was in force, and a reference to it was useful.

341. The Secretary-General, replying to the Employer Vice-Chairperson, explained that the Convention was important and widely ratified, and a reference to it was, in her view, justified.

342. The Employer Vice-Chairperson accordingly proposed to place a full stop after “treatment”, and to simply state that the Convention “provides relevant guidance to this effect”. It was so agreed.

343. The paragraph was adopted as amended.

Paragraph 62

344. The paragraph was adopted as drafted.

D. Employment arrangements

Paragraphs 63 and 64

345. The paragraphs were adopted as drafted.

Paragraph 65

346. The Employer Vice-Chairperson observed that the paragraph was identical to the first part of paragraph 24, and could hence be deleted. The proposal was adopted and the paragraph was deleted.

Paragraph 66

347. The Employer Vice-Chairperson proposed to delete the reference to the Employment Relationship Recommendation, 2006 (No. 198). The proposal was adopted and the paragraph was adopted as amended.

New paragraphs

- 348.** The Worker Vice-Chairperson proposed to add a new subheading, to read: “Transition from the Informal to the Formal Economy”, and to add two new paragraphs which were the outcome of negotiations with the Employers, as follows:

In line with the Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204), a determined effort is needed in some countries to transition existing CMV drivers out of the informal economy and into the formal economy. Success in this effort depends upon the joint participation by governments with social partners to define successive target goals, implement those goals and conduct regular proactive evaluation of these joint efforts. Such a transition requires that the levels of qualifications of existing CMV drivers labouring in the informal sector are raised to levels which enable them to become qualified as professional CMV drivers and thereby to be fully integrated into the formal economy.

Governments should support an enabling environment for employers and workers to exercise their right to organize and to bargain collectively and to participate in social dialogue in the transition to the formal economy. In designing this environment, Members should consult with and promote active participation of the most representative employers’ and workers’ organizations, which should include in their ranks, according to national practice, representatives of membership-based representative organizations of workers and economic units in the informal economy.

- 349.** The proposal was adopted.

Documentation of arrangements

Paragraph 67

- 350.** The paragraph was adopted as drafted.

Paragraph 68

- 351.** The Employer Vice-Chairperson proposed to replace “are still rampant” by “sometimes occur”; and to replace “guarantee” in the last line by “to improve”. The second proposal was adopted.

- 352.** The Worker spokesperson countered that such lack of documentation was widespread and well known. The Employer Vice-Chairperson accordingly proposed that the text simply state that they “can occur”. This proposal was adopted.

- 353.** The expert from the Government of Brazil, speaking on behalf of the Government experts, proposed to delete the phrase “In a large number of countries” and its related footnote. This proposal was adopted.

- 354.** The paragraph was adopted as amended.

Paragraph 69

- 355.** The Worker spokesperson proposed to add, after “probation” the phrase “preferably through a written contract in a language the CMV driver can understand,”; and to add a sentence at the end, to read: “Such terms and conditions should also include those derived from applicable collective agreements.” These proposals were adopted, and the paragraph was adopted as amended.

Paragraph 70

- 356.** The Employer Vice-Chairperson proposed, in subparagraph (c), to replace “period and/or frequency” by “duration, start and end date”; and in subparagraph (e), to replace “remuneration or rates” by “payment”. These proposals were adopted.
- 357.** The Worker spokesperson proposed, in subparagraph (d), to replace the words “remuneration or rates to be paid” by “amounts and types of payments to be paid made”. This proposal was adopted.
- 358.** The Employer Vice-Chairperson proposed, in subparagraph (h), to replace “coverage” by “information”. As a compromise, the Worker spokesperson proposed that the phrase be “coverage information”. This proposal was adopted.
- 359.** The Employer Vice-Chairperson proposed to delete subparagraph (j). This proposal was adopted.
- 360.** The paragraph was adopted as amended.

VI. Working conditions

Paragraph 71

- 361.** The Employer Vice-Chairperson proposed to delete the first sentence, since it basically restated the gist of paragraphs 26 and 38. The proposal was adopted.
- 362.** The Employer Vice-Chairperson proposed to replace “and can lead to unsafe and unsustainable practices” by “that have a significant impact on industry work practices”. The Worker spokesperson opposed the replacement.
- 363.** The Employer Vice-Chairperson withdrew that proposal, and proposed that the words “can lead to” be replaced by “could lead to”. This proposal was adopted.
- 364.** The paragraph was adopted as amended.

Paragraph 72

- 365.** The Government Vice-Chairperson proposed to delete the third sentence. This proposal was adopted, and the paragraph was adopted as amended.

Paragraph 73

- 366.** The Government Vice-Chairperson proposed to delete the phrase “including OSH, remuneration, payment and working-time conditions”. The Worker spokesperson was opposed to the deletion, since the section as a whole set the basis for considering issues of remuneration. The Employer Vice-Chairperson supported the proposal, since the illustrations added little to the text. The proposed deletion was adopted.
- 367.** The Government Vice-Chairperson proposed to add a new sentence, after “law and practice” in the fourth line, to read: “In the case of cross-border transport work and services, equal remuneration should be promoted.”
- 368.** The Secretary-General observed that this would not be acceptable in an ILO text: the principle of “equal pay for work of equal value” was enshrined in a fundamental Convention, and it was hence a rule that all member States had to apply. There could be no question of

its being approached as something to be merely “promoted”, since this would lower the status of what was a standard obligatory for all governments. The Government Vice-Chairperson withdrew the proposal.

369. The paragraph was adopted as amended.

A. Remuneration and rates

Coordination of transport

Paragraph 74

370. The Employer Vice-Chairperson proposed to delete the second sentence, since remuneration and rates were separate issues. The title of the subsection “Coordination of transport” was also difficult to understand. Paragraphs 74 to 76 addressed only remuneration.

371. The Worker Vice-Chairperson considered that this section concerned fundamental issues on which serious dialogue was needed, in particular the relationship between wage-earning drivers and non-wage-earning drivers. It was essential that the social partners support the principle that drivers should be paid appropriate and fair remuneration, which in turn removed the incentive for unsafe practices. In this regard the Workers had serious proposals on the following section concerning wages and rates.

372. The Employer Vice-Chairperson agreed that serious dialogue on these issues was needed. However, the Employers believed, in principle, that it was unjustified to claim that the establishment by governments of uniform minimum rates for workers in the industry was legitimate: there should be space for free competition in the labour market. In his own country, business had campaigned for many years against such rates to reduce costs, but had been thwarted. He accepted that it was necessary to protect remuneration through a general minimum wage, but it was unfair to equate wage earners with non-wage-earners within the industry.

373. The Worker Vice-Chairperson reiterated that the issue was central. The Worker experts had, the previous day, made available a number of studies on pay systems and their relation to safety issues that established a clear link between low wages and the incidence of accidents as a result of unsafe practices, a link that was now recognized both in academic circles and among the judiciary. The Employers seemed to be suggesting that some distinction was needed that in effect would make it impossible for all workers in the industry to enjoy appropriate remuneration that was compatible with safety. For owner-drivers cost recovery was critical: any separate treatment of them would call into question the safety of their operations. Downward pressure on one group would mean downward pressure on all. Issues of remuneration and rates, in view of their proven connection with safety, were hence key to road safety for all road users. The aim must hence be fair and safe remuneration for all drivers, and governments must ensure that rates were set at a level adequate to remove incentives for unsafe practices. The EU had implicitly recognized this principle in its Directives. The guidelines should hence provide guidance to governments on how to promote safety through adequate remuneration, an issue that was also in the Employers’ interest.

374. The expert from the Government of Brazil observed that fixed rates may not necessarily be the best solution. The Worker Vice-Chairperson had however made a valid point: it was necessary to establish parameters for the calculation of safe rates. Non-wage-earning drivers needed special consideration.

375. Further discussion on the section concerning remuneration and rates was postponed until an informal working group convened for the purpose had reached agreement on the content.

376. Following informal discussions, it was decided to replace section “A. Remuneration and rates” (paragraphs 74 to 80), by a new text, headed “A. Sustainable payments”, agreed between the Employers and Workers and several Government experts. The new text read as follows (paragraph numbers are those that appear in the final adopted text appended, and are given here for ease of reference):

A. Sustainable payments

73. The remuneration of wage-earning and non-wage-earning CMV drivers should be sustainable and take into consideration the goals of increasing the attractiveness and sustainability of the industry.
74. Governments should monitor the share of freight and passengers transported by non-wage-earning CMV drivers in order to ascertain the risks this situation could represent.

Payments for non-wage-earning CMV drivers

75. Through national regulation, governments should ensure that non-wage-earning CMV driver contracts are transparent and that invoices or claims for payment are paid within 30 days (in line with subparagraph (i) of paragraph 69).
76. In consultation with social partners and road transport chain parties, governments should establish mechanisms to encourage predictable cost recovery for non-wage-earning CMV drivers by making provisions to support:
 - (a) recovery of fixed costs – typical fixed or annual business costs that a business must pay each year regardless of how many kilometres a vehicle travels;
 - (b) recovery of variable costs – typical variable business costs, that is to say, costs (such as fuel and tyres) that vary with how many kilometres are travelled;
 - (c) payment for personal labour at the national minimum-wage rate or higher, as determined by paragraph 78;
 - (d) return on investment;
 - (e) remuneration for both driving and subsidiary non-driving work activities, as defined in paragraph 81.
77. Governments, social partners and road transport chain parties should promote, in law and practice, adequate remuneration and sustainable payments for CMV drivers. This should be accompanied by measures targeting enforcement to combat the overloading and overweighing of CMVs.

Payments for wage-earning CMV drivers

78. In countries in which a minimum wage is officially published, it should be established in line with the Minimum Wage Fixing Convention, 1970 (No. 131).
79. If no minimum wage is officially published, governments, in consultation with social partners, should set up machinery whereby wages and other conditions for wage-earning CMV drivers can be established. For this purpose, account should be taken of adequate remuneration, equal remuneration for work of equal value, and industry and social factors should also be taken into account.
80. In setting minimum wages for wage-earning CMV drivers, governments should:
 - (a) directly involve the social partners in the framing of all necessary provisions;
 - (b) provide for contributions to social entitlements, such as workers’ compensation insurance coverage;
 - (c) provide for payment for both driving and subsidiary non-driving work activities, as defined in paragraph 81.
81. The calculation of rates for wage-earning CMV drivers should also take into account remuneration for time spent on reasonably required subsidiary non-driving work activities including the following:
 - (a) time required to prepare and maintain a CMV;

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- (b) time expended in relation to loads intended to be carried by a CMV;
 - (c) other non-driving time expended within the road transport journey.

82. Governments should provide an adequate system of inspection that has the authority to conduct investigations on “chain of responsibility principles” with a view to ascertaining whether such wages are in fact being documented and applied and to take such steps as may be authorized to deal with infringements.

377. The Government Vice-Chairperson proposed new text for paragraph 75 which would read: “For the purposes of transparency, CMV drivers’ contracts should be drawn up within the framework of national regulations”. The chapeau to paragraph 76 should read: “[G]overnments should encourage social dialogue between the social partners and transport chain parties, to promote predictable cost recovery for non-wage-earning CMV drivers by making provisions to support:”. A clause (vi) under subparagraph (b) should be added to read: “invoices or claims of payments are paid within 30 days”.

378. The expert from the Government of Brazil suggested that the chapeau of paragraph 76 read: “Governments should establish social dialogue involving social partners and road transport chain parties to encourage predictable cost recovery for non-wage-earning CMV drivers by making provisions to support:” The Secretary-General of the Meeting suggested to add the word “mechanisms” after “social dialogue”.

379. The Worker Vice-Chairperson stated that the objective was to establish cost recovery through social dialogue mechanisms rather than isolated mechanisms. The Employer Vice-Chairperson endorsed the comments made by the Workers and acknowledged the concerns of the Government.

380. The Worker Vice-Chairperson noted that the Workers and Employers had reached agreement that cost recovery should be achieved through appropriate mechanisms. There was no issue with social dialogue mechanisms themselves, but the objective was to ensure that the mechanisms used actually resulted in cost recovery.

381. The Employer Vice-Chairperson explained that the topic had been discussed at length, was extremely sensitive for both the Employers’ and Workers’ groups and had a history that went back many years in the ILO, and that the solution that had been agreed by the parties had taken a huge amount of work and a number of concessions. The alterations proposed by the Government Vice-Chairperson were not necessary and, in a spirit of consensus, he asked that all proposed amendments be withdrawn.

382. The Worker Vice-Chairperson supported the statement by the Employer Vice-Chairperson. The formulation of the existing text was preferable, especially in view of the amount of time and expertise that had gone into its drafting. The Government group’s suggestions were logical, but much of it was covered elsewhere. He asked the Governments to reconsider their proposed amendments. The Employer Vice-Chairperson endorsed this statement.

383. The Government Vice-Chairperson explained that the Government group merely sought to improve the text, but in view of the positions expressed by the other Vice-Chairpersons, he withdrew the proposals.

384. The new text was adopted.

Paragraph 81

385. The Employer Vice-Chairperson proposed to replace “rates” with “wages”; and to delete the words at the end following “infringements”. The proposal was adopted and the paragraph was adopted as amended.

B. Working and driving times

Paragraph 82

- 386.** The Employer Vice-Chairperson proposed to delete the references to the Convention and Recommendation. The former had not been widely ratified, and had been earmarked for revision. The Worker spokesperson opposed their deletion, since they were the most up-to-date standards available, and the simple fact of their having been earmarked for revision was no reason to ignore them.
- 387.** The Secretary-General proposed that, in view of the problems encountered in specific individual references to international labour standards, a new annex should be added where all relevant standards could be listed for reference. Sectoral Conventions were often neglected because governments tended to focus on more broadly applicable instruments. The Employer Vice-Chairperson supported this proposal.
- 388.** The Deputy Secretary-General of the Meeting explained that an instrument under review was not considered outdated and was still open for ratification. Many instruments were under review due to their low ratification rates with a view to removing obstacles to ratification. Since the review process could take many years, it was preferable to keep the reference to the Convention and the Recommendation in the text.
- 389.** The secretary of the Employers' group accepted this explanation of the status of the instruments mentioned in the paragraph and would accept their inclusion. The paragraph was adopted as drafted.

Paragraph 83

- 390.** The paragraph was adopted as drafted.

Paragraph 84

- 391.** The Employer Vice-Chairperson proposed to delete "long-distance". The Government Vice-Chairperson proposed that instead it be moved to qualify only passenger transport. This proposal was adopted, and the paragraph was adopted as amended.

Paragraph 85

- 392.** The Employer Vice-Chairperson proposed that the reference be moved to the proposed new annex. The Worker spokesperson preferred to retain the paragraph, a view supported by the Government Vice-Chairperson.
- 393.** The paragraph was adopted without change.

Paragraph 86

- 394.** The Government Vice-Chairperson proposed to delete the first sentence. The proposal was not adopted.
- 395.** The Employer Vice-Chairperson proposed to delete "seriously" in the second sentence. This proposal was adopted.
- 396.** The Worker spokesperson considered that the text should refer in this context not to "fair minimum" rates, but to "sustainable" rates.

397. The Employer Vice-Chairperson proposed instead, to delete “coupled with regulations related to sustainable remuneration”. The proposal was adopted.

398. The Employer Vice-Chairperson proposed to end the paragraph at “non-wage-earning CMV drivers”, since the issues addressed in the last phrase had now been settled in the new paragraphs on sustainable payments. The proposal was adopted.

399. The paragraph was adopted as amended.

Paragraph 87

400. The Government Vice-Chairperson proposed to reword the paragraph as follows: “Governments should combine driving and working-time legislation and regulations for the road transport sector with a strategy to support, together with social partners and road transport chain parties, and efforts to make real estate and technology available to build and/or improve CMV parking.”

401. The Worker spokesperson opposed the proposal, but in a spirit of compromise accepted it, on condition that “areas” be added after “parking”. This proposal was adopted.

402. The paragraph was adopted as amended.

Paragraph 88

403. The secretary of the Employers’ group proposed to delete the reference to “in accordance with section XII of the present guidelines” and the related paragraphs, as the present paragraph dealt with voluntary mechanisms and not enforcement. The two issues should not be linked. The proposal was adopted and the paragraph was adopted as amended.

VII. Occupational safety and health

A. General provisions

Paragraph 89

404. The Government Vice-Chairperson proposed to delete “and crashes”, which was redundant. This proposal was adopted, and the paragraph was adopted as amended.

Paragraph 90

405. The Employer Vice-Chairperson proposed to add, at the end of the chapeau: “to the extent that it is within their responsibilities”.

406. The Government Vice-Chairperson proposed instead to add “within their spheres of competence”.

407. The Secretary-General observed that the word “should” encompassed the notion of responsibility and that the guidelines were not a binding instrument. The additional text was not technically necessary. The guidelines were aspirational and should therefore be ambitious. A strong political will was a clear need in the context of occupational safety and health.

408. The Employer Vice-Chairperson acknowledged the Secretary-General’s explanation, but felt that the proposed addition should be retained. The Worker Vice-Chairperson favoured

the approach of the Secretary-General. He acknowledged the proposal made by the Government Vice-Chairperson.

- 409.** The secretary of the Employers' group stated that they were flexible regarding the formulation but the inclusion was still important to them. They did not agree that the addition was unnecessary and did not see any harm in retaining it. The proposal was adopted.
- 410.** The Worker Vice-Chairperson proposed the addition of “, a gender-responsive approach to OSH,” after “systems and transport” in subparagraph (b). This proposal was adopted.
- 411.** The Government Vice-Chairperson proposed to add a new initial subparagraph as follows: “develop and implement OSH protocols, in line with the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)”. The proposal was adopted.
- 412.** The secretary of the Employers' group proposed to delete subparagraph (c). The proposal was adopted.
- 413.** The paragraph was adopted as amended.

New paragraph

- 414.** The Worker Vice-Chairperson proposed to insert a new paragraph, to follow paragraph 89, to read as follows: “For the purposes of occupational safety and health and road safety management, governments, social partners and road transport chain parties should apply OSH regulatory and equivalent protections to CMV drivers at all times when CMV drivers are performing their road transport work, regardless of where their work is performed.”
- 415.** The Employer Vice-Chairperson proposed to add, after “protections,” the phrase “and protections equivalent to regulatory occupational safety and health protections”. Where protections were foreseen by regulations, they could and should be provided in other forms.
- 416.** The expert from the Government of Brazil asked whether the Employers had in mind protections of the type foreseen under the United States Occupational Safety and Health Act (OSHA). The Employer Vice-Chairperson replied that where regulations were inadequate, something else was needed to broaden protection.
- 417.** The Worker Vice-Chairperson found the proposed addition unnecessary, as it introduced uncertainty and the possibility of confusion.
- 418.** The Secretary-General proposed that the phrase read: “should apply OSH regulatory or equivalent protections”. The Employer Vice-Chairperson accepted this proposal.
- 419.** The Worker Vice-Chairperson objected to the idea of equivalence because of the uncertainty it introduced, but suggested changing “or” to “and” as a compromise.
- 420.** The expert from the Government of Brazil requested clarification on the reference to driving and working times and their relation to labour inspections.
- 421.** The Worker Vice-Chairperson observed that the Employers had agreed with the word “and”, not “or”. The Government Vice-Chairperson instead proposed “and/or”. The secretary of the Employers' group wanted “or” to be included.
- 422.** In view of time constraints and the absence of agreement, the Worker Vice-Chairperson withdrew the proposed new paragraph.

Paragraph 91

423. The paragraph was adopted as drafted.

Paragraph 92

424. The Employer Vice-Chairperson suggested replacing “crashes” with “accidents”.

425. The Executive Secretary stated that making that change throughout the document would conflict with international terminology. A crash was understood to mean a situation that could have been avoided, while an accident included incidents resulting from unforeseen and unavoidable circumstances.

426. The Employer Vice-Chairperson withdrew the proposal. The Worker Vice-Chairperson proposed that both terms be used, since both were relevant. He also proposed to add “heat stress;” before “violence” in the list of risk factors. These proposals were adopted.

427. The paragraph was adopted as amended.

Paragraph 93

428. The paragraph was adopted as drafted.

B. Safety management systems

Paragraph 94

429. The Government Vice-Chairperson suggested moving “long-distance” to qualify “passenger transport”, as elsewhere in the text. The proposal was adopted and the paragraph was adopted as amended.

Paragraph 95

430. The paragraph was adopted as drafted.

Paragraph 96

431. The Government Vice-Chairperson proposed the insertion of a second sentence in paragraph 96, to read: “These policies should as a minimum identify and evaluate risks and include a preventive and corrective management system.” This proposal was adopted, and the paragraph was adopted as amended.

Paragraph 97

432. The paragraph was adopted as drafted.

C. Safer drivers

General provisions

Paragraph 98

433. The Worker Vice-Chairperson proposed two insertions: first, “whole body vibration disorders,” should follow “musculoskeletal disorders”; secondly, after “extreme temperatures”, to add: “reproductive health issues including” [risk of miscarriage...]. The proposals were adopted.

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434. The Government Vice-Chairperson proposed deleting the third sentence altogether in order to allow for the widest possible interpretation. The Worker Vice-Chairperson disagreed with the proposed deletion: the illustrations were useful. The proposal was withdrawn
435. The paragraph was adopted as amended.

Paragraph 99

436. The Worker Vice-Chairperson proposed to replace “policies and regulations”, by the words “laws, regulations and policies”. The proposal was adopted.
437. The Employer Vice-Chairperson proposed to add, at the end of the chapeau, “to the extent that it is within their responsibilities”; in subparagraph (a), to add “standardized” to qualify “training”; and in subparagraph (b) to delete the reference to the Maximum Weight Convention, 1967 (No. 127).
438. The Worker Vice-Chairperson accepted the proposal to add “standardized”, but opposed the other amendments proposed by the Employers. The first proposal was adopted.
439. The Employer Vice-Chairperson proposed, in subparagraph (b), to add, after “weight”, the words “length and height”. The proposal was adopted.
440. The Government Vice-Chairperson proposed to replace subparagraph (d) by “the use of safety belts”. The proposal was adopted.
441. The Worker Vice-Chairperson proposed, in subparagraph (e), to replace “personal protective equipment,” by “personal protective equipment (PPE) by workers as a last resort (after implementing other controls)”, and to delete “ in compliance with national laws and regulations”; to add “collections and” before “deliveries”; and at the end to replace “requires this equipment” by “require the use of PPE”. The proposals were adopted.
442. The secretary of the Employers’ group proposed, in subparagraph (h), to add, at the end “and the duty to inform their supervisors”. The proposal was adopted.
443. The Employer Vice-Chairperson proposed, in subparagraph (k) to add “regular” before “drug” in the first line.
444. The Government Vice-Chairperson proposed to add, after “CMV drivers” in subparagraph (k), the phrase “in line with the ILO code of practice on the management of alcohol and drug-related issues in the workplace”. The Worker Vice-Chairperson was not certain that the reference to the code of practice was appropriate. The proposal was withdrawn.
445. The Employer Vice-Chairperson proposed to reprise text from the conclusions of 2015 by adding a new subparagraph at the end, to read: “(l) initial and periodical medical examinations should be compulsory for all CMV drivers. These examinations and testing for substance abuse should be carried out fairly and confidentially on a regular basis.”
446. The Government Vice-Chairperson proposed to replace “medical” by “laboratory”, since these were simple tests that did not require the involvement of doctors. The Worker Vice-Chairperson agreed that “medical” was too broad. As for “regular”, this seemed imprecise, and raised questions about the nature of testing.
447. The expert from the Government of Brazil added that Brazil had made laboratory tests of drivers compulsory since 2015, with good results. Periodicity was also important.

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- 448.** After discussion, it was agreed to adopt the proposal by the Employers to add “to the extent it is within their responsibilities” in the chapeau.
- 449.** The Employer Vice-Chairperson, referring to subparagraph (k), wished to keep the word “regular” and remove the reference to the ILO instrument.
- 450.** The Government Vice-Chairperson asked what was meant by the word “regular” in the context of testing. The Employer Vice-Chairperson explained that testing should be conducted at regular time intervals, but proposed to use “periodic” instead. The proposal was adopted.
- 451.** The Worker spokesperson opposed the proposed new subparagraph (l). The Employer Vice-Chairperson explained that the new subparagraph concerned an issue that affected road safety; he preferred to retain “medical”, since “laboratory” limited the scope. The Worker spokesperson maintained their opposition to the proposed text. After further discussion, it was decided to withdraw the proposed new subparagraph (l).
- 452.** The paragraph was adopted as amended.

Violence, harassment and stress

Paragraph 100

- 453.** The Employer Vice-Chairperson proposed that the paragraph should include text from Article 2 of the Violence and Harassment Convention, 2019 (No. 190), by adding after “contractual status” in the sixth line: “as well as individuals exercising the authority, duties or responsibilities of an employer.
- 454.** The Worker Vice-Chairperson considered that the full text of that Article 2 should be reproduced, but without its reference to “all sectors”. The second sentence should hence read:

These instruments protect all workers and other persons in the world of work, including employees as defined by national law and practice, as well as persons working irrespective of their contractual status, persons in training, including interns and apprentices, workers whose employment has been terminated, volunteers, jobseekers and job applicants and individuals exercising the authority, duties or responsibilities of an employer.

- 455.** The proposal was supported by the expert from the Government of Brazil, and adopted. The paragraph was adopted as amended.

Paragraph 101

- 456.** The paragraph was adopted as drafted.

Paragraph 102

- 457.** The Employer Vice-Chairperson proposed to add, at the end of the chapeau, the phrase: “to the extent it is within their responsibilities”. The Worker Vice-Chairperson opposed this text for the reasons stated earlier, but in a spirit of compromise, accepted it. The proposal was adopted.
- 458.** The Government Vice-Chairperson proposed to delete, in subparagraph (b), the phrase “and immediate family members”.

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- 459.** The Worker Vice-Chairperson objected strongly to this proposal. As illustrated by the tragic incident he had related on the first day, accidents could affect family members intensely. Many companies had provided such support to families. Caring for such family members was not only a responsibility of governments, but a moral duty for all.
- 460.** The Employer Vice-Chairperson supported the Worker Vice-Chairperson, but asked how appropriate stress management could be managed by employers.
- 461.** The Worker Vice-Chairperson proposed instead that the text read: “and, within reason, immediate family members”. The proposal was adopted.
- 462.** The Worker spokesperson proposed to add, at the end of subparagraph (b), “Breaks must be protected, and CMV drivers must be free to dispose of their time during their breaks as they wish.” This meant in particular that they should be free to leave their vehicles if they wished. The Employer Vice-Chairperson accepted the proposal on condition that it was stipulated that breaks were protected “within reason”. The Worker Vice-Chairperson proposed that the beginning read: “Reasonable breaks ...” These proposals were adopted.
- 463.** The Worker Vice-Chairperson proposed to add, in subparagraph (d), after the word “programmes”, the phrase “such as women’s advocacy programmes”, and after the word “witnesses”, the phrase “and where necessary”, while deleting the word “including” after “witnesses”. The proposal was adopted.
- 464.** The Government Vice-Chairperson proposed to add, after “whenever possible” in clause (f)(ii), the phrase “and in accordance with national legislation”, and to delete “as this imposes undue financial burdens on CMV drivers, employers and road transport chain parties that operate or engage the vehicle”, since it was unnecessary to explain why. The Employer and Worker Vice-Chairpersons preferred the original text.
- 465.** The Government Vice-Chairperson considered that it was inappropriate for guidelines to address “criminal processes”, which were governed by criminal codes.
- 466.** The Worker Vice-Chairperson explained that the guidelines were aspirational: the intention was to persuade governments to show understanding.
- 467.** The proposal was adopted and the paragraph was adopted as amended.

Paragraph 103

- 468.** The paragraph was adopted as drafted.

Exposure to chemicals and radiation

- 469.** The Worker Vice-Chairperson proposed to replace the heading by “Preventing exposure to chemicals, radiation and other hazardous substances”. This proposal was adopted.

Paragraph 104

- 470.** The Worker Vice-Chairperson proposed to replace “awareness-raising” by “training”. The Employer Vice-Chairperson opposed this proposal, since awareness-raising was important, and the proposed amendment amounted to a tautology (“training should include training”). The Worker Vice-Chairperson proposed that both terms be used: “awareness-raising and training”. This proposal was adopted.
- 471.** The Worker Vice-Chairperson proposed to replace “avoid or limit” by “protect from the”. This proposal was adopted.

472. The Government Vice-Chairperson proposed that the paragraph should end at “substances”: the list was redundant. The Worker Vice-Chairperson countered that while the list was not exhaustive, it offered useful illustrations. The proposal was withdrawn.

473. The Worker Vice-Chairperson proposed to add “dusts” after “vapours”; and to replace “and other hazardous” by “and exposure to hazardous”. These proposals were adopted.

474. The paragraph was adopted as amended.

Paragraph 105

475. The Employer Vice-Chairperson proposed to add, at the end of the chapeau, the phrase: “to the extent it is within their responsibilities”. The Worker Vice-Chairperson questioned whether the phrase was really necessary here. The proposal was withdrawn.

476. The Worker Vice-Chairperson proposed to delete “and agro-foodstuffs” in the first line. The proposal was adopted.

477. The Worker Vice-Chairperson also proposed, to ensure consistency, in subparagraph (b) to replace “training” by “awareness-raising and training”. The proposal was adopted.

478. The Employer Vice-Chairperson proposed to add, at the end of subparagraph (a): “and the UN *Model Regulations on the Transport of Dangerous Goods*”. This proposal was supported by the Government Vice-Chairperson. It was adopted.

479. The Worker Vice-Chairperson proposed, in subparagraph (b), to replace “inform” by “protect”. The Employer Vice-Chairperson proposed that the phrase include both so as to mean both “protect and inform”, so as to read: “compulsory awareness-raising and training to protect and inform CMV drivers”. This proposal was adopted.

480. The Government Vice-Chairperson proposed, at the end of subparagraph (b), to add: “and the use of PPE”. The proposal was adopted.

481. The paragraph was adopted as amended.

Paragraphs 106 and 107

482. These paragraphs were adopted as drafted.

Sexually transmitted infections, HIV and AIDS

483. The Worker spokesperson proposed that a new annex be added to reproduce Annex J to the ILO code of practice on safety and health in ports. The Secretary-General of the Meeting noted that it would be included as Annex B.

Paragraphs 108 and 109

484. The paragraphs were adopted as drafted.

D. Safer vehicles

Paragraph 110

485. The Worker spokesperson proposed the addition of a sentence at the end of subparagraph (d): “The installation of driver safety monitoring equipment should be applied with careful regard to workers’ dignity.” A Worker expert explained that monitoring

equipment was often used in driver cabins for up-skirt or down-top images of women workers as a mode of sexual harassment at the workplace. The Employer Vice-Chairperson proposed to add “bearing in mind the dignity of women” at the end of the subparagraph. The Worker spokesperson replied that the reference should simply be to “workers”. These proposals were adopted.

- 486.** The Government Vice-Chairperson suggested: (i) in subparagraph (a), replacing the term “regular” with “regulations and enforcement regarding periodic” and inserting “documented” before “maintenance programmes”; (ii) in subparagraph (c), replacing “regulate” with “discourage”; and (iii) in subparagraph (g), replacing “before considering encouraging the operation” with “to support [the] safe operation”. The proposals were adopted and the paragraph was adopted as amended.

E. Safer and more secure welfare facilities

Paragraph 111

- 487.** The Worker spokesperson proposed to insert between “bathroom” and “facilities” the words “, washing and other sanitary”, for completeness. In the last sentence, the term “welfare” should be inserted before “facilities” and the words “and infrastructure” should be added after “road systems”. These proposals were adopted, and the paragraph was adopted as amended.

New paragraph

- 488.** The Worker spokesperson proposed the following new paragraph to precede paragraph 112: “The lack of welfare facilities can have negative consequences for all transport workers, particularly women, who need access more frequently and for longer than men. Ignoring the specific needs of women workers is discriminatory, deprives women of basic dignity, stigmatizes them, and puts them at greater risk of violence and of occupational ill-health.”

- 489.** The Employer Vice-Chairperson considered that, while equality was a major concern for the Employers, both women and men required facilities and there was no need to treat women differently, but he did not oppose the proposal.

- 490.** The proposal was adopted. The new paragraph was added.

New paragraph

- 491.** The Worker spokesperson proposed the following additional new paragraph to follow the previous new paragraph: “The provision of appropriate welfare facilities is an essential control measure for the prevention of workers’ ill-health arising from exposure to hazardous substances and other contaminants. Such provision is essential to public health, to prevent the spread of diseases and cross-contamination (for example in the transport of hazardous material).” The proposal was adopted. The new paragraph was added.

Paragraph 112

- 492.** The Government Vice-Chairperson suggested adding at the end of the chapeau, after “should”, the words: “adopt measures to”.

- 493.** The Worker spokesperson proposed the following new subparagraph before subparagraph (a): “respect the right to adequate sanitation;”.

- 494.** The proposals were adopted and the paragraph was adopted as amended.

Paragraph 113

495. The Worker spokesperson suggested, in subparagraph (a), inserting the phrase “, without loss of pay or victimization,”. The proposal was adopted.

496. The Employer Vice-Chairperson proposed the modification of the chapeau by adding at the end the words “to the extent it is within their responsibilities”. The Worker spokesperson preferred the original text, but accepted the proposal. The proposal was adopted.

497. The paragraph was adopted as amended.

F. Safer corridors and international border crossings

Paragraphs 114, 115 and 116

498. These paragraphs were adopted as drafted.

Paragraph 117

499. The Government Vice-Chairperson proposed inserting “cooperation and/or” between “tripartite” and “border-crossing monitoring and facilitation bodies”. The proposal was adopted and the paragraph was adopted as amended.

VIII. Social security and employment injury protection

A. Social security provisions

Paragraphs 118 and 119

500. The paragraphs were adopted as drafted.

Paragraph 120

501. The Employer Vice-Chairperson proposed deleting subparagraph (d). The Worker spokesperson opposed this amendment: rather, it was necessary to expand the concept by inserting “and non-wage-earning” between “informal” and “CMV drivers”, and adding at the end, the clause: “and establishing social protection floors where these do not exist”.

502. The Employer Vice-Chairperson opposed these proposals, and proposed as a compromise to retain only the phrase “extending social security to informal CMV drivers”. The Government Vice-Chairperson supported this proposal.

503. The proposal was adopted and the paragraph was adopted as amended.

Paragraph 121

504. While the Worker spokesperson and the Government Vice-Chairperson supported the original text, the Employer Vice-Chairperson found it problematic to apply the substance of the paragraph to all drivers.

505. The secretary of the Employers’ group proposed to delete the word “crucial”, and to add “wage-earning” before “CMV drivers”. These proposals were adopted and the paragraph was adopted as amended.

B. Road safety, violence and the role of social security institutions

Paragraph 122

- 506.** The Employer Vice-Chairperson proposed replacing the word “and” with “, along with” between “Governments” and “social partners”.
- 507.** The Government Vice-Chairperson proposed inserting the words “and harassment” between “violence” and “at work” in subparagraph (g).
- 508.** These proposals were adopted.
- 509.** The Employer Vice-Chairperson proposed to delete, both from the section title and the chapeau of paragraph 122, the term “security” between “social” and “institutions”, given that the content of this paragraph did not deal with social security in the strict sense.
- 510.** The Worker spokesperson objected to this amendment, since there was a clear and indisputable meaning behind the term “social security institutions”, and requested clarification about the use of social security institutions in the context of preventing violence.
- 511.** The Executive Secretary explained that the International Social Security Association (ISSA), mainly composed of national social security administrations, had a working group on prevention in transportation, which in 2015 had adopted the Hamburg Declaration against Violence, Attacks and Aggression at the Workplace,³ which outlined the substance of this paragraph.
- 512.** The proposal was withdrawn. The paragraph was adopted as amended.

C. Employment injury protection

Paragraph 123

- 513.** The paragraph was adopted as drafted.

Paragraph 124

- 514.** The Employer Vice-Chairperson proposed deleting the first sentence and the words “To ensure this” in the second sentence, so that the paragraph would begin with the term “Governments”.
- 515.** The Worker spokesperson opposed the amendment, since the first sentence was a basic principle underlying workers’ compensation schemes and health and accident insurance in a variety of jurisdictions. The Government Vice-Chairperson also opposed the amendment.
- 516.** Following negotiations, the proposal was adopted and the paragraph was adopted as amended.

³ [Hamburg Declaration](#).

Paragraph 125

517. The Government Vice-Chairperson suggested adding “where appropriate” after “should” in the chapeau. The Worker Vice-Chairperson opposed the proposal: “should” was sufficient” in view of the explanation given by the Secretary-General. It was withdrawn.
518. The Employer Vice-Chairperson proposed inserting “wage-earning” between “ensure that” and “CMV drivers” in the first line of subparagraph (a); and deleting subparagraph (b). The proposals were adopted and the paragraph was adopted as amended, the subparagraph being merged into the chapeau.

Paragraph 126

519. The paragraph was adopted without change.

Part 3. Means of action

IX. Social dialogue and tripartism

Paragraph 127

520. The Employer Vice-Chairperson proposed replacing “contractual arrangement or employment status” with “type of employment relationship”. The proposal was adopted and the paragraph was adopted as amended.

Paragraph 128

521. The Worker spokesperson suggested adding the following new sentence at the beginning of the paragraph: “All road transport chain parties should be encouraged to participate in social dialogue”; the original first sentence should then begin with “However, there is ...”. It was also proposed that the words “and other road transport chain parties” be inserted between “provided that employers” and “do not misuse” in the last sentence. The secretary of the Employers’ group accepted the first proposal, but not the second.
522. The Worker Vice-Chairperson explained that it was in the interest of the Employers to accept the insertion, since when other parties were involved, particularly those who were not road transport operators, they should be held responsible rather than the road transport operators. The secretary of the Employers’ group accepted the explanation.
523. The proposals were adopted.
524. The Employer Vice-Chairperson proposed ending the initial first sentence after “road transport sector” and blending the second half of the initial first sentence and the first half of the initial second sentence to read: “The presence of CMV drivers who provide their services through direct employment and commercial services contracts does not necessarily translate into poor working conditions ...”. The proposal was adopted and the paragraph was adopted as amended.

Paragraph 129

525. The secretary of the Employers group proposed to replace the paragraph by the following: “Social dialogue in all its forms contributes to decent work and OSH of CMV drivers. Tripartite social dialogue processes may play a key role in the development of transport services.”

526. The Worker spokesperson objected that the amendment altered the meaning of the paragraph. The Government Vice-Chairperson suggested only deleting the last sentence of the original text.

527. Following informal discussions, the proposal was adopted and the paragraph was adopted as amended.

Paragraph 130

528. The secretary of the Employers' group proposed to delete "including transnational collective bargaining" and merging the two sentences by replacing the words "Governments, social partners and road transport chain parties should promote cross-border social dialogue in line with the" with "as highlighted by the" so that the paragraph would read: "In an increasingly interconnected world of work, spaces for cross-border social dialogue have multiplied in response to advancing globalization and regional integration as highlighted by the conclusions of the Meeting of Experts on Cross-border Social Dialogue (2019)."

529. The Worker spokesperson and the Government Vice-Chairperson opposed the amendment.

530. Following informal negotiations, the proposal was adopted and the paragraph was adopted as amended.

Paragraph 131

531. The secretary of the Employers group proposed: (i) to delete the second sentence in the chapeau because it was repetitive; (ii) to remove the words at the beginning of subparagraph (b) "where the sector is weak, unstructured and atomized"; (iii) to insert "and representative" between "strong" and "employers' and workers' organizations"; and (iv) to delete the term "sectoral" before "social partners" in subparagraph (b) so as to broaden the scope of capacity-building.

532. The Government Vice-Chairperson accepted the suggested amendments. The Worker spokesperson agreed with the proposals concerning subparagraph (b) but not with the deletion of the second sentence in the chapeau. The secretary of the Employers' group withdrew that amendment. The other proposals were adopted.

533. The paragraph was adopted as amended.

Paragraphs 132 and 133

534. The secretary of the Employers' group proposed to delete the paragraphs. The Worker spokesperson agreed to accept their deletion on condition that a new text be adopted to replace paragraph 133, to read as follows:

Governments should develop innovative approaches, including initiatives to ensure that the exercise of freedom of association and the effective recognition of the right to collective bargaining are extended to, and respected in, employment relationships where they have not traditionally been available, and to new and emerging forms of employment, and that those workers are able to enjoy the protection afforded to them under the applicable collective agreements, in accordance with applicable laws and national circumstances.

535. A footnote was attached to the new text, referring to Recommendation No. 91.

536. The secretary of the Employers' group agreed to the new text provided that the footnote was deleted. It was so agreed.

537. The proposal was adopted. Paragraph 132 was deleted and the new text of paragraph 133 adopted.

X. Fair recruitment and sustainable procurement and contracting practices

Paragraph 134

538. The paragraph was adopted as drafted.

Paragraphs 135 and 136

539. The Government Vice-Chairperson suggested deleting these paragraphs. The proposal was adopted and the paragraphs were deleted.

Paragraph 137

540. The paragraph was adopted as drafted.

Paragraph 138

541. The Employer Vice-Chairperson requested clarification on the implications of clause (b)(i).

542. The Executive Secretary explained that this provision recommended that public employment services engaged in hiring – putting supply and demand in contact – apply the principles of the Employment Service Convention, 1948 (No. 88).

543. The Employer Vice-Chairperson suggested deleting the second sentence of clause (c)(i). The proposal was adopted.

544. The Employer Vice-Chairperson proposed to delete clause (c)(ii), since the UN *Guiding Principles on Business and Human Rights* did not refer to recruitment. The Worker spokesperson preferred to retain the reference, whereas the Government Vice-Chairperson accepted the suggested deletion. The proposal was adopted.

545. The paragraph was adopted as amended.

Paragraph 139

546. The Employer Vice-Chairperson proposed to replace, at the beginning of the sentence, “CMV drivers should be protected” with “Governments should protect”; to delete the words “and propaganda” after “advertising”; and to replace the comma with “or” after “wage”. The Worker Vice-Chairperson supported the proposals. The Government Vice-Chairperson opposed the first proposal.

547. The proposals were adopted and the paragraph was adopted as amended.

Paragraph 140

548. The paragraph was adopted without change.

XI. Training and professionalization of the sector

A. General provisions and importance

Paragraph 141

549. The secretary of the Employers' group proposed to delete the term "long-distance" before "CMV drivers" for consistency reasons. The proposal was adopted and the paragraph was adopted as amended.

Paragraph 142

550. The Government Vice-Chairperson proposed to add, after "The neglect of training" at the beginning of the paragraph, the words "in some countries". The proposal was adopted and the paragraph was adopted as amended.

Paragraph 143 and 144

551. The paragraphs were adopted without change.

B. Licensing

Paragraph 145

552. The Employer Vice-Chairperson suggested adding, after "minimum age limits", the words: "or such other graduated age limits that are set by national regulations", since in some countries there were varied licensing restrictions based on age for different sizes of vehicles. Moreover, the sector was suffering from a shortage of qualified drivers.

553. The Government Vice-Chairperson proposed a similar amendment adding, at the end of the paragraph, the words "or established by national laws and regulations". Following opposition by the Employer Vice-Chairperson and the Worker spokesperson, the proposal was withdrawn.

554. The proposal by the Employer Vice-Chairperson was adopted and the paragraph was adopted as amended.

Paragraphs 146 and 147

555. The paragraphs were adopted without change.

C. Raising the level of qualifications

Paragraph 148

556. The Worker spokesperson proposed to replace "periodic medical examinations and" in subparagraph (b) by ", pre-employment and periodical testing to identify potential substance abuse. This testing should be carried out confidentially and with discretion."

557. The Employer Vice-Chairperson asserted the Employer's commitment to protecting privacy, but raised the concern that if a worker tested positive for drugs and their employer was prevented from being notified, this posed a safety risk. He accepted the proposal.

558. The expert from the Government of Brazil expressed general agreement but sought clarification of the Workers' concerns. Medical examinations were obligatory for all road transport workers, not just drivers.

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559. A Worker expert explained that in many countries medical examinations could be used as a basis to exploit women drivers and exclude certain people from employment.
560. The expert from the Government of Brazil appreciated this concern, but thought that “testing” was too vague. A specific reference to health-related testing was needed.
561. The Employer Vice-Chairperson suggested replacing “testing” with “assessment”.
562. The Worker spokesperson stated that agreement on this paragraph was linked to the ongoing negotiations on the subject of remuneration and wages.
563. Following consideration of that section, the wording “pre-employment and periodical testing” was adopted. The paragraph was adopted as amended.

Paragraph 149

564. The paragraph was adopted without change.

Paragraph 150

565. The Government Vice-Chairperson considered that governments should not only encourage participation, but also enact legislation on systematic and recognized training. It was agreed to add the words “and enact legislation regarding” after “participation” and delete “in”. The proposal was adopted and the paragraph was adopted as amended.

Paragraph 151

566. The Government Vice-Chairperson suggested adding the words “where applicable” after “For this purpose,”. The Worker Vice-Chairperson thought this unnecessary.
567. The expert from the Government of Brazil found it useful: the creation of infrastructure was not compulsory and was often left to private initiatives.
568. The proposal was adopted and the paragraph was adopted as amended.

Paragraphs 152, 153, and 154

569. The paragraphs were adopted as drafted.

XII. Monitoring and evaluation

Paragraph 155

570. The paragraph was adopted as drafted.

A. Measures of enforcement and inspections

General provisions

Paragraphs 156 and 157

571. The paragraphs were adopted as drafted.

Administrative organization of labour inspection
in the road transport sector

Paragraph 158

572. The paragraph was adopted as drafted.

Paragraph 159

573. The Worker spokesperson proposed to add “and the social partners, as appropriate” after “traffic control services” in the second sentence. The Worker expert from the Netherlands had already demonstrated to what extent information-sharing between the social partners and governments could be helpful.

574. The Employer Vice-Chairperson and the Government Vice-Chairperson opposed the amendment, as labour inspection was the prerogative of governments. The expert from the Government of Brazil agreed that cooperation with the social partners was important and desirable for inspection, and he was uncomfortable about including the social partners in a paragraph addressing the authorities in charge of labour inspection.

575. The Worker spokesperson accordingly proposed to amend the second sentence to read as follows: “This should result in the promotion of cooperation and information exchanges between labour inspection services, technical transport inspection services, traffic control services and the social partners, as an essential element of workplace-related prevention measures, as appropriate.”

576. The Government Vice-Chairperson proposed adjusting this proposal as follows: “This should result in the promotion of cooperation and information exchanges, respecting the privacy and confidentiality of data, between administrators and social partners, as an essential element of workplace-related prevention measures, as appropriate. It is desirable that the particular duties and responsibilities of each of these entities should be published and clearly determined and defined.”

577. The Worker spokesperson agreed with the Government group’s proposal.

578. The Employer Vice-Chairperson expressed hesitation at including “social partners” at the beginning while referencing duties and responsibilities in the final sentence. The social partners should not be confused with the entities having legal duties and responsibilities. They proposed moving the following phrase to the end of the paragraph: “The social partners are an essential element of workplace-related prevention measures, as appropriate.”

579. The Worker spokesperson appreciated the Employers’ concerns, but did not agree with moving the phrase to the end of the paragraph, since it would make the paragraph unclear.

580. The secretary of the Employers’ group suggested leaving the phrase at the end of the paragraph and editing it as follows: “The cooperation and exchanges with social partners are essential elements of workplace-related prevention measures, as appropriate.”

581. The Government Vice-Chairperson stated that the Government experts were generally in favour of the proposal, provided that it was clear that the cooperation and exchanges were a preventive measure.

582. The Worker spokesperson proposed changing “The” to “Their” to qualify “cooperation”. The expert from the Government of Brazil instead proposed the following: “It is desirable that the particular duties and responsibilities of each of the authorities should be published and clearly determined and defined.” This proposal was adopted.

583. Following further discussion, it was agreed to insert “and the social partners, as appropriate” at the end of second sentence. The proposal was adopted. The paragraph was hence adopted as follows:

Governments should take into account the particular aspects of labour inspection in road transport and the necessity of not isolating conditions of employment from technical conditions and safety. This should result in the promotion of cooperation and information exchanges, respecting the privacy and confidentiality of data, between labour inspection services, technical transport inspection services, and traffic control services authorities and the social partners, as appropriate. It is desirable that the particular duties and responsibilities of each of the authorities should be published and clearly determined and defined.

Paragraphs 160 and 161

584. The paragraphs were adopted as drafted.

B. Methods of inspection

General provisions

Paragraph 162

585. The Employer Vice-Chairperson proposed to insert the words “, without being unnecessarily excessive” after the word “effective” in the first sentence. The Worker spokesperson thought this proposal redundant in view of the existing wording “as often as is necessary to be effective”. The amendment was withdrawn.

586. The Government Vice-Chairperson proposed to replace “as often as is necessary to be effective” with “consistently,”; to delete “a special”, and add “and on identification of informal work” after “procedures”, since governments were obliged to tackle informal work.

587. The Worker spokesperson opposed the addition of “and on identification of informal work”. This might suggest that labour inspectors were asked to identify informal workers, which could result in labour inspectors being used to control migration status. She accepted the other changes.

588. The expert from the Government of Brazil sought clarification of the Workers’ concerns: there was no reason why labour inspectors should not be involved in identifying informal work.

589. The Worker spokesperson proposed adjusting the Governments’ amendment as follows: “and on identification of decent work deficits of informal workers”. The proposal was adopted.

590. The Government Vice-Chairperson expressed doubt that the change was helpful: in many countries, road transport inspection was carried out separately from labour inspection, and road transport inspectors were empowered to react to all violations they observed. Nevertheless, they accepted the adjusted text.

591. The proposals were adopted and the paragraph was adopted as amended.

Paragraph 163

592. The paragraph was adopted without change.

Paragraph 164

593. The Employer Vice-Chairperson proposed to insert “legally required” after “maintain”. The proposal was adopted and the paragraph was adopted as amended.

Paragraph 165

594. The paragraph was adopted without change.

Control books, control devices

Paragraph 166

595. The Employer Vice-Chairperson proposed to delete the references to Conventions for the reasons outlined earlier. The Worker spokesperson reiterated the accepted view that Conventions under consideration by the Standards Review Mechanism were still in force and needed to be upheld.

596. The Deputy Secretary-General of the Meeting reiterated that an instrument under review was not considered outdated and was still open for ratification. Many instruments were under review due to their low ratification rates with a view to removing obstacles to ratification. Since the review process could take many years, it was preferable to keep the reference to the Conventions in the text.

597. The proposal was withdrawn.

598. The Government Vice-Chairperson proposed to add “, especially electronic” at the end of subparagraph (a). The proposal was adopted and the paragraph was adopted as amended.

Paragraph 167

599. The Employer Vice-Chairperson proposed to delete the references to Conventions from this paragraph for the reasons outlined earlier. The Worker spokesperson opposed the proposal. The proposal was withdrawn.

600. The Worker Vice-Chairperson proposed to add “accompanied by technical measures to ensure tamper-proof records” at the end of subparagraph (a). The proposal was adopted and the paragraph was adopted as amended.

Paragraph 168

601. The Government Vice-Chairperson proposed to add the sentence “Regulations should be established that set out the format to be produced by those systems, and such format should guarantee access to inspection.” at the end of the paragraph. The proposal was adopted and the paragraph was adopted as amended.

Paragraph 169

602. The Employer Vice-Chairperson proposed to delete the first sentence and the words “In addition,” from the second sentence. The proposal was adopted and the paragraph was adopted as amended.

Safe driving plans

Paragraphs 170 and 171

- 603.** The Employer Vice-Chairperson proposed to replace the current title of the subsection “Safe driving plans” with “Safe planning of transport”, so as to embody a broader approach to OSH in transport.
- 604.** The Worker Vice-Chairperson opposed the proposal, as safe driving plans were crucial for drivers. The Government Vice-Chairperson observed that the safe planning of transport was a much broader concept and opposed the proposal. It was withdrawn.
- 605.** The Worker Vice-Chairperson stated that informal negotiations had resulted in agreement on a single paragraph to replace paragraphs 170 and 171, which would read: “In order to promote the safe performance of the driving task, CMV drivers should, as appropriate, be provided with a safe driving plan or similar instructions. A best practice example of a safe driving plan is to be found in Appendix D.” In relation to Appendix D, it was proposed that the title be “Best practice examples of safe driving plans” and that the “The” be replaced by an “A” in the chapeau of paragraph 1.
- 606.** The Government Vice-Chairperson, while in support of the proposed amendments, requested that the provisions and general concepts in paragraph 170 be retained.
- 607.** The Employer Vice-Chairperson requested that “best practice” be removed from the proposed sentence and from the title of Appendix D. It was also suggested that “a medical examination” in point (d) and “and toilet breaks” in point (g) of Appendix D be deleted. These proposals were adopted.
- 608.** The expert from the Government of Brazil, in order to ensure that the principle was reflected in the guidelines, proposed retaining the first sentence of paragraph 170 as a separate paragraph. The proposal was adopted.
- 609.** The replacement paragraph was adopted as amended.

Paragraph 172

- 610.** The Employer Vice-Chairperson proposed to delete the paragraph, since the original text drew excessively on examples from certain national legislations regarding driving plans.
- 611.** The Worker Vice-Chairperson and the Government Vice-Chairperson opposed the proposal. The Worker Vice-Chairperson added that inspiration for international standards often emanated from practices in different countries. In this situation, the example of Australia was being used, as it had shown to be practical and workable. The Government Vice-Chairperson proposed that the content of this paragraph be included in Appendix D.
- 612.** The Executive Secretary explained that, while the suggested content of safe driving plans came from a single country, that model represented the international standard in civil aviation, which was the safest mode of transport.
- 613.** After informal discussions the proposal was adopted.

Paragraph 173

- 614.** The paragraph was adopted without change.

Paragraph 174

615. The Worker spokesperson suggested adding, at the end of the paragraph, the following words: “accompanied by technical measures to ensure tamper-proof records.” The Employer Vice-Chairperson believed the issue was already covered by the previous amendment to paragraph 167. The Executive Secretary explained that the two provisions dealt with different types of information. The proposal was adopted and the paragraph was adopted as amended.

C. Responsibilities, penalties and redress mechanisms

Paragraph 175

616. The Employer Vice-Chairperson proposed to delete the word “social” before “legislation” in the last line to widen the focus in this regard. The proposal was adopted and the paragraph was adopted as amended.

Paragraph 176

617. The Employer Vice-Chairperson proposed to delete “of the application of social provisions” from the end of the paragraph. The proposal was adopted and the paragraph was adopted as amended.

Paragraph 177

618. The Employer Vice-Chairperson proposed: (i) in the second sentence, to delete “In order to establish level playing fields” and substitute “should be” for “may need to be”; (ii) in subparagraph (a), to delete the words “and requiring written or electronic documents”; and (iii) in subparagraph (b), to add “, where reasonably practicable” at the end and delete the word “by” and the two clauses (i) and (ii).

619. The Worker spokesperson accepted the amendments to the chapeau and to subparagraph (a) and suggested adding “including provisions to track work” to the end of subparagraph (a). However, she objected to the amendment in subparagraph (b) as the word “should” did not require any qualification, and opposed the deletion of clauses (i) and (ii).

620. The Government Vice-Chairperson proposed: (i) in the chapeau, to begin the amended second sentence with “Due diligence requirements,”; (ii) to move “long-distance” to qualify only “passenger transport operations”; and (iii) in clause (b)(ii), to add “and extraordinary due diligence requirements” after “enforcing principles”.

621. The secretary of the Employers’ group proposed keeping the first sentence and amending the second sentence of the chapeau to read “A number of initiatives and principles for regulating road freight and long-distance passenger transport operations could include:”.

622. The Secretary-General of the Meeting, for grammatical reasons, suggested removing ‘A number of’ and beginning the sentence with ‘Initiatives and principles for regulating ...’. The proposal was adopted.

623. The Worker Vice-Chairperson agreed with the deletion proposed by the Employers in subparagraph (a), which was adopted.

624. The Worker spokesperson, referring to earlier discussions, requested that the proposal to include “where reasonably practicable” in point (b) be deleted. The Employer Vice-Chairperson agreed to the request provided that “and safe driving plans” in point (b)(i) and

“extraordinary due diligence requirements” in point (b)(ii) were also removed. The proposal was adopted.

625. The Government Vice-Chairperson proposed adding “and CMV drivers” between “road transport chain parties” and “for injury or damage” in the chapeau of subparagraph (b). The proposal was adopted.

626. The paragraph was adopted as amended.

Paragraph 178

627. The secretary of the Employers’ group proposed to delete the first and last sentences of this paragraph. The Worker spokesperson and the Government Vice-Chairperson opposed this proposal.

628. Following informal consultations, the proposal was adopted and the paragraph was adopted as amended.

Chain of responsibility principles

Paragraph 179

629. The paragraph was adopted without change.

Paragraph 180

630. The Government Vice-Chairperson proposed to delete “For long-distance road transport operations,” from the beginning of the paragraph. The proposal was adopted.

631. In subparagraph (b), he proposed to insert at the beginning “formalization of CMV drivers, and”. The Employer Vice-Chairperson proposed instead that the subparagraph should read: “contractual practices, policies and procedures that deter unsafe driving practices ...”.

632. The proposal was adopted and the paragraph was adopted as amended.

Paragraph 181

633. The paragraph was adopted without change.

New paragraph

634. The Worker spokesperson proposed to add the following new paragraph to follow paragraph 181: “All road transport chain parties have a duty to conduct human rights due diligence to ensure that their practices do not inhibit the ability of other road transport chain parties or CMV drivers to adhere to relevant national laws or regulations or put pressure on them to engage in unsafe practices.” The proposal was not adopted.

D. Responsible business conduct

Paragraph 182

635. The secretary of the Employers’ group proposed to replace the term “road map” with “guidance”. The proposal was adopted and the paragraph was adopted as amended.

Paragraph 183

636. The secretary of the Employers' group proposed to delete the paragraph. The Worker spokesperson and the Government Vice-Chairperson, while preferring the original text, accepted the proposal. The paragraph was deleted.

Paragraph 184

637. The Employer Vice-Chairperson proposed to delete the words in the chapeau: "benchmarks and key performance indicators that can help to promote decent work". The proposal was adopted.

638. The Employer Vice-Chairperson further proposed to delete subparagraph (f) and the final sentence "The benchmarks and performance indicators may be further strengthened through dialogue with international and national workers' representatives in their development."

639. The Worker Vice-Chairperson accepted the deletion of subparagraph (f), but sought to retain the final sentence of the chapeau so as to replace "The benchmarks and performance indicators" by "such practices may be further strengthened ..."

640. The Government Vice-Chairperson stated that employers may want to contact their respective governments to improve interrelations and cooperation. He agreed to the deletion of the last sentence.

641. The Worker Vice-Chairperson questioned the rationale for deleting the last sentence. The objective was that the ambitions articulated at the beginning of the clause had been and continued to be assisted by dialogue with worker representatives, which was valuable. They wanted to engage in practical dialogue and asked the Employers to accept the confined language proposed.

642. The Employer Vice-Chairperson explained that their concern regarded the actors supposed to follow the recommendation, and maintained the request for its deletion.

643. The Worker Vice-Chairperson accepted its deletion.

644. The Government Vice-Chairperson had proposed retaining the last sentence and developing it to refer to government cooperation with international and national workers' representatives, but accepted the deletion.

645. The paragraph was adopted as amended by the Employer Vice-Chairperson.

Paragraph 185

646. The paragraph was adopted without change.

Additional section

647. The following section XIII was presented to the Meeting at its final sitting as the outcome of informal negotiations.

XIII. Other action-oriented policies

A. Increased demand

648. The proposed new text was adopted as follows:

Governments and social partners should take into consideration possible shifts in demand when designing policies and drafting legislation related to decent work, workforce planning and training for the sector.

B. New technologies

649. The following text was proposed for the first paragraph (formerly paragraph 28):

In line with the ILO Centenary Declaration for the Future of Work, 2019, governments and social partners should further develop their human-centred approach to encourage new technologies. For example, the use of efficient warehouse management systems, freight exchange platforms and load boards, electronic resource planning, in-cabin technology, smart road technology, global information systems and global positioning systems (GPS) can support efficient planning, monitoring and enforcement of transport operations. CMV driver data must be protected.

650. The Worker Vice-Chairperson proposed that the last sentence read: “CMV data must be protected”.

651. The Employer Vice-Chairperson proposed instead that it read: “driver data should be protected” to remain in line with the rest of the guidelines.

652. The Worker Vice-Chairperson stated that privacy was a serious matter. It must be protected: protecting it was not an option.

653. The Secretary-General of the Meeting stated that the requirement was already a recognized obligation, and using “should be protected” to replace “must be protected” could be taken to lower existing standards. She suggested to qualify “should” with “in an effective manner”.

654. The Employer Vice-Chairperson suggested changing it to “should be protected in a confidential manner unless legally demanded”.

655. The Worker Vice-Chairperson preferred to adopt the language suggested by the Office.

656. The Government Vice-Chairperson observed that the issue concerned human and intellectual property rights, but CMV data must be protected. It was a common obligation to protect all personal data, including that on drivers. He questioned the need to provide examples.

657. The Employer Vice-Chairperson preferred to retain the examples, which were useful. He maintained their view that guidelines could only recommend, not stipulate. The phrase should hence read: “CMV driver data should be protected in an effective manner.” The Worker Vice-Chairperson preferred “must” but accepted the proposal, which was adopted.

658. The paragraph was adopted as amended.

659. The following two paragraphs were adopted as presented:

Governments, social partners and road transport chain parties should bear in mind that automation does not represent the only solution to address negative road safety outcomes and driver shortage issues within the industry.

Governments should promote effective social dialogue and update their competencies and training policies to effectively manage the transition and train the road transport sector's workforce for skill transfers.

C. Environment and climate change

660. The paragraph proposed was adopted as presented:

Governments, social partners and road transport chain parties should seek to green the road transport sector in line with the principles contained in the *Guidelines for a just transition towards environmentally sustainable economies and societies for all* (2015).

Final sitting

661. At its final sitting the experts had before them a revised text of the guidelines incorporating the changes agreed and highlighting the areas where further discussion was needed, as well as new text proposed. Discussions and decisions on individual paragraphs are included in the body of the report above.

Title

662. The Government Vice-Chairperson proposed that the title of the document be changed to better reflect its content, to read: "guidelines on the promotion of decent work for CMV drivers".

663. The Worker Vice-Chairperson strongly supported the retention of the current title. Most of the document was dedicated to safety in the road transport sector. The current title was appropriate, since the guidelines were of importance to the whole transport sector. The Employer expert from Australia, speaking on behalf of the Employer experts, supported this statement. The Government Vice-Chairperson withdrew his proposal.

Appendices

664. The text of Appendices A, B, C and D were adopted as drafted.

Adoption of the guidelines

665. The Secretary-General asked the Meeting if the Office could insert a dedication page for Ms Esther Busser to the finalized document. Ms Busser of the International Trade Union Confederation was the Workers' group's secretary in a large number of meetings, and had very closely worked with the ILO, and in particular with the Sectoral Policies Department, for more than a decade. This was the first sectoral meeting since her passing on 1 July 2019. The Meeting agreed with the dedication of the guidelines to Ms Esther Busser.

666. The guidelines were adopted as a whole.

Closing statements

- 667.** The Secretary-General congratulated the experts on having completed the adoption of what had unexpectedly proved a challenging text. The outcome was a very valuable set of guidelines that would promote road safety for commercial vehicle drivers and for road transport in general. Much hard work had gone into the adoption by the contribution of their combined expertise. She thanked the Chairperson for his very able conduct of the sittings, which had been complicated and long.
- 668.** The Employer expert from Australia, speaking on behalf of the Employer experts, stated that this had been his first experience of the ILO, and it had been a real education. Road safety was an issue worldwide, and the guidelines would save lives: if it saved only one, that alone would reward the great efforts made by the Meeting and ILO staff. He thanked the Secretary-General for her wise counsel, as well as the Worker and Government experts whose combined expertise was invaluable.
- 669.** The Worker Vice-Chairperson paid tribute to the major efforts by the Secretary-General and her team to ensure the success of the Meeting, which was a valiant tribute to the ILO in its Centenary year. Road transport accidents devastated lives, not only those of their immediate victims, but entire families. He thanked the Chairperson for his impeccable and highly skilful conduct of what had been a difficult Meeting. He encouraged all States to give close attention to the guidelines, and in particular to consider their relevance to two- and three-wheeled vehicles. Finally, he trusted that the ILO would allocate adequate resources to the promotion of the guidelines.
- 670.** The Government Vice-Chairperson thanked the Secretary-General and her staff for their thorough preparation of and support for the Meeting, in particular the Executive Secretary for her diligent and assiduous command of the text. All the Government experts had contributed to the Meeting, including those attending as observers, and he thanked them for their contributions. This had been his first experience of the ILO, and it had been a major challenge, but he had learnt much from its philosophy of tripartism. The scope of the issues was huge, and all concerned should reflect on what was needed to give effect to the guidelines. He paid tribute to the Employer and Worker Vice-Chairpersons for their experience and skill, and thanked the Chairperson for his patient, skilful and wise conduct of the sittings.
- 671.** The Chairperson paid tribute to the experts for their successful completion of a long and arduous process. The outcome was extremely valuable. The Meeting had been marked by strong group dynamics, enthusiasm, and a high level of expertise and commitment. The road transport sector was the thread that bound all sectors together and was key to modern economies. Improving road safety would hence translate into a contribution to economic growth: governments now needed to apply the guidelines effectively to reduce crashes and unnecessary deaths and injuries on roads worldwide. He thanked the Vice-Chairpersons for their hard work and expertise. Each group had shown incredible teamwork, and the adoption of the guidelines showed the great outcomes sound social dialogue can achieve. He thanked all the experts for their contribution to a highly valuable new text and wished everyone a safe journey back home.

Geneva, 27 September 2019.