

## 1. A green, sustainable and inclusive economic recovery for the Aviation industry

From travel restrictions to flight cancellations, the airline industry has been one of the hardest-hit industry by the COVID-19 pandemic. Not only the COVID-19 crisis has had an almost immediate effect on the airline industry, but it has also placed an extreme financial pressure on operators in the absence of meaningful passenger demand. Forecasts predict that industry losses will plunge to \$118.5 billion in 2020, the industry's worst financial year in its history.

While it is expected that the industry will see improved performance in 2021 compared with 2020, the road to recovery will be long and difficult. Passenger volumes could not return to 2019 levels until 2024 at the earliest, with domestic markets recovering faster than international services.

While the consequences of these severe financial damages are already being felt on employment level, their full impacts are yet to come. Most recent analysis show that up to 4.8 million jobs in aviation may be lost by the beginning of 2021, representing a 43% reduction from pre-COVID levels. More broadly, Covid-19 has decimated air connectivity and the economic benefits it generates, putting at risk more than 46 million jobs in the broader economy.

Against this backdrop, there is an urgent need to shape a sustainable trajectory for the recovery of the aviation industry. As demand may be structurally different from that before the crisis and possibly lower, it is crucial that ILO tripartite constituents lay the foundation for a prosperous and sustainable industry for the long term, based on employment creation and on a green recovery.

A green transition would not only respond to the immediate needs but also increase the long-term resilience of the aviation industry. Well-designated long-term climate action policies that promote productive employment, development and diversification can create much-needed jobs, lower emissions and ultimately a legacy of energy transition for the aviation industry. The recovery should therefore be seen an opportunity to “build back better”, by combining an emphasis on restoring growth and creating jobs with the achievement of environmental goals.

An ILO technical meeting on “**A green, sustainable and inclusive economic recovery for the Aviation industry**” would allow for a discussion on elements that need to be planned and put in motion during the recovery phase of the industry to address long-term employment concerns. In particular, debates should address the composition of the sector; learning processes; innovation; new technologies; productivity plans; linkages with new industries as well as the promotion of decent work and productive employment creation policies among others. Discussions around green skills are also crucial as the transition to a green recovery from the global COVID-19 pandemic requires their identification, anticipation and provision.

Format: ILO Technical meeting

## 2. Digitalization in the retail sector as an engine for economic recovery

The impacts of the COVID-19 pandemic on the retail industry have varied widely and are being felt in more ways than one. While demand for some business such as groceries have witnessed exponential demand at the height of the pandemic, confinement and social-distancing measures have instigated the shutdown of hundreds of thousands of retail outlets across the world. The retail industry is at a turning

point as it still copes with the uncertainty brought on by COVID-19, exposing it to a variety of systemic obstacles and opportunities.

The crisis produced by the COVID-19 pandemic has dramatically changed consumer behavior and even changed the nature of the demand. Retailers of all kinds are tested in their ability to pivot to scale their supply chains or fund alternative reliable revenue streams such as e-commerce or deliveries functions. These long-term changes have accentuated the need for the retail industry to undergo a transformational shift and accelerated the digital transformation that was already expected to take place. While the sector, in general, continues to suffer from the impact, the pandemic has shown that retailers with a higher degree of digitalization and further on their digital journey of business transformation, often fared better. Demonstrating the capacity to differentiate, to increase customer experience and to adapt is no longer an option but has become essential for any business to survive the disruption gripping the industry.

Digital transformation for the retail industry is multifaceted as it not only modifies how businesses offer their services or online sales but it also influences the organization of the workflow. Digital impacts the entire retail organization ranging from sourcing, inventory employee management, training or customer experience. More globally, digitalization has emerged in recent years as a key economic driver that accelerates growth and facilitates job creation in the retail sector. In the current environment of a global economic crisis, digitization plays a critical role in assisting policymakers to spur much needed economic growth and employment.

While many retailers are aware that digital transformation is a must, many businesses are still being hamstrung in their efforts by a short-term mindset, a skill gap and inadequate infrastructures. Implementation of digitalization is not a given and retail appears to be lagging when it comes to realizing the advantages of new technologies. Major changes will be witnessed in the capabilities and skills required by the labour market. Policymakers have a key role to play in ensuring that the capabilities and enablers for sectoral digitization are in place in the retail industry, and they need to collaborate with industry, consumers, and workers to foster an ecosystem in which the uptake and usage of digital is higher. In addition, key aspects of employment need to be adapted, including through policies allowing businesses to seize the potential of digitalization and ensure that the retail sector leads to more and better work opportunities, increased productivity and stronger sustainable growth.

As an increasing share of business is responding to the COVID-19 pandemic by accelerating their investments across key digital themes, it is time for the ILO to think through the longer-term implications of digitalization in the retail industry and respond to a key question: how this newly digitized retail sector will and should look like? An ILO technical meeting on this subject would bring together social partners of the industry to discuss the state of play, best practices and innovative responses linked to digitalization that are emerging across the industry as it deals with the implications of the COVID-19 virus. It is vital that sectoral social partners come together and take advantage of these disrupting times as a moment to plan ahead, adjust ways of working, and innovate to ensure that the retail sector is sustainable and future-proof.

### 3. **Anticipation of future skills needs in the media and entertainment industry for a sustainable and resilient recovery**

The media, entertainment and culture sector is being disproportionately affected by social distancing measures and ongoing government-mandated closures resulting from COVID-19 controlling-measures. No single media subsector is escaping the disruptions with out-of-home entertainment, live-events companies, cultural sites, travel-related companies, show and conference operators, theme park operators, film and TV studios, and movie exhibitors being amongst the most affected. Rapid changes in consumer behavior and consumption, stoppages in content production, cancellation of live events and sports, and cuts in advertising spend, are impacting companies across the media and entertainment ecosystem including those that have escaped immediate mandatory closures/cancellations.

While the full post COVID-19 picture is still unclear for the industry, the social and economic consequences resulting from the first waves of the pandemic are unequivocal: as an illustrative example, over the summer, it was estimated that around 20 per cent of the Indian sector workforce may lose their jobs, potentially impacting nearly a million people and the industry revenue was likely to fall to \$15 billion from \$20 billion last year. More generally, across the global, more and more media and entertainment companies are on the verge of economic collapse whilst they continue to face an uncertain future.

As the industry continues to respond to the most immediate repercussions of the crisis, the ILO sectoral biennium 2022-2023 will hopefully allow shifting efforts towards long-term recovery and building a resilient industry. The media and entertainment industry has already been evolving dramatically in recent years and the current crisis will necessarily accelerate the path of transformation: with the evolution of productions, new technologies, and changing consumer demands, the transformation of old business models that lacked traction before the crisis will seem even more compelling.

Digitalization, which was already a driving force in the media and entertainment industry, has now been massively intensified by social distancing and mobility restrictions. Demand for at-home digital media is expected to continue to significantly grow, as habit-formation and ease of access is now well established. Even in the subsectors worst affected by the crisis, where consumers might need more time to embrace external consumption models again, new business models could pave the way for innovation and outreach solutions based on new delivery models. Emerging technologies, such as virtual and augmented realities, is already creating new forms of media and entertainment experiences, dissemination and new business models with huge economic growth and employment potential. To capitalize on them, and ensure that these opportunities lay down the foundation for a resilient recovery, there is a need to put a specific emphasis on skills to address the existing shortages within the sector.

Anticipation of future skill needs and skills development appears to be a fundamental component of the recovery of the industry as new skills will be needed to ensure that employers and workers can adapt to the new reality, with the advent of new technologies, new services, and the increasing pressure to produce and deliver content on a on-demand basis. Not addressing these issues poses the risk that shortages of digital but also soft and interpersonal skills become more acute and widespread to the point that they will hamper the sector's ability to recover from the COVID-19 crisis.

An ILO technical meeting on “**Anticipation of future skills needs in the media and entertainment industry for a sustainable and resilient recovery**” would allow the industry to identify the social, hard and technical skills needed that will sustain the future recovery of the sector. Such a meeting and its specific emphasis on skills

would be a direct implementation with a sectoral approach of the ILO Centenary Declaration which ask the ILO to direct its efforts to address existing skills gaps by promoting “the acquisition of skills, competencies and qualifications for all workers throughout their working lives as a joint responsibility of governments, employers and workers”.

#### **4. MEDIDAS PARA CREAR Y SOSTENER EMPLEO EN LA POST PANDEMIA EN EL SECTOR DEL TURISMO, HOTELERIA Y GASTRONOMIA, INCLUIDO MEDIDAS BASADAS EN LA SOSTENIBILIDAD, LA INNOVACION Y LA TECNOLOGIA.**

##### **I. CONTEXTO INTERNACIONAL.**

Las llegadas internacionales según datos de la OMT cayeron un 72% durante los primeros diez meses del 2020, las restricciones a los desplazamientos, la poca confianza del consumidor, la disminución de los niveles de renta y la lucha por contener el COVID – 19 han sido los ejes centrales del año más dramático de la historia del turismo.

El conjunto de los destinos recibió según la OMT 900 millones menos de turistas internacionales en el periodo enero a octubre del corriente año y ello ha generado una pérdida de 935.000 millones de dólares en ingresos por exportaciones del turismo internacional, una perdida diez veces superior a la caída vivida en 2009 consecuencia de la crisis de las hipotecas.

Estos guarismos hacen prever una caída de entre el 70% y el 75% en las llegadas internacionales para el año 2020 en su conjunto. De confirmarse ello, el turismo mundial habrá retrocedido a niveles de hace 30 años, con 1,1 millones de llegadas y una perdida aproximada de 1,1 billones de dólares en ingresos provenientes del turismo internacionales ha informado la OMT. Esta drástica disminución producto de las consecuencias de la pandemia podría desencadenar una pérdida de 2 billones de dólares en el PIB mundial.

##### **II. CONTEXTO REGIONAL Y LOCAL.**

La Argentina ya se encontraba en una situación socioeconómica delicada antes de la crisis del COVID-19, a pesar de una cierta estabilización después de la crisis del 2018-19. Según un informe técnico del INDEC, la actividad económica registró una caída mensual del 13,2% en mayo de 2020 acumulado del año respecto al acumulado del mayo de 2019 (INDEC, 2020). Por otra parte, la inflación anual fue del 42,8% en junio de 2020 (INDEC, 2020). El panorama económico ya era sombrío, pero se mejoró ligeramente con la renegociación exitosa de la deuda. Si bien el contexto incierto de la evolución del virus dificulta prever los plazos de las medidas de confinamiento y el consecuente impacto en el freno de la actividad, las primeras estimaciones señalan que el coronavirus profundizará la recesión en la que ya está sumida la economía argentina. Según el Ministerio de Economía de la Nación, que coincide con datos de la Comisión Económica para América Latina y el Caribe (CEPAL), la caída del 1,5% del PIB en 2020 estimada en

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enero de este año, se elevaría al 6,5% (**informe Los Retos en Pandemia y sus impactos socioeconómicos, OIT**). El citado informe ya citaba en los primeros meses de la cuarentena que el COVID 1 impactaría en la economía argentina a partir de varios canales, uno de los más importante el del comercio exterior proyectando una caída para el primer semestre del año del 27%.

El sector de los hoteles, restaurantes y agencias de turismo es posiblemente el más impactado por la crisis y el que más demorará en recuperarse, ya que probablemente estará afectado por cambios futuros en los comportamientos de los consumidores. En el año 2019 concentraba más de 600 mil trabajadores, con una elevada participación de mujeres (alrededor del 47%) y de jóvenes. Al igual que otros sectores, la hostelería y el turismo integran un importante universo de pequeñas empresas y de trabajadores independientes e informales, que no cuentan con un respaldo patrimonial para hacer frente a un período tan prolongado sin ingresos y se encuentran en grave riesgo de cerrar (Mundo Gremial, 2020) (OIT)

Previo a la realización del Foro Regional Turismo Responsable, Sostenible, la OIT efectuó una encuesta regional cuyos conceptos finales más importantes fueron los siguientes:

- a. Casi todos los participantes informaron que en sus países las empresas turísticas se han visto fuertemente afectadas por las pandemias de Covid-19. Casi todos creen que el turismo se reiniciará en octubre-diciembre de 2020 o en el primer trimestre de 2021.
- b. La encuesta confirmó que la adopción de reglas y protocolos de bioseguridad representan un paso esencial para reactivar a la industria afectada por la pandemia del Covid-19. En casi todos los países que participaron en el estudio, se ha adoptado un protocolo que establece las medidas preventivas sanitarias. Los participantes consideran que el distanciamiento, la desinfección y el uso de mascarillas y geles es absolutamente necesario para reabrir el turismo de una manera segura
- c. Aunque el turismo aún no se ha reiniciado en todos los países, de la encuesta se desprende que el turismo sostenible podría jugar una función importante en la fase de reapertura. Varios encuestados mencionaron iniciativas de turismo rural comunitario en lugares aislados y al aire libre como buenas prácticas que pueden impulsar la demanda de servicios turísticos.
- d. Los resultados de la encuesta muestran que la adopción de estrategias eficaces de marketing y de comunicaciones son fundamentales para hacer frente a la crisis del Covid-19. En particular, las empresas deben reinventar sus identidades para buscar nuevos nichos de clientes y segmento de mercado, eventualmente asociándose con otros empresarios locales. Sin embargo, los gobiernos también tienen un importante papel que desempeñar, ya que deben apoyar a las empresas ofreciéndoles posibilidades de capacitación y adoptando planes de comunicación para promover destinos turísticos.

En Argentina, los estudios realizados mensualmente por FEHGRA indican, que la caída de la hotelería y gastronomía es ocho veces peor que la del resto de la economía. Durante el periodo de aislamiento social, preventivo y obligatorio (ASPO) el 90% de la hotelería y la gastronomía debió endeudarse para mantener la empresa y de no contar con la asistencia del Gobierno más allá de diciembre de 2020, el 95% no podrá afrontar sus costos cotidianos; los estudios realizados por FEHGRA indicaban en octubre la mayor destrucción de puestos de trabajo, con una pérdida de 225.000 empleos.

En cuanto al Programa Pre-viaje organizado por el MINTUR el informe elaborado por FEHGRA indica, que el 34% de los establecimientos consultados realizó ventas, que representan un 32% de su facturación, con estadías en su gran mayoría para enero, de una semana o menos de alojamiento. Solo en hotelería, la mayoría de los consultados espera tener un 10% de nivel de actividad en temporada 20/21, comparada con la 19/20. En gastronomía se proyecta un nivel de actividad del 20% o menos, en

relación con el mismo lapso. **El 75% prevé volver al mismo nivel de actividad pre-pandemia dentro de un año o más.**

**Una síntesis de datos relativos la actividad expresa lo siguiente:**

- En comparación con el promedio de la economía argentina, en septiembre el PBI se contrajo un 11,6% interanual, lo que significa que la caída del sector hotelero y gastronómico es ocho veces peor que el del promedio de la economía.
- El segmento hotelero registra al mes de septiembre una caída de ocupación del 96% en relación con el año pasado, es decir, que prácticamente la totalidad de los establecimientos se encuentra vacíos desde marzo. Por su parte, actualmente el segmento gastronómico registra una caída de actividad del 65%.
- Las estadísticas de la AFIP dan cuenta de que la tasa de desaparición de empresas del sector hotelero y gastronómico es del doble que en el promedio de la economía.
- Al mismo tiempo, las estadísticas del INDEC correspondientes al segundo trimestre del año indican que el sector hotelero y gastronómico es el que mayor destrucción de puestos de trabajo ha registrado en toda la economía. Con una caída del 35% (-20% en el sector privado total), se han perdido 225.000 empleos.
- La realidad se asemeja al escenario más pesimista que esperaba el sector al inicio de la crisis sanitaria y la cuarentena.
- Al mismo tiempo, la llegada de turistas extranjeros continúa siendo nula. La actividad hotelera de CABA depende en un 50% del arribo de turistas internacionales, cuya situación no se sabe cuándo podrá ser normalizada.
- En relación con la asistencia vía ATP, los datos del Ministerio de la Producción indican que el sector explica solamente el 10% del total de la asistencia recibida hasta el momento por todos los sectores económicos.

En el campo del transporte aerocomercial se presenta una crisis caótica, se fueron del país seis compañías aéreas y dos han suprimido los vuelos directos a Buenos Aires, las empresas de bajo costo se han visto reducidas y las dos que aún permanecen se ven presionadas para realizar la operación en un aeropuerto que no haría viable la misma.

Los agentes de viajes y operadores de viajes y turismo ya habían padecido una disminución de sus actividades en diciembre 2019, cuando el gobierno puso un impuesto adicional a la compra de pasajes al exterior, con la pandemia se incorporó el denominado impuesto país, medidas, que, junto a las restricciones a los desplazamientos, el miedo a viajar, la falta de crédito y la caída de los niveles de ingresos ha desencadenado un cierre masivo de empresas.

El panorama global, regional y local, las encuestas, las manifestaciones de los empresarios, recordando, que es una actividad de actores pymes, exhiben con claridad, que se ha debido acelerar el uso de la tecnología en especial la digital y que la innovación vista como un camino para transformar procesos y la sostenibilidad como una doble oportunidad destinada a realmente mejorar las condiciones climáticas del planeta y brindar respuestas a las exigencias de la demanda, serán todos ejes fundamentales para acelerar transformaciones en la actividad, que requiere de mayor conocimiento, formación y financiamiento para lograr la aplicabilidad de los mismos.

**IV. POSIBLES PUNTOS PARA LA DISCUSION:**

- Como asegurar que el acceso y el uso de las nuevas tecnologías, en especial la inteligencia artificial, los diferentes medios electrónicos como los digitales estén al alcance de las pequeñas y medianas

empresas, que en su mayoría constituyen la realidad de la actividad del turismo, la hotelería y gastronomía en el mundo, sin generar más poder concentrado y sin atentar contra la sustentabilidad de las fuentes de trabajo.

- Como asegurar que el acceso y uso de las nuevas tecnologías no atente contra el trabajo decente, la agenda de género, expulsando del sistema formal a los trabajadores y que no afecte el nivel de empleo del turismo, hotelería y gastronomía formalmente constituida.
- Como facilitar el acceso a mayor conocimiento e incorporación de procesos y herramientas a las empresas del turismo, hotelería y gastronomía con el objeto de contribuir a la calidad ambiental de los entornos.
- Como crear empleo sostenible en la post pandemia con empresas desfinanciadas y al borde del cierre definitivo.
- Como incorporar la innovación al mundo de las pymes del turismo, la hotelería y gastronomía.
- Como mejorar la imagen de la empleabilidad en el mundo del turismo, hotelería y gastronomía.
- ¿El uso de las nuevas tecnologías y la utilización de la innovación habrá de generar o no nuevos perfiles profesionales?
- Como impulsar y lograr compromisos globales, que permitan instar a los actores surgidos del uso intensivo de las nuevas tecnologías, que estén sujetos a derecho en todos los mercados donde directa o indirectamente sus operaciones de información y/o comercialización están presentes.

V. TIPO DE REUNION: FORO GLOBAL – TRIPARTITO.

## **5. Review of the “CTU Code” (IMO/ILO/UNECE Code of Practice for Packing of Cargo Transport Units)**

I) Sector: TRANSPORT (also has links to Shipping)

II) Theme: A review of the “CTU Code” (IMO/ILO/UNECE Code of Practice for Packing of Cargo Transport Units)

III) Detailed Rationale:

The CTU Code was developed by an “Informal Group of Experts” over a two-year period and finally published in 2014.

The GoE followed on from a “Global Dialogue Forum” that established the need for a review and update of the then existing “Guidelines” for CTUs which had been published some years before.

The GDF report highlighted that take up of the Guidelines was poor, awareness was patchy at best and the status of the Guidelines should be updated to a COP (Code of Practice, albeit non-mandatory).

Three years ago, ICHCA supported by other industry key partners; TT Club, WSC (World Shipping Council) and GSF (Global Shippers Forum) were asked by the responsible officers at IMO, ILO and UNECE what

could be done to raise awareness of the Code and duly embarked on a campaign which resulted this year in issuing some new guidance to the Code.

Meanwhile UNECE has looked at developing a mobile “APP” and has received representations from the Russian Federation for some detailed amendments to the Code itself thus wishing the trigger a review process.

UNECE at WP.24 (Intermodal Transport and Logistics Working Group) approved such work but could not proceed without the two partner UN Sponsors. IMO gave this work its blessing in 2019.

Without the approval of ILO, no formal group could be established, so UNECE undertook to hold two informal meetings in 2020 to establish some “pre-work” on the Code review and look at APP development. Russian Railways undertook to host the meetings in Moscow, underlying the importance of the proposed amendments. Unfortunately, these meetings were postponed because of COVID-19.

At the virtual WP.24 meeting held in October this year; the Russian Federation detailed their proposals in full in paper;

**ECE/TRANS/WP.24/2020/8** - (Russian Federation) Proposals of the Russian Federation on updating the CTU Code

This can be found at;

[\(WP.24\) Working Party on Intermodal Transport and Logistics \(63rd session\) | UNECE](#)

During the deliberations of the GOE culminating in 2013, consensus was not reached on a number of important considerations for inclusion in the Code and this was unfortunate. Some of them were “added” as so called “informative material” but they have no formal status.

The work of the aforementioned industry bodies over the last three years, including a survey of the industry has revealed continuing woeful lack of awareness of the Code in some parts of the supply chain.

In some cases, the tenets of the Code are being ignored either innocently, deliberately and/or to avoid the costs of compliance. This state of affairs continues to threaten the safety and security of people, infrastructure, transport, and goods. The industry estimates the cost, apart from fatalities and injury, which is bad enough, to over \$6 billion per annum.

The Code is seen as bulky and unwieldy and not easy to navigate, which is why the industry developed its own Guide and a checklist for freight container packers, now available in English and Mandarin and shortly in Spanish.

Other aspects of the Code though need attention and in summary these are;

- Package stability
- Flexitanks
- Bulk Cargoes in CTUs
- Contamination
- Pallets



- Concentrated Loads
- Additional “functional” roles
  - Improved communication (UN CEFACT for example)
  - Adopting some of the “informative material” into the Annexes to the Code

Also, the awareness campaign, government support and the potential APP all need to be rolled out.

A review of the CTU Code will also afford an opportunity for representation from some important organisations and countries, that were not party to the original discussions

**a) Main Points for Discussion**

- Items to be included in the review (see part 3 above)
- Status of the Code itself
- How to engage governments more readily
- Review of the Informative Materials and Annexes
- Development of an APP

**b) Type of Activity**

ICHCA would propose a “Meeting of Experts”, this also has the support of the UNECE and endorsement by the IMO.

Proposal submitted on behalf of ICHCA

## **6. Driver shortage in the road transport sector - Fight global youth unemployment**

The road transport industry is facing a dramatic crisis: the worst and most acute professional driver shortage in decades. It could put the very survival of many road transport businesses at risk. And because commercial road transport is the backbone of the global economy, that would have a detrimental impact on our society as a whole. What we want to achieve is that the governments lower the minimum age for professional drivers to 18 in all sectors (truck, bus and coach). This simple measure will ease long-term driver shortages by guiding school leavers directly into professional training, helping combat youth unemployment.

For the start we would request additional research on the driver age legislation, the impact of young drivers on road safety and future skills development.

## **7. Lessons learned from Covid 19. Identification of key worker – the road transport sector**

Covid 19 has shown the importance of truck drivers in transporting goods and people. From the IRU side we would like to see that road transport workers are designated as essential workers giving them

priority access to proper protection and disinfection equipment and material, which have not yet been made sufficiently available by governments. For this we would call for a global dialogue forum.

#### **8. Data - The future of data governance in road transport**

As main generators of data in the sector, transport operators are concerned by the lack of regulation and transparency. Where does the data their vehicles produce go? How is it used and by whom? Can they access their own data? Uncertainty makes transport operators hesitant to share data with other businesses. IRU believes that there are three key principles to guarantee data fairness.

1. Adopt a global legal framework for the provision of business-to-business data. (The framework should explicitly include the principles for the voluntary sharing of data and reciprocity when it comes to access to data, clearly define the obligations and responsibilities of data aggregators and recognise the rights of data generators.)
2. Provide financial incentives to operators (Over 80% of transport operators carrying goods and passengers are SMEs. Upgrading to digital tools and staff training require significant investments, for which businesses need government support.
3. Compensate transport operators for sharing their data (The future framework on data must also ensure that transport operators are able to ask for and receive financial remuneration in exchange for the data provided. Unless the benefits of data sharing are clear to transport operators, they should not be expected to hand over their data for free.)

Given the importance of this topic and its global reach we would request a Tripartite meeting.

## Proposal for ILO Sectoral Activities in Professional Services

### *What regulations and policies support a contribution of private employment services sector for the transition from the informal to the formal economy?*

The World Employment Confederation (WEC), the global representative of the Private Employment Services puts forward this proposal under the Professional Services Sector to further investigate how private employment services regulated through the ratification of ILO Convention 181, the EU agency Work Directive and/or national regulations contribute to the implementation of ILO Recommendation 204 on the Transition from the Informal to the Formal Economy.

## Background

1. 61% of the global workforce is in informality<sup>1</sup>. To tackle this, the International Labour Conference (ILC) in 2015 concluded Recommendation 204 concerning the transition from the informal to the formal economy<sup>2</sup>. This ILO instrument sets out the key elements, tools, and guidance for its constituents to shape a path to a formal economy with more decent work.
2. In this a role for employment services is envisaged to be part of a coordination on the implementation of an integrated policy framework (part III para 13) and enhance the delivery and outreach of employment services to those in the informal economy (part IV para 15 sub d). Finally, ILO Convention 181 on Private Employment Agencies is mentioned as one of the relevant ILO instruments to facilitating the transition to the formal economy. This ILO Convention 181 provides the conditions for the creation of a regulatory framework for the decent delivery of direct recruitment and agency work services by private actors.
3. The global Covid-19 pandemic has accelerated the profound changes the Centenary Declaration seeks to mitigate, whilst delivering an unprecedented blow to employment and the progress on formalisation<sup>3</sup>.
4. In 2019, the ILO Standards Review Mechanism Tripartite Working Group addressed, amongst others, ILO Convention 181 (and its accompanying Recommendation 188) and unanimously advised (1.) the Convention to be up-to-date and that the Governing Body (GB) consider proactive activities to support constituents to implement and ratify Convention 181, especially those countries that still have Convention 34 and 96 ratified<sup>4</sup>.
5. In 2019 the ILC concluded the ILO Future of Work Initiative with the Centenary Declaration on the Future of Work. In it ILO constituents called upon ILO Members committed to supporting business and workers to deal with the profound changes in the world of work. Supporting people through transitions laid at the heart of many of these supports, including the transition from school to work, from job to job and of course from informality into formality<sup>5</sup>.
6. The pathway of the Centenary Declaration further materialized in the 2020 – 2021 and Draft 2022 - 2023 ILO Programme and Budget that explicitly addressed the capacity of constituents to formulate and implement labour market programmes and employment services for transitions to decent work over the life course. In this strengthening of the capacity of employment services was emphasized to deliver the mandate of the ILO through the priorities off the Centenary Declaration.<sup>6</sup>
7. The Private Employment Services industry has a history of participating in ILO Sectoral activities. In 2009 the ILO hosted the Tripartite Workshop to Promote ratification of the Private

<sup>1</sup> ILO, Women and men in the informal economy: A statistical picture. Third edition. 2018.

<sup>2</sup> ILO, R204, Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204), 2015

<sup>3</sup> ILO, ILO Monitor: COVID-19 and the world of work. Sixth edition. Updated estimates and analysis, 23 September 2020

<sup>4</sup> GB.337/LILS/1 & GB.340/PFA/2

<sup>5</sup> ILO Centenary Declaration on the Future of Work, 2019

<sup>6</sup> ILO, Programme and budget for the biennium 2020-21, 2019

### *What regulations and policies support a contribution of private employment services sector for the transition from the informal to the formal economy?*

Employment Agencies Convention, 1997 (No. 181)<sup>7</sup>. In 2011 a Tripartite Global Dialogue Forum on the Role of Private Employment Agencies in Private Services Sector was organised<sup>8</sup>. Finally, several research studies have been prepared in 2013 for the Sectoral Policies Department (SECTOR) on the impact of the Private Employment Agencies Convention, 1997 (No. 181); the framework for operation of private employment agencies; employment conditions; and treatment as regards such issues as pay, social protection, leave and pensions in selected countries, providing sectoral information where appropriate<sup>9</sup>.

8. Beyond the ILO context per se there are developments in the OECD and G20 arenas, the recognition of the role of employment services is broad. The OECD Employment Outlook<sup>10</sup> and G20 Labour and Employment Ministers<sup>11</sup> recommend increasing the capacity of both public and private employment services. Also, in 2020 the Labour20 recommendations call for the ratification of ILO Convention 181 to fight rogue and fee-charging providers and the Business20 Recommendations push for the recognition of diverse forms of work including agency-work.
9. Agency Work is recognized in regulation beyond ILO Convention 181 alone. Irrespective of ratification of this Convention, many countries around the world have created regulatory frameworks for private employment services in the Convention's spirit and purpose. In this respect the European Directive on Temporary Agency Work stands out as another international instrument to set a regulatory framework to balance the interests of workers, private employment agencies, businesses and governments.

### **The Role of Private Employment Services in the Transition from the Informal to the Formal Economy**

10. The World Employment Confederation represents private employment services across the world. Annually over 54 million workers find their way to a formal job through its membership as they deliver private employment services such as direct recruitment, agency work and career management. In many countries the private employment services sector is one of the largest sectors through which (long-term) unemployed and new entrants find their way (back) to work. Not only do they find their way to the labour market, the involvement of a private employment service also supports the sustainable participation.<sup>12</sup>
11. As such, the importance of employment services for the transition to the formal economy is widely recognized. Employment services are delivered both by public and private entities. Each through their own mandate and instruments, they share one key purpose that is especially relevant for labour market transitions: link people to work – and improve the functioning of the labour market.
12. Through their various services private employment services provide to jobseekers, workers, and businesses alike, they support an easy access to the labour market. This is either direct as an employer through agency work, indirect via direct recruitment and/or through coaching,

<sup>7</sup> ILO, Report of the discussion – Workshop to Promote Ratification of the Private Employment Agencies convention, 1997 (No. 181), October 2009

<sup>8</sup> ILO, Global Dialogue Forum on the Role of Private Employment Agencies in Promoting Decent Work and Improving the Functioning of Labour Markets in Private Services Sectors, 2012

<sup>9</sup> ILO, Temporary Agency Work, <https://www.ilo.org/sector/activities/topics/temporary-agency-work/lang--en/index.htm>

<sup>10</sup> OECD, Employment Outlook, 2020

<sup>11</sup> 2020 G20 Labour and Ministerial Ministers Declaration

<sup>12</sup> WEC, 2020 Economic Report



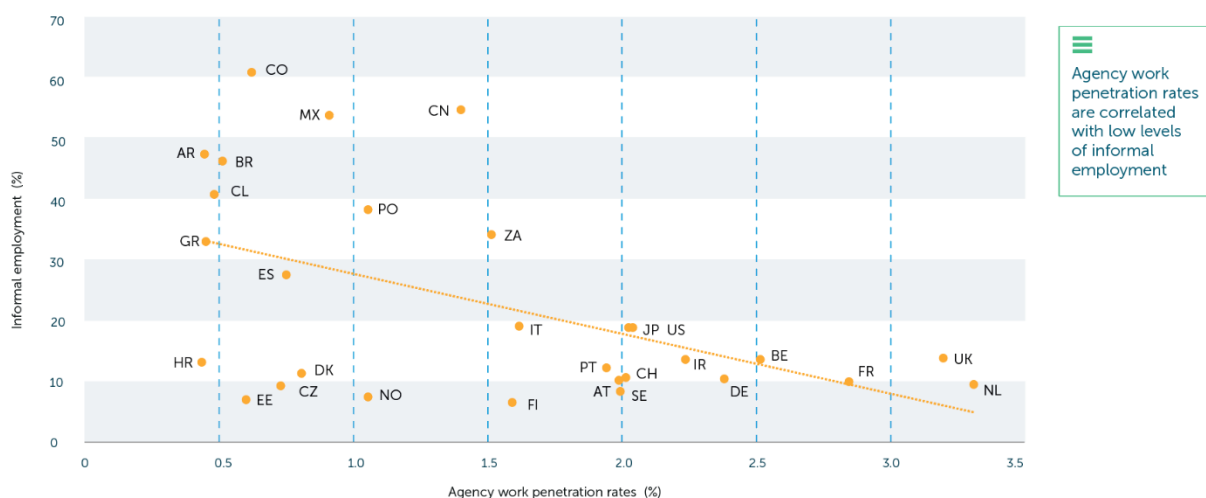
## Proposal for ILO Sectoral Activities in Professional Services

### *What regulations and policies support a contribution of private employment services sector for the transition from the informal to the formal economy?*

training and labour market tools and knowhow. This role to improve the functioning of the labour market is explicitly addressed in ILO Convention 181 on Private Employment Agencies.

13. The recognition of Private Employment Services to act as intermediary and employer is an important step in the pathway of formality of any economy. Recent years have shown that agency work penetration rates (the percentage of agency workers as part of the national working population) are positively related to levels of labour market formality<sup>13</sup>. The World Employment Confederation acknowledges that there are further factors that explain this relation, which are worth investigating – thus prompting this proposal.
14. In countries with appropriate private employment services regulation, clear distinctions have arisen between responsible and rogue market players. In these countries several self-regulatory and bipartite initiatives have further amplified this. Moreover, in these countries the organised sectoral representatives work with government and representatives from business and workers to mitigate risks to decent work and a level playing field. As a further international safeguard, WEC has adopted a Global Code of Conduct that applies to all members, irrespective of the local jurisdiction. All these sectoral activities have contributed to market transparency which enables workers and businesses to choose a quality labour market intermediary services and solutions. And by doing so decreasing the incentives to revert to a rogue player.

Informal employment and agency work penetration rates



Source: WEC, Social impact Report 2020

15. Across the world agency work (also known as dispatch work, staffing or labour hire) is recognized as a decent and regulated form of work<sup>14</sup>. It is rooted in the triangular nature of the employment relation and allocates rights and responsibilities across the worker, employment agency and the user-enterprise. Through this recognition legal clarity and rights have been crafted over the years for workers and businesses alike. Agency workers are recognized as employees which grants them access to fundamental rights, representation and collective bargaining, social protection coverage, statutory working conditions and other protections and

<sup>13</sup> WEC 2020 Social impact Report

<sup>14</sup> See in this context amongst others ILO Convention 181, the EU Temporary Agency Work Directive and the OECD Employment Protection Legislation Index on national regulations on agency work services and contracts.

## Proposal for ILO Sectoral Activities in Professional Services

### *What regulations and policies support a contribution of private employment services sector for the transition from the informal to the formal economy?*

rights available to employees in respective national jurisdictions. As such, labour market intermediation grants legal recourse and remedy for workers and business.

16. Like all sectors, past, present and future private employment services leverage technological advancements to support the delivery of their services. Currently, new digital tools and online presence are used to connect to jobseekers and business more easily. Also, they can be used to analyse and standardize competences, job descriptions and labour market trends. This enables better, quicker, unexpected, and sustainable labour matches. As such, these new tools are to the benefit of jobseekers in the formal - and informal - economy alike.<sup>15</sup> These new technologies also contribute to a better understanding of the labour market and support the ability of private employment services to provide labour market data and insights to governments, social partners, and other societal actors alike.

### Proposal for a research

17. Given the urgency of ILO Recommendation 204, also in the context of the road to recovery from the Covid-19 pandemic, WEC puts forward the following proposal for a research under the 2022-2023 Sectoral Activities:

*What regulations and policies drive a positive contribution of the private employment services sector for the transition from the informal to the formal economy?*

18. To support ILO Members and its constituents (including the businesses and workers in the private employment services sector) in implementing Recommendation 204 further in-depth knowledge on the specific role of *private* employment services and implementation of ILO Convention 181, Recommendation 188 and other regulatory frameworks for private employment services is needed, especially in the context of the transition from the informal to the formal economy.
19. Further in-depth knowledge on this will support the Office in providing adequate technical support to ILO Members on this specific element of Recommendation 204 and will contribute to promotional activities following the conclusions of the 2019 TWG SRM on the relevance of Convention 181. This will be especially relevant in countries with high levels of informality and/or countries that have still ratified Convention 34 or Convention 96.
20. Moreover, given the focus on private employment services beyond the ILO context alone, it will contribute to ILO's ambitions to leverage its unique mandate and expertise in the multilateral system and achieve Outcome A of the Draft ILO 2022 – 2023 Programme & Budget: *"Improved knowledge and influence for promoting decent work"*.
21. The analysis should include the following elements:
  - The address of policies for Private Employment Services in the national development strategies or plans as well as in poverty reduction strategies and budgets as mentioned under part III (art. 11) of ILO Recommendation 204. Especially in the context of the establishment of an appropriate legislative and regulatory framework (III, 11b), respect for and promotion and realization of the fundamental principles and rights at work (III, 1d); access to access to education, lifelong learning and skills development (III, 11h); access to business services (III, 11j); and efficient and effective labour inspections (III, 11q).

<sup>15</sup> This would especially connect to pt. 66 of the Draft ILO Programme & Budget 2022 – 2023: "strengthening the capacity of employment service providers and modernizing delivery systems with new technologies, in partnership with other organizations"



## Proposal for ILO Sectoral Activities in Professional Services

### *What regulations and policies support a contribution of private employment services sector for the transition from the informal to the formal economy?*

- The inclusion of Private Employment Services in the coordination for the formulation and implementation of an integrated policy framework as mentioned in part III art. 12 of ILO Recommendation 204.
  - In-depth recommendations that can be used for technical and international cooperation in the context of implementing Recommendation 204, Convention 181, and Recommendation 204.
  - The regulatory framework for private employment services (or the lack thereof)
  - The identification of challenges to implementation of the aforementioned instruments that could be addressed at a global level.
  - The relationship between the level of informality and the ratification status of Conventions 34, 96 and 181.
  - Policies that amplify a positive role for Private Employment Services in the transition to a formal economy.
  - Policies that hamper a positive role for Private Employment Services in the transition to a formal economy.
  - Trends and developments in the world of work that impact the role of private employment services in the transition from the informal to the informal economy.
  - Implementation of new technologic (incl. digital) solutions in the delivery of Private Employment Services that supports and increases labour market transparency, efficiency and formalisation.
  - Synergies, collaborations, and partnerships between public and private employment services as addressed in Convention 181 and Recommendation 188
  - The role and occurrence of social dialogue between representatives of workers and the private employment services sector.
  - The incentives, occurrence, and risks of informal and rogue labour market intermediation.
  - Variances across levels of informality, economic development and regions of the world
22. WEC recognizes that other elements could be relevant for such an analysis and stands ready to finetune this proposal to support its sector and ILO constituents to the fullest.
23. Of course, the sectoral knowledge and WEC membership base lie at the disposal of ILO researchers to support the analysis.



## **ILO SECTORAL ACTIVITIES PROGRAMME 2022-2023**

### **PROPOSALS FROM PUBLIC SERVICES INTERNATIONAL (PSI)**

<b>ISSUE 1</b>	<b>PROTECTION OF WORKERS WHO REPORT WRONGDOING</b>
<b>RATIONALE</b>	<p>Whistleblowers play a pivotal role in supporting transparency and accountability in both the public and private sectors – whistleblowers bring to light illegal activities such as tax evasion, collusion and others that are contrary to the public interest. Whistleblowing can save lives, as it has been demonstrated during the current pandemic. However, in disclosing relevant information whistleblowers often risk their jobs, freedom, or even their lives.</p> <p>Despite the progress achieved in the last decade and the surge in the implementation of whistleblower protection frameworks and awareness raising in many countries, some high-profile cases have also evidenced their shortcomings, both in law and practice. The lack of dedicated and comprehensive laws <u>that protect not only their lives but also their jobs</u> is one of them. Hence the need to ensure that workers who disclose wrongdoing – especially those of the independent audit institutions, customs, tax revenue agencies, and judicial bodies – are protected from reprisal and are rewarded for doing what is fair and just.</p> <p>The Council of Europe suggests that the legislation and protection should be global, to ensure that protection is on equal footing regardless of what sector is concerned by the whistleblowing. Many actors, including the European Commission, the OECD, the International Standard Organization, are examining the protection of whistleblowers. Moreover, at its 329<sup>th</sup> Session, in March 2017, the GB considered that “four subjects require further work and discussion in other <i>tripartite forums</i> before they could be considered to give rise to full proposals for inclusion on the agenda of the Conference”, including “independence and protection in public service (fight against corruption)”.</p>
<b>PROPOSAL</b>	<p>PSI therefore would like to propose a <b>tripartite meeting</b> to:</p> <ul style="list-style-type: none"><li>• address the state of the affairs about figure of whistleblower and its protection, and how the independence of public sector is relevant in the fights against corruption</li><li>• Identify gaps and difficulties in the application of the current whistleblower protection frameworks</li><li>• Identify the extent to which ILO instruments are relevant to the protection of whistleblowers</li><li>• Making recommendations on a way forward</li></ul>
<b>ISSUE 2</b>	<b>EDUCATION SUPPORT PERSONNEL</b>

#### **WWW.PUBLICSERVICES.INTERNATIONAL**



<b>RATIONALE</b>	A the “Global Dialogue Forum on Employment Terms and Conditions in Tertiary Education”, held at the ILO on 18-20 September 2018, the tripartite constituents recommended that the Office should “...undertake and disseminate research on: terms and conditions of employment of education support personnel...”.
<b>PROPOSAL</b>	PSI therefore would like to request <b>research</b> on:
	<ul style="list-style-type: none"> <li>• Terms and conditions of employment of education support personnel with a view to hold a tripartite meeting on the subject, to make recommendations.</li> </ul>
<b>ISSUE 3</b>	<b>HEALTH</b>
<b>RATIONALE</b>	ILO, WHO and OECD have worked together on the UN High Level Commission on Health Employment and Economic Growth. At its 70 <sup>th</sup> World Health Assembly, WHO adopted a Five-year Action Plan for Health Employment and Inclusive Economic Growth (2017–2021), currently W4Heath.
<b>PROPOSAL</b>	PSI therefore would like to request a <b>tripartite meeting</b> to:
	<ul style="list-style-type: none"> <li>• Review the tripartite response to the Recommendations of the ComHEEG and its follow-up W4Health.</li> </ul>
<b>ISSUE 4</b>	<b>EMERGENCY SERVICES</b>
<b>RATIONALE</b>	At the Meeting of Experts to adopt Guidelines on Decent Work in Public Emergency Services (Geneva, 16–20 April 2018), the tripartite constituents highlighted the vital importance of adequate personal protective equipment. In the concluding remark, the Workers Vice-chairperson stated that guidelines on PPE would be necessary to complete the work achieved by the Meeting. Since then, the global pandemic has proven our conclusions prescient and confirms the urgency of further action on the issue of Personal Protective Equipment for all types of workers subjected to emergency situations. Furthermore, the increasing global warming and incidence of extreme weather events compounds the need for actions on PPEs to protect all emergency and essential workers.
<b>PROPOSAL</b>	PSI therefore would like to request <b>research</b> on:
	<ul style="list-style-type: none"> <li>• the different types of PPE needed across the different types of emergencies and responders/essential workers, the access to such PPE, its provision and maintenance.</li> </ul>
<b>ISSUE 5</b>	<b>MUNICIPAL WORKERS</b>
<b>RATIONALE</b>	<p>Local and regional government workers make up the bulk of public sector employees worldwide, yet we know very little about their numbers, recruitment and career and workers’ rights and conditions. When it comes to the application of ILO standards in the public sector, there is an urgent need to disentangle, uncover specific situations and address the needs of the workers employed at different levels of government.</p> <p>A 2016 joint study from the OECD and UCLG counted over 500,000 local and regional governments around the world: qualitative and quantitative information and data on subnational government employment remains patchy, incomplete or undisclosed. There are few reliable labour statistics about these professions; most remain basically invisible to policy analysis. To date, ILOSTAT only manages partial local government employment data for 49 countries, representing only a quarter of the world’s labour force. Most local and regional government professions, moreover, are not separately identified under ISCO, nor does any ISIC category describe all activities carried out by government.</p>

	<p>These gaps undermine any proper assessment of the workers' rights situation and conditions of subnational governments' employees and their ability to deliver quality services. Besides, this deficiency ultimately has the potential to undermine the implementation of global development objectives such as the SDGs and of the Decent Work Agenda, which are to be implemented at the local level.</p> <p>For the above reasons, PSI and United Cities and Local Government (UCLG) have called labour statisticians from around the world, gathered in Geneva for the 20th International Conference of Labour Statisticians (ICLS), to take steps towards filling this major gap.</p> <p>In addition, there are many cases of cities and states that are bringing back public services from private to public ownership. This transition often amounts to complex processes where issues and concerns relating to terms and conditions of employment in pension funds, salaries and entitlements, job descriptions, career paths, seniority, arise.</p>
<b>PROPOSAL</b>	PSI therefore would like to request <b>research</b> on:
	<ul style="list-style-type: none"> <li>• The issue of the recognition of local and regional authorities as employers and how to promote trade union rights of public service workers at the local government level.</li> <li>• The links between local economic development and decent working conditions for municipal workers, including skill building and lifelong learning, especially in a rapid digitalization context of government.</li> <li>• Re-municipalisation, to look at the implications for workers and trade unions and how to prepare prior, during and after the process, especially considering the transfer of staff from private sector and various regimes (pensions, OHS, health, etc) to public sector regimes.</li> </ul>

**A proposal to the ILO Advisory Bodies concerning the Sectoral work programme for 2022-2022 –  
Private security services: Global Dialogue Forum on social dialogue, industrial relations and  
working conditions in the private security services industries**

Private security is a rapidly growing sector with sales estimated between USD 180 and 250 Billion, generated by more than 20 million outsourced employees.

In general, the education level for entering the sector is low. Vocational training is different in each country and is relatively basic. Private security employees either work alone in remote places or in groups in highly dense areas such as airports and large public events. In terms of occupational hazard and risk, private security comes with unsociable and often long working hours, solitude, long standing time, verbal and/or physical abuse etc. There is significant evidence of overwork and underpayment in wages with very little access to collective bargaining outside of Europe. In certain cases where the workers are represented for collective bargaining, industrial relations come in between the workers and the contractor, not the end user of the services. Every cost increase is to be covered by the end user.

In many countries, private security outnumbers public police services by far

<https://docs.google.com/spreadsheets/d/1D1DtDTupl-ildBLWlQGswypRCsRzjB--39rQQBGgqSU/htmlview#gid=539269634>

Guarding banks, businesses, public buildings, events, moving and processing cash is a pure peoples' business. The costs of running a security business is over 80% on staff costs. Profit is the simple difference between the negotiated price and salaries + overheads.

With a very low investment threshold it is a low entry sector. Investments being very low, private security is almost at the tail end of the supply chain.

The "big five" (G4S, Securitas, Prosegur, Brinks and Gardaworld) employ some 1.3 million officers. Market leaders such as G4S (600,000) and Securitas (375,000) are in the top 10 of largest private employers in the world. With a possible take-over of G4S by Gardaworld or Allied Universal a private employer of 650 to 750,000 employees in 95 countries would emerge. They all adhere to OECD guiding principles and or signed OECD Global compact agreements. Both G4S and Securitas signed a Global Framework agreement with UNI Global Union.

With the big five having a global market share of 6.5%, between them, most national markets are dominated by thousands of SME's. At times nothing more than a briefcase and mobile phone company, pop ups, operating from the trunk of a car. This means there is a permanent downward pressure in most markets due to fierce and unfair competition. For companies who want to maintain standards on minimum wages, working time, training and equipment it is extremely hard to survive. Unless companies can offer value by adding specialised or integrated multi services, the only way to survive is to cheat on either the client or the staff.

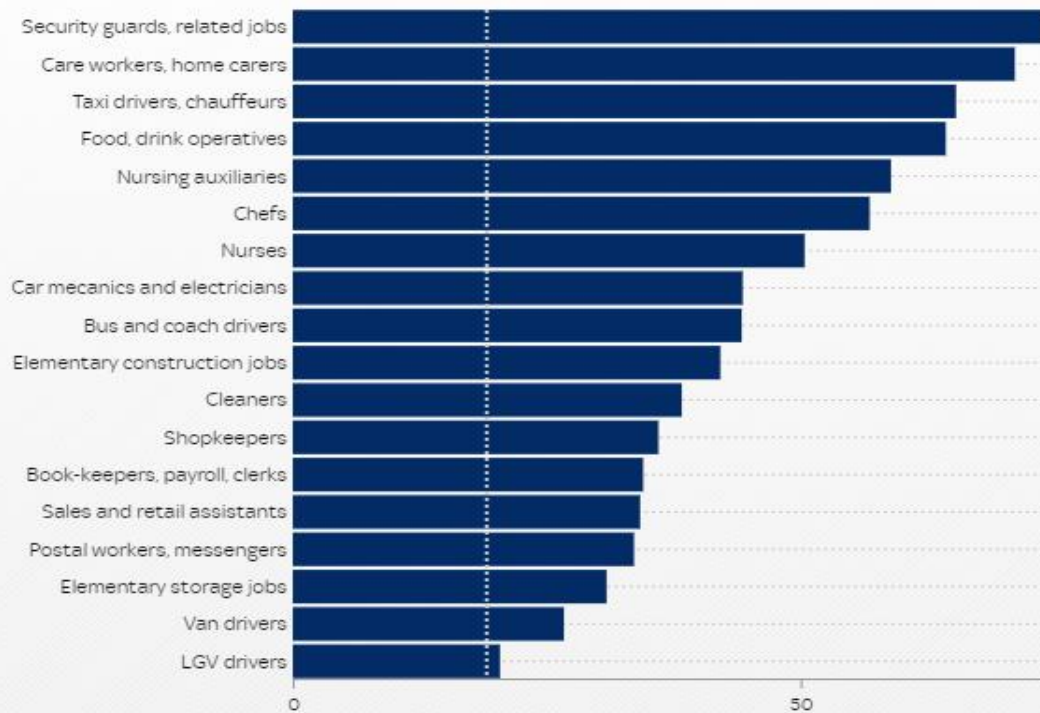
In the given market situation as well as the sensitive nature of the security business there are potential adverse ESG impacts on workers' rights, industrial relations and bribery.

In relation to the current Covid-19 crisis, data published in [a survey by the TUC in the UK](#) indicates that "In some specific occupations, such as **security guard**, taxi driver, chef and care worker, a male worker is over three-times as likely as the average to have died from coronavirus."

## Male COVID-19 death rate

Selected occupations

Figures per 100,000 population. Dotted line marks the average (19.1 per 100,000)



SOURCE: ONS • Figures for England and Wales residents aged 20 to 64 years. Deaths involving COVID-19 registered between 9 March and 25 May.

Government regulation creates a more level playing field which has a positive effect on maintaining minimum standards and effectively on the quality of the service delivered. A solid level playing field created by regulation, licensing and vetting leads to fairer competition and decreases adverse ESG impacts.

In western Europe and North America as well as in some other countries, governments have set standards on minimum training hours, a training curriculum, maximum working times, proper working attire, equipment and licensing vetting both companies and security officers. Companies offer fair prices and clients as well as the general public, receive a more reliable service.

It should be a common objective for trade unions, employers and governments to engage in a global debate to identify problem areas and develop policies and tools to ensure adequate regulation for the industry, including protection for workers' rights and protecting their health as well as encouraging and guiding national dialogue on the issues described above.



## Sectoral activities in the 2022-23 Biennium

### *A tripartite technical meeting for the arts and entertainment sector*

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#### I. Introduction

Since the early days of the sars-cov-2 pandemic, restrictions decided by most governments in response to Covid-19 have exposed the precariousness of workers in the art and entertainment sector. This dire situation is an eye-opener on underlying issues that have been repeatedly analysed and described in the past.

Thousands of jobs and careers have been destroyed in the sector in 2020, as a result of the lethal combination of insecure work and exceptional circumstances. While pandemics are unpredictable, their consequences on an industry intrinsically affected by widespread precariousness are not.

Against this backdrop, adequate measures aiming at extending the benefit of social protection, safety nets and recovery packages to creative workers constitute a logical step to take. Still, more structural measures are necessary and within reach.

Some of these aspects are addressed in the **ILO Concept Note of July 2020**, which recommends, in the context of Covid-19, to “*extend social protection to all*” and to “*strengthen social dialogue, collective bargaining and labour relations institutions and processes*.” The document also acknowledges that the process of **building back better** must identify “*what needs to be done to address the massive vulnerabilities in the world of work made evident by the pandemic*” and how “*to scale up the task of formalising the informal economy and to move decisively towards universal social protection coverage*”.

#### II. Background

- In 2000, a **Symposium on Information Technologies in the Media and Entertainment Industries: their impact on employment, working conditions and labour management relations** was held at the International Labour Office in Geneva from Feb. 28<sup>th</sup> to Mar. 3<sup>rd</sup>. Its conclusions provide (in para. h) that

*“The ILO should examine the possibility of convening [...] a tripartite meeting on the evolution of the information and communication industries and its impact.”*

- On Feb. 25<sup>th</sup>, 2019, the ILO Governing Bodies adopted **SAB recommendations** (GB.3345/POL/3), which provide in section B, para. 27:

*“Preparatory work, including research, will be undertaken on the future of work in the culture and media sectors and in aviation with a view to consideration being given at the next meeting of the sectoral advisory bodies to holding tripartite meetings in these sectors.”*

- The **ILO Centenary Declaration**, which “*calls upon all Members [...] to further develop its human-centred approach to the future of work*”, insists, in particular, on the need for “*universal access to comprehensive and sustainable social protection*”, recommends to “*ensure effective action to achieve transition to formality*” and recalls that “*it is incumbent on the ILO to strengthen the capacity of its tripartite constituents to [...] address all fundamental principles and rights at work, at all levels, as appropriate, through strong, influential and inclusive mechanisms of social dialogue.*”

#### III. Documents prepared by SECTOR

- *Challenges and opportunities for decent work in the culture and media sectors* (working paper, 2019)
- *Policy Brief on sexual harassment in the entertainment industry* (2020)
- *Social protection for workers in the cultural and creative Sector: Country practices and innovations* (in progress)
- *Trends, opportunities and challenges shaping the future of work in the media and culture sectors* (in progress)

#### IV. A tripartite technical meeting for the arts and entertainment sector: The future of work in the arts and entertainment sector

As reported by the **Global Commission on the Future of Work** (2019), the creative economy “*has strong potential for jobs that are high-skilled, professional and fulfilling, as well as at low risk of automation*”. However, most workers in the sector work under *atypical* or *non-standard* forms of employment. Although they are often described as

“independent contractors” or “self-employed workers”, the vast majority of them do not operate as real-sense “undertakings” and live a very precarious existence. They generally receive low income and have little or no access to fundamental workers’ rights such as the ability to benefit from minimum wages set by collective agreements, social security, pension schemes, unemployment compensation, safety and health protection etc.

Whilst antitrust rules are helpful to preserve a dynamic and healthy market when applied to genuine businesses operating there, they can only generate more precariousness and poverty when they assimilate precarious freelance workers to individual undertakings, denying them access, in particular, to their fundamental rights to organise and collectively bargain.

The tripartite meeting should address the need to provide workers in the arts and entertainment sector with:

- “universal access to comprehensive and sustainable social protection” (see section II above). *“To ensure effective protection for all, societies need to fill the gaps and adapt systems to the evolving world of work by extending adequate social protection coverage to workers in **all forms of work, including self-employment**”* (Report of the Global Commission on the Future of Work, p.36)
- An effective right to collective bargaining, as a part of the **Universal Labour Guarantee** (Report of the Global Commission on the Future of Work, p.38): *“all workers, regardless of their contractual arrangement or employment status, must equally enjoy adequate labour protection to ensure humane working conditions for everyone”*. In the same chapter (p.39), the report also recommends that all workers enjoy
  - (a) *fundamental workers’ rights: **freedom of association and the effective recognition of the right to collective bargaining** and freedom from forced labour, child labour and discrimination; and*
  - (b) *a set of basic working conditions:*
    - (i) *“adequate living wage”;*
    - (ii) *limits on hours of work; and*
    - (iii) *safe and healthy workplaces.*

The preparation of the proposed tripartite meeting will use the research and data already available as well as studies that are still in progress and are expected to be published in 2021 (see section III above).

## IndustriALL Global Union's Proposals for Energy, Manufacturing, Mining (E2M) sectors related to 2022-2023 Programme of the ILO SECTOR

(to be discussed at the Advisory Body Meetings on 13-15 January 2021)

### **1) Manufacturing:**

- a) Mechanical and electrical engineering

#### **Electronics:**

**Recurrent** work as follow-up of the Global Dialogue Forum on Decent Work in the Management of Electrical and Electronic Waste (E-waste) which was held on 9–11 April 2019. The Office should undertake evidence-based research on decent work in the management of e-waste. This research is to inform possible future action of the ILO, including the possibility of convening a meeting to be decided by the Governing Body to develop guidelines or a code of practice to advance decent and sustainable work in the management of e-waste.

#### **Mechanical engineering:**

The mechanical engineering sector is driver and subject to changes following the demand for digitalization and green technologies ("GreenTech") at the same time. This sector changes its internal production patterns according to digitization and delivers at the same time technical equipment that drives the digitization in other sectors (i.e. machine construction, automotive, power generation etc.) and delivers also installations for GreenTech (namely power generation and life cycle products). This requires specific attention to the question of a just transition in the sector.

**Proposal:** Technical Meeting over the consequences of digitalization combined with GreenTech in the sector, requiring new skills for the workforce.

- b) Transport equipment manufacturing

#### **Automotive:**

**Recurrent** work as follow-up of Technical meeting on the future of work in the automotive industry (to be held in February 2021)

- c) Textiles, clothing, leather and footwear

**Recurrent** work as follow-up of the Meeting of experts to discuss and adopt a code of practice on safety and health in textiles, clothing, leather and footwear (to be held in 2021), preparing a set of training materials and a series of regional and national workshops be held in 2022-2023 to ensure and support the implementation of Code of Practice to be adopted.



d) Basic metal production

COVID-19 crisis worked as a catalyst for the speed-up in changes in base metals production: IndustriALL Global Union expects a very slow recovery of the basic metals production, namely in the steel industry. At the same time, there is a growing overcapacity, mostly resulting from new installations in India and China.

This development is going hand in hand with changes in production patterns in developed economies: The technical and ecological changes are mostly related to digitalization of steel and aluminium production on the one hand and “green” (decarbonized) steel production on the other hand.

**Proposal:** Technical Meeting over the new production patterns with respect to digitalization and decarbonization in the global steel industry.

e) Chemical Industries

1. **Recurrent** work as follow-up Activities of the Global Dialogue Forum on Challenges for Decent and Productive Work Arising from Digitalization in the Chemical and Pharmaceutical Industries to be held on 10-12 December 2018 (not yet delivered).
2. **Rubber gloves industry:** Rubber or latex glove production is an industry receiving heightened international attention during the pandemic. Several mainstream media outlets are reporting on working conditions in the industry, especially in South East Asia. Several social rights campaigners are also increasingly investigating the industry, some of these organizations have influence over significant purchasing processes of medical gloves.

**Proposal:** Technical meeting to establish a common understanding of the realities and challenges of the industry, and reach common commitments on assuring decent work and social dialogue in the production.

3. **Pharmaceuticals Industry:** The attention of the world is now turned to the vaccine industry. The question of universal access to the Covid-19 vaccination programs will determine the global recovery from the pandemic. Without achieving immunity of the society, countries' economies and therefore decent jobs will be gravely hindered. A global dialogue of the sector will bring together the actors to address these questions, and also analyze workers' rights in the production of vaccines.

**Proposal:** Technical meeting on decent work and social dialogue in pharmaceutical industry

2) *Energy and mining*

a) Oil and Gas:

Given the ongoing discussions on the future of fossil fuels, particularly oil and gas, for the purpose of the implementation of the ILO Centenary Declaration for the Future of Work and following up the ILO guidelines for a Just Transition to environmentally sustainable economies and societies for all, there is a need for governments, employers and workers coming together to discuss and agree on a road map for these sectors. With the growing energy transition prospects, it is important to evaluate the impact on working conditions, decent work and social dialogue in oil and gas sectors in moving to renewables.



A meeting of experts with governments, companies and workers' representatives will be critically important in the energy transition process in order to establish social dialogue to address medium and long term challenges.

**Proposal:** Experts' meeting on Just Transition around energy transformation from fossil fuels towards renewable energy.

b) Mining

1. **Recurrent work** for follow up action to promote the ratification and implementation of ILO Convention No.176 Safety in Mines by member states with technical assistance that member states and constituents require it to support steps towards ratification.

**Proposal:** A tripartite Latin America regional meeting on the ratification and implementation of ILO Convention 176.

2. Noting that the Paris agreement implementation is uneven at country and regional level and is fraught with challenges related to the transition towards a low carbon future amidst developing countries' dependence on coal for development and economic growth, Just Transition has become an urgent imperative. However, incoherence policy responses remain a challenge with implications for jobs for coal mining workers directly impacted in line with priorities focused on the implementation of the ILO Centenary Declaration for the Future of Work as far as climate change impacts on the future of work.

**Proposal:** Experts' meeting on Just Transition measures for coal industry in line with the ILO guidelines for a Just Transition to environmentally sustainable economies and societies for all.

**Meeting of experts to update the code of practice on Safety and health in forestry work (1998) and the Guidelines for labour inspection in forestry (2005), to include specific provisions on emerging issues such as climate change, new technologies, migration, and the informal economy, among others.**

(proposed by the Building and Woodworkers International, December 2020)

### **To follow up on**

The Sectoral meeting on promoting decent work and safety and health in forestry, 6–10 May 2019 Conclusions Paragraph 18: The Office should: – develop a work plan in consultation with tripartite constituents to support governments and social partners to promote and further implement the code of practice on Safety and health in forestry work (1998) and the Guidelines for labour inspection in forestry (2005), including through capacity-building; and initiate preparations to update through a meeting of experts these two tools to include specific provisions on emerging issues such as climate change, new technologies, migration, and the informal economy, among others.

### **Discussion: the need for a technical expert meeting**

A plethora of ideas, examples of good policies and practice, and jointly agreed conclusions have emerged from the recent tripartite forestry meeting. All have highlighted the need to improve on the industry's persistently poor performance in prevention of fatal and major injuries, as well as occupational ill health. The challenges in these sector are enhanced due to emerging issues as climate change, new technologies, migration, and the informal economy, among others.

### **Objectives of the meeting**

- Bring together experts with knowledge and experience of the Forestry industry and the challenges of occupational health and safety in the sector.
- Facilitate discussion on the emerging issues as climate change, new technologies, migration, and the informal economy, among others.
- Identify good practice and how to transfer this knowledge and experience
- Facilitate discussion on the proposals from previous meetings and how best to implement them
- Develop and adopt proposals to update the two instruments



# **International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations**



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## **IUF proposal 1 for the SAB meeting, Jan 15, 2021:**

### **Developing a Code of Practice on occupational health and safety in the hotel sector (2022-23).**

#### **Improving occupational health and safety in the hotel sector**

Despite lockdowns and travel restrictions, hotels have continued to play a vital role during the COVID-19 pandemic. In addition to their usual function, hotels have been used as quarantine centres; as accommodation for medical personnel; as refuges for victims of domestic violence.

However, COVID-19 also highlighted the vulnerability of the sector. Many hotels closed, some never to re-open, and millions of hotel workers have been laid-off.

Ensuring that hotels are safe is key to ensuring guest confidence as the sector re-opens and beyond. Safe workplaces will help ensure guest safety. The IUF is therefore proposing that the sector activity for hotels, catering, tourism in 2022-23 should be dedicated to developing a Code of Practice on occupational health and safety in the hotel sector.

#### **Why an ILO Code of Practice is needed**

The hotel sector is a very diverse sector with many and varied occupational health and safety challenges. The COVID-19 pandemic brought new challenges but also highlighted pre-existing issues.

However, in response to the COVID-19 pandemic, hotel companies issued unilaterally developed protocols based on guidance from private agencies; UN agencies issued guidance that failed to draw on ILO OHS instruments. There was no global tripartite guidance available.

#### **Scope**

The Code of Practice should cover all occupational safety and health issues in the hotel sector (not just those related to COVID-19).

It should assist with giving give effect to:

- 1) Convention 155
- 2) Convention 170
- 3) Convention 172
- 4) Convention 190
- 5) ILO guidelines on decent work and socially responsible tourism – especially Chapter 3.5.3, paragraphs 74, 75, 76.

It should be relevant to hotels of all sizes.

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## **IUF proposal 2 for the SAB meeting, Jan 14, 2021: Agriculture, plantations & other rural sectors**

### **Decent work in agro-food: an essential part of sustainable food systems**

During the COVID-19 pandemic, food and agricultural workers were classed as essential workers and required to keep working to ensure global food supply. The pandemic saw significant numbers of cases of COVID-19 infections and deaths in agricultural and food workplaces<sup>i</sup>. Investigation of these cases shone a spotlight on poor working conditions, especially for migrant workers.

The COVID-19 pandemic highlighted both the fragility of current food systems and the damage they do to the planet with the destruction of natural habitats and as drivers of the climate crisis. It is estimated by the WHO that globally about one billion cases of illness and millions of death occur every year from zoonoses. Some 60% of emerging infectious diseases that are reported globally are zoonoses. With further destruction of natural habitats the likelihood of further pandemics called by zoonoses increases<sup>ii</sup>.

The ILO should convene a meeting of technical experts to examine decent work deficits for workers in agro-food and make proposals to remedy the deficits. The meeting should also examine the links between current food systems models and the climate crisis and, in line with ILO commitments in the Climate Action for Jobs initiative, make proposals for changes to food systems to ensure that they provide decent employment and protect the planet.

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<sup>i</sup> For example: <https://www.4sd.info/covid-19-narratives/covid-in-cold-environments-risks-in-meat-processing-plants/>  
<https://www.dailymail.co.uk/news/article-9051283/Two-staff-die-Covid-outbreak-M-S-salad-factory-bosses-face-calls-shut-plant.html>

<sup>ii</sup> <https://www.unenvironment.org/resources/report/preventing-future-zoonotic-disease-outbreaks-protecting-environment-animals-and>

Meeting of experts to prepare a guidance document on labour clauses in public procurement .  
towards achieving Sustainable Procurement and Decent Work in Construction, (proposed by the  
Building and Woodworkers International, December 2020)

To follow up on the November 2016 the Global Dialogue Forum on Decent Work in Construction  
The “wrap-up discussion of the Forum” notes that “A number of other suggestions were put forward  
by participants, notably, that the ILO could organize a meeting of experts with a view to preparing a  
guidance document on labour clauses in public procurement”.

The basis for this are in the Labour Clauses (Public Contracts) Convention, 1949 (No. 94), and  
Recommendation (No. 84).

The objectives of the instruments are twofold. First, to remove labour costs being used as an  
element of competition among bidders for public contracts, by requiring that all bidders respect as a  
minimum certain locally established standards. Second, to ensure that public contracts do not exert  
a downward pressure on wages and working conditions, by placing a standard clause in the public  
contract to the effect that workers employed to execute the contract shall receive wages and shall  
enjoy working conditions that are not less favourable than those established for the same work in  
the area where the work is being done by collective agreement, arbitration award or national laws  
and regulations. Beyond this, there have been developments in public contracting as well as in the  
world of work that tend to call into question the effectiveness of the standards set out in  
the Convention. These developments include:

- the increasing importance of subcontracting, global sourcing and the complexities  
of supply chain management especially in construction and infrastructure maintenance works
- the increasing availability and use of contractors that perform the work under the  
contract outside the borders of the country for which the work is being performed;
- the increasing use of concessions and other forms of public–private partnerships  
not covered by the Convention;
- the increasing devolution and decentralization of public procurement policy,  
putting substantial numbers of persons working under public contracts outside the  
reach of the Convention; and
- the increasing use of service- or labour-only contracting, particularly in the context  
of privatization, which has a particularly high risk of cost cutting through non observance of the  
principles of the Convention.

#### Objectives of the meeting

- Bring together experts with knowledge and experience of the construction industry and the  
challenges of procurement in the sector.
- Facilitate discussion on good practice and how to transfer this knowledge and experience
- Facilitate discussion on the proposals from previous meetings and how best to implement  
them

- Develop concrete action points identifying the actors, outlining measures and giving an approximate timetable for actions.

#### Discussion points proposed for the meeting

1. (i) Discussion of current good practice in procurement in construction, resources and sources of information, materials and advice that exist, coming from :
  - a) Governments, other organisations and institutions
  - b) Employers organisations and international contracting companies.
  - c) Multilateral Development Banks in large infrastructure projects
  - d) Organisations running major international sporting events, such as the International Olympic Committee and FIFA.
  - e) Trade unions and global trade union organisations
- (ii) Make recommendations for action regarding transfer of knowledge, experience and resources arising from good practice examined. Networking and technical support needs to be provided.

#### .Discussion of jointly agreed action points.

The construction industry has a high proportion of small firms, sub contractors, self employed and informal contractual practices. It is essential to have organised cooperation between all parties on a construction site if occupational accidents and diseases are to be prevented.

Contracts are won by competitive bidding, creating the temptation to reduce costs of labour and H&S measures. The typical characteristics of the construction industry world – wide include: high labour turnover, transient sites and the instability of the construction industry itself, leading to difficulties in training of the workforce in skills and in H&S. There is a great diversity of trades and there are many specific accident hazards: Work at heights, cranes, scaffolding, excavations, tunnelling, heavy plant and machinery, electrical hazards, demolition hazards.

Large construction companies are service companies, concentrating on management and coordination functions, finding clients and marketing products, which are then produced by subcontractors. Few general contractors remain in either the public or the private sector today. Top firms have moved into international markets undertaking much needed infrastructure projects. The result is a concentration at the top and a fragmentation at the bottom.

The large firms have a stable core of workforce of white collar workers, and subs and labour only contractors are now the main employers of the construction workforce.

Governments, meanwhile, have a dual role as owner/ Client for the construction project, and at the same time, as regulator and enforcer of laws and standards on labour and Health and Safety in construction.

## **ITF Proposal to the ILO Sectoral Advisory Bodies (MARITRANS) for the Biennium 2022-2023**

### **Tripartite Meeting of Experts on Decent Work in the Inland Waterways Sector**

Inland waterway transport (*IWT*) is universally recognised as a cheap, sustainable and reliable form of transportation. IWT plays an important role in the transportation of goods and persons in many parts of the world. However, workers in inland navigation are faced with unique living and working conditions that sometimes fail to meet decent work standards. This phenomenon is confounded by the fact that the international, regional and national instruments protecting workers in inland navigation are dispersed and diverse, making it difficult to achieve universal decent work outcomes in IWT.

Although IWT is extremely regionalised as a sector, certain global trends have emerged over the past few years. For example, there has been an increasing tendency to re-flag vessels, especially in the river cruise sector. Further, technological advancements have generally tended to ease or, in other cases, completely replace the traditional work of crews.

In some regions, including South America, workers in inland navigation have reported attacks on their fundamental rights to freedom of association and collective bargaining. In certain parts of Europe, the effects of privatisation and unfair wage competition have led to a deterioration of working conditions. Despite IWT having a long history of providing safe transport, in recent years there have been numerous tragedies involving IWT vessels in Asia and Africa. Inevitably, poor training, dangerous working practices, overcrowding, inadequate regulation and near non-existent enforcement are to blame for these incidents.

In light of the above, the proposed meeting shall be asked to provide guidance on:

- identifying the opportunities and challenges for the realisation of decent work in IWT;
- identifying the challenges of governance to achieving decent work in IWT; and
- concrete steps that the ILO and its tripartite constituencies can take to address the decent work deficit facing the sector.

With a view to achieving policy coherence within the United Nations system, we would also propose to invite representatives of, among others, the International Maritime Organization, the UN Economic and Social Commission for Asia and the Pacific, and the UN Economic Commission for Europe. Other bodies involved in regulating the labour conditions of workers in IWT, including the Central Commission for the Navigation of the Rhine, the Danube Commission, and the International Sava River Basin Commission should also be invited.



## **ITF Proposal to the ILO sectoral advisory bodies for the biennium 2022-2023**

### **[Technical meeting on the future of decent and sustainable work in the railways sector]**

Rail has the potential to offset the cumulative crises of inequality, the climate emergency and COVID-19, while promoting decent employment and moving the global economy. Rail infrastructure could provide the bedrock of sustainable supply chains and an economic model based on public goods and needs. International cooperation, guidance on standards, and the implications for responsible investment are urgent at a time when 11,693km of high-speed lines are under construction globally.<sup>1</sup>

#### **Rail Safety for All**

Railway workers and their unions are the strongest guarantee of high safety standards. Adequately staffed trains, platforms and stations are the key safeguard for all passengers, ensuring access and assistance particularly for vulnerable groups such as the elderly and differently abled, as well as all workers. During the Covid-19 pandemic, frontline railway staff have enforced passenger vigilance.

Although railways are considered one of the safest modes of transport, proper maintenance of infrastructure is vital. Given the nature of railways, accidents have significant damage potential for railway workers, passengers and the wider public. Inclusive, representative and transparent systems for recording incidents, reporting potential dangers, and resolving safety concerns with trade unions in company level safety committees are required. Environmental working conditions, gender-sensitive ergonomics, including equipment design and provision of sanitation facilities all have an impact on safety-related performance.

In London, a January 2020 YouGov<sup>2</sup> survey found that 55% of 600 women had experienced sexual harassment while traveling on public transport. Only 16% of the UK rail industry workforce are women, with figures decreasing to only 10% for women train drivers within the EU.<sup>3</sup> Tackling sectoral gender-based occupational segregation will also encourage a workforce that reflects the diversity of users and advocates for their varied needs and experiences, including violence considerations.

#### **Restructuring, Privatisation, and Public Ownership**

In many countries, market-oriented policies have been applied to rail transport services, both passenger and freight. Privatisation, liberalisation and fragmentation of rail transport, along with increased competition in supply chains, has put pressure on conditions necessary for decent, safe and sustainable railways.

Well-planned development projects through properly funded, publicly owned networks, accountable to the public through democratic representative structures, offer the best opportunities for good working conditions defined through collective bargaining in stable formal employment. Monitoring is generally improved, with worker and user concerns identified and remedied through transparent systems. Democratic accountability in the planning and development through diverse worker representation in rail authorities and management would guarantee the future of rail.

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<sup>1</sup> <https://www.globalrailwayreview.com/article/112553/perpetual-growth-high-speed-rail/> (3 Nov 2020)

<sup>2</sup> <https://yougov.co.uk/topics/legal/articles-reports/2020/01/22/most-women-have-been-sexually-harassed-london-publ>

<sup>3</sup> <http://www.oecd.org/employment/the-gender-dimension-of-the-transport-workforce-0610184a-en.htm>

## Technological impact

As technologies evolve, positive applications across the rail industry can include improved signalling, mechanical failure prediction and detection,<sup>4</sup> and work facilitation and thus broader access. Technology can help railroads achieve safety protections, minimize their climate impact and remain competitive as advanced algorithms and data analysis enhance reliability and tailor service provision.

However, automated ticket machines, for example, have replaced ticket sellers in stations around the world. This is especially problematic for vulnerable groups and increases risks for solo commuters, particularly at night. However, a just transition with new technological skills training for the existing workforce coupled with **investment in rail's decarbonising infrastructure** and electrification can help the world progress towards environmental targets, sustainable development practices, and responsible public procurement

On international labour standards, we may want to say something along the lines of:

## Fundamental Principles and Rights at Work

The ILO does not have specific sectoral instruments or tools for the railways sector. However, promotion of social dialogue in the sector has been addressed in meetings and numerous publications since the first International Railwaymen's Congress in 1920. The exercise of freedom of association rights, among others, remains a challenge in the sector in numerous jurisdictions.

In light of the above, the proposed meeting shall be asked to provide guidance on:

- Identifying the opportunities and challenges for the realisation of decent and sustainable work for all workers in the railways sector
- Identifying and addressing the salient challenges of governance to achieving decent and sustainable work in the sector
- Promoting sustainable employment growth and decent work in the sector to help preserve and restore the environment and reverse the crisis of climate change
- Developing frameworks for effective social dialogue on technological developments in the sector
- Identifying the opportunities and challenges for strengthening women's and youth employment and equal opportunities in the sector

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<sup>4</sup> <https://www.globalrailwayreview.com/article/78982/technologies-rail-infrastructure-infrabel/>