

**Tripartite Meeting on the Evolution of Employment,
Working Time and Training in the Mining Industry**Geneva
7-11 October 2002

**Conclusions on the evolution of employment,
working time and training in the mining industry¹**

The Tripartite Meeting on the Evolution of Employment, Working Time and Training in the Mining Industry,

Having met in Geneva from 7 to 11 October 2002,

Adopts this eleventh day of October 2002 the following conclusions:

General considerations

1. Mining makes the prime, or a substantial contribution to the economic performance of many countries in all regions, and we are confident that it will continue to do so provided that the challenges and constraints are managed with a view to overcoming them. At the local level, mining is often the main source of direct and indirect employment, fostering community and regional growth. Mining as a substantial contributor to the development of society should be promoted by the stakeholders.
2. The social, environmental and economic challenges that face the mining industry should be brought more into balance so that a healthy, safe and profitable industry can be sustained. This will require a determined and coordinated effort by employers and workers' organizations, in concert with governments and relevant government bodies. Firm links and continuing engagement between mines and their communities are important. They should be developed and improved.
3. The outcomes of the Mining, Minerals and Sustainable Development (MMSD) project and the Global Mining Initiative Conference are important inputs in the development of an effective credible stakeholder partnership for moving towards a truly sustainable mining industry through social dialogue. This opportunity for progress should not be lost.

¹ Adopted unanimously.

Employment and training

4. The major employment and training issues facing the mining industry involve new workers, existing workers, workers leaving the industry and contract workers. An ageing workforce and structural change increase the importance of securing adequate, trained new entrants to mining. Governments, employers and workers' organizations should cooperate to ensure that the necessary frameworks are in place to ensure that separations are undertaken in a fair manner.
5. The employers should review best practices with a view to establishing, at the earliest appropriate time, a framework, in accordance with national and local laws and regulations, for the development of long-range plans for eventual separation and implement them in consultation with workers' representatives.²
6. Contract work is an integral part of mining. It can increase flexibility, efficiency and enable specialist services to be provided at short notice. Contract work can be a temporary or a long-term activity. In the latter case it can be analogous to permanent employment.
7. The same laws should apply to contractors and principal employers and they should be equally enforced. When regulating contract work, government inspectorates should take account of its often short-term or transient nature. Governments should ensure that their regulatory systems are sufficiently adequate to monitor and regulate contract work.
8. Training, retraining and lifelong learning are significant components of labour market adjustment. Training, particularly appropriate on-the-job training, can pay dividends in terms of increased productivity and reduced labour turnover.
9. When developing training and retraining programmes for a mining industry that is restructuring, downsizing or closing, successful examples from other sectors should be evaluated by governments, employers and workers' organizations, and adapted and used where appropriate. The availability of sufficient, stable resources is the key to successful training programmes. Governments should ensure that core resources for training are available.
10. A proactive approach to all training should be developed and implemented by governments, employers and workers' organizations through a continuing process of social dialogue so that training can take place throughout the life of the mine and contribute to health and safety and to community and regional development.
11. As work methods change and new technologies are introduced, particular efforts should be made by employers and workers' representatives to provide existing workers with the opportunity to acquire the necessary skills and competence to continue in productive, safe employment in mining.

² Throughout this text when the term "workers' representatives" is used, it refers to Article 3 of the Workers' Representatives Convention, 1971 (No. 135), which reads as follows: "For the purpose of this Convention the term 'workers representatives' means persons who are recognised as such under national law or practice, whether they are: (a) trade union representatives, namely, representatives designated or elected by trade unions or by the members of such unions; or (b) elected representatives, namely, representatives who are freely elected by the workers of the undertaking in accordance with provisions of national laws or regulations or of collective agreements and whose functions do not include activities which are recognised as the exclusive prerogative of trade unions in the country concerned."

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12. Contract workers should receive training commensurate with the nature of the job, particularly in safety and health.

Working time

13. Flexible working arrangements in the mining industry can be beneficial to both employers and workers, provided that certain conditions are taken into account when working time arrangements are developed and implemented.
14. The nature of the mining industry means that a single, prescriptive approach to working time is not feasible. Nonetheless, there are some common elements that should be included. First, governments should, through consultation, adopt and apply local regulatory frameworks to deal with working time in the context of occupational safety and health. Second, the particular regulatory framework should be flexible enough to meet reasonable operational needs. Third, employers and workers' representatives should be free to negotiate working time arrangements within collective agreements where they exist. Fourth, working time arrangements should be monitored by the competent authority consistent with the locally applied regulatory framework.
15. New working time arrangements should comply with standards established by local and national regulatory frameworks. These frameworks should, as far as possible, take into account the needs of existing and potential women workers and young people, with a view to improving opportunity and gender equity.
16. Any financial implications for workers of changes in working time should be the subject of consultations with the affected workers and their representatives.
17. While there is much research regarding the link between excessive hours of work and safety and health problems, such as fatigue and stress, there is a lack of quantifiable data to enable informed decisions to be made. More research into how and to what extent working time affects safety and health and family life is needed. The results should be widely disseminated.

HIV/AIDS

18. HIV/AIDS is largely a public health issue. Employers and workers' organizations should play a key role in advocacy and prevention among the workforce and their families. Further, employers and workers' organizations should play a key role in the care of the workforce.
19. Governments, employers and workers' organizations should seek to eliminate any HIV/AIDS-related victimization and prejudice in the workplace and implement the provisions of the ILO code of practice on HIV/AIDS and the world of work.
20. Cooperation and trust between governments, employers, workers and their representatives are the key elements in implementing an HIV/AIDS policy. Governments, employers and workers' representatives should promote, through social dialogue and the use of trained professionals, awareness programmes and advocate changes in personal behaviour to lessen the risk of infection. The specific risks faced by migrant workers should receive special attention.
21. In the presence of HIV/AIDS, governments, employers and workers' organizations should address opportunistic infections and physical and work environment risks, such as heat and

dust, that have a more severe impact on workers who are HIV-positive. Workplace programmes should take into account, within national frameworks, additional risks posed by HIV/AIDS.

Sustainable development

22. Mining is important to the economic and social development of many countries, but it requires ongoing access to mineral deposits and attention to social and environmental concerns if it is to be sustainable.
23. To enhance the contribution of mining to sustainable development, governments, employers and workers' organizations, together with other relevant stakeholders, should develop a framework to ensure that mining is carried out in a responsible manner and in accordance with the principles and rights enshrined in the ILO Declaration on Fundamental Principles and Rights at Work. Special attention should be given to resolving land-use conflicts that affect mining.
24. Governments, employers and workers' organizations should make special efforts to ensure that artisanal and small-scale mining is carried out using sustainable mining practices, including through the provision of technical assistance, as was discussed and agreed at the Tripartite Meeting on Social and Labour Issues in Small-scale Mines in 1999.

Priority areas for ILO action

25. In cooperation with governments, employers and workers' organizations concerned, the ILO should collect, analyse and disseminate data on working time arrangements in the mining industry.
26. The ILO should carry out or commission research into the relationship between working time and occupational safety and health, taking into account the operational well-being of the mining industry and disseminate the results.
27. The ILO should collect, analyse and disseminate information, including examples of best practices, on the evolution of employment in the mining industry, including the impact of mine closures on workers and mining communities.
28. The ILO should continue to follow up on the conclusions and resolution of the Tripartite Meeting on Social and Labour Issues in Small-scale Mines, particularly in relation to safety and health and collaboration between large and small mines.
29. The ILO should play an active role in the mining-related initiatives launched at the World Summit on Sustainable Development to promote dialogue, networks and initiatives to achieve the Summit's objectives as far as mining is concerned.
30. The ILO should continue to promote the ratification and implementation of the Safety and Health in Mines Convention, 1995 (No. 176), and continue to promote the implementation of the code of practice on HIV/AIDS and the world of work, principles and rights enshrined in the Declaration on Fundamental Principles and Rights at Work, and the Tripartite Declaration concerning Multinational Enterprises and Social Policy.
31. The ILO should examine ways to strengthen its work and programmes that promote social dialogue in the mining industry in the workplace, at international, regional and national levels.

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- 32.** To the extent possible, the ILO should take all pertinent measures, including budget increases where possible, to ensure that sectoral meetings and their follow-up are maintained on a regular basis and continue to be a relevant opportunity for representatives of governments, employers and workers' organizations from the sector to meet, exchange information and experience, and express their views on important issues that are relevant to the mining industry.