

## IV

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# Social dialogue and formulation of training policies

### 4.1 The social dialogue and the ILO

Vocational training is a basic instrument of equal opportunity programmes and of policies of dovetailing, systematisation and certification of vocational knowledge. Since it is related to other aspects of traditional labour relations (category, productivity, competitiveness, wages, functional mobility, etc.) it is evident that it must be the object of collective bargaining and social dialogue between the actors involved. The aforesaid is without prejudice to the fact that what is perhaps the main and most important argument why training should be the object of social dialogue is that it is a right of all persons who work. As proposed, the Recommendation stresses it when it establishes that *“education and training are a right for all”* (art. 4, a).

Despite the many difficulties involved in defining social dialogue univocally, we can state that it is an extremely broad concept and encompasses a combination of types of interaction between the actors of the labour relations systems (“social partners”). Those actors include entities such as workers’ organisations, employers’ organisations and the government and interaction between them may take place through disputes or by means of negotiation in the broad sense. The dialogue, then, includes forms such as the exchange of information, consultation, collective bargaining, concerted social action, etc. Therefore, a social dialogue experience involves the development of any of these types of interaction regardless of the specific results obtained.

Social dialogue has also been considered to be an effort to incorporate the perspective, interests and projects of the social partners in a common space for debate, under minimum rules of mutual recognition, of the perception of reciprocal need and the willingness to negotiate and agree on proposals. It must be

added that “the permanence of social dialogue tends to be considered a sign of maturity and stability, since it indicates a certain degree of consensus and/or a good capacity to negotiate and manage dissent”.

According to the ILO, the main objective of social dialogue is the promotion of a consensus and the democratic participation of the main actors of the world of work. The social dialogue structures and the processes that have been developed successfully have allowed the resolution of important economic and social issues, encouraging stability and boosting development. This allows it to be associated with a mechanism to “overcome poverty through work,” according to the annual report of the Director General of the ILO at the 91<sup>st</sup> International Labour Conference.

On the other hand, social dialogue, rather than a kind of institutionality is a process, a social experience that develops flexibly according to the social, political and cultural conditions of each type of society. Consequently, it is difficult to offer applicable recipes or exact formulas since the social partners and the governments must examine the possibilities and limits of their realities to be able to draw up policies and proposals which can provide an answer to their principal needs.

As far as the possibilities of enhancing labour conditions are concerned, the social dialogue becomes very important in the process of negotiating wages and functional mobility as well as in the ways of establishing legal obligations (laws or decrees, for example). Additionally, autonomous standards, - as for example a collective agreement between workers and employers - can be more effective and achieve greater compliance than heteronomous rules since they were approved with the consent and through the agreement of the actors to whom they would subsequently be applied.

Regarding vocational training, the social dialogue is a means to anticipate and overcome the difficulties arising from changes in the organisation of work, in working conditions and in employment models. Therefore, in most countries, training for work has become a key theme of the dialogue between the social partners and that has led to including the promotion of the social dialogue in the majority of the instruments defined and created by the ILO regarding vocational training. Recently, and in accordance with the above, dialogue has been fostered on new issues such as training in the workplace, the function of information and communication technologies in this process, and continuous education and training in the organisation of high performance work.

It must be scored that the social dialogue and the participation of the social partners in the management of the institutionality of training is at the very core of the genesis of many training entities in Latin America and the Caribbean. There are national, regional and sector institutions in this region that are administered on a bipartite (employers and workers) or tripartite (adding governments) basis, and the actors of the world of work also take an active part in the design, management and evaluation of training and employment policies from the orbit mainly of the Ministries of Labour in various countries.

Issues related to collective bargaining include an increase and an interchange of investments in lifelong education and training, the identification of qualifications needed to maintain internal or external employability and the creation of qualifications frameworks. Moreover, subjects such as equal opportunities and access to education and training as well as the organisation of continuing education and training are the object of social dialogue and collective bargaining.

Regarding bipartite financing of skills development by organisations of workers and employers, management and financing schemes at the sector and regional level have been increasingly established in various countries. This innovation provides employers and workers with initiative and control over skills development, without the interference of the State, and also allows them to join together to establish joint management funds between workers and employers.

In matters of social dialogue and vocational training, as was mentioned earlier, the countries of Latin America and the Caribbean display a diversified landscape of experiences related to the creation of bipartite and tripartite environments that have facilitated and promoted the drive of training both among entrepreneurs and workers.

What may also be highlighted are the operations of tripartite instances of planning, management and monitoring of training policies at the national and regional level, usually circumscribed to the Ministries of Labour, and responsible for administering public funds designed for active employment policies of which training is an essential component.

## **4.2 Social dialogue and vocational training in Recommendation 195**

The social dialogue as a constitutive element of the operation of the ILO leads to recognition that the drafting of the various Recommendations and Conventions is the result of a negotiation process between delegates of governments, employers and workers of the various Member Countries that meet annually at the International Labour Conferences. The importance attributed to the participation of the various sectors involved in labour relations is linked to a combination of different logics in the dovetailing of interests in a process of supranational negotiation of international labour standards that cannot be reduced to the classic confrontation/bargaining between sector representations of capital and labour, under the mediation of governments.

If we address once more the process of drafting Recommendation 195 it is possible to notice many signs of evidence that bets were on the social dialogue and collective bargaining between the actors involved in the suggestions of the new Recommendation. Reports and preliminary versions of the new standard were submitted for opinion and criticism to the different sectors (government, workers and employers) represented in the International Labour Conference who made many suggestions and/or corrections.<sup>17</sup>

The importance of the social dialogue linked to the development of human resources was one of the most debated aspects among the representatives of the Member States. For example, the conceptualisation and the implications of the social partners and of collective bargaining as basic components of the development of vocational training strategies (art. 5, f) generated an intense debate and divergences were made known regarding the subject, especially among the positions taken by the representatives of workers and the group representing employers.

The arguments brought to bear during the debate confirmed the importance of the social dialogue in the definition of vocational training policies and ratified the need for Recommendation 195 to suggest strengthening it at the international, national, regional and enterprise levels (art. 2, f). Moreover, social dialogue and

17 By way of illustration, as a result of the second revision of the document (92nd International Labour Conference) 194 amendments were submitted, of which 146 came from governments, 30 from the groups of employers and 18 from the group of workers. Likewise, most of the government amendments corresponded to groups of countries (the Mercosur, Africa, the Caribbean) that submitted them as a group.

collective bargaining are highlighted in this new instrument as basic principles for the development and quality of the various vocational training programmes and it establishes that Member States should “provide support to the social partners to enable them to participate in the social dialogue on training” (art. 5, i).

Also regarding labour competencies the Recommendation establishes that Members should “promote, with the involvement of the social partners, the ongoing identification of trends in the competencies needed by individuals, enterprises, the economy and society as a whole (art. 9, a) as well as “recognize the role of the social partners, enterprises and workers in training” (art. 9, b).

Insofar as national qualifications frameworks are concerned, it is suggested that the Member States adopt measures jointly with the social partners regarding the promotion of transparent financing of the evaluation and recognition of vocational skills (art. 11,1) and, referring to the providers of training services, Recommendation 195 suggests that the social dialogue should promote the diversity of the training supply and the recognition of national frameworks that allow quality in training to be assured.

Consultation with social partners is also sought concerning the promotion of vocational information and guidance (art. 15, c), the need to develop the analysis of trends in the labour market and the development of human resources (art. 17) and to contribute to “dynamic lifelong learning policies, in particular in relation to the new dimensions of regional economic integration, migration and the emerging multicultural society” (art. 21, e).

