## CONTENTS

### Information

<table>
<thead>
<tr>
<th>Title</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>323rd Session of the Governing Body of the International Labour Office (Geneva, 12–27 March 2015)</td>
<td>1</td>
</tr>
<tr>
<td>Meetings for the remainder of 2015 and for 2016</td>
<td>18</td>
</tr>
<tr>
<td>Official measures taken regarding decisions of the International Labour Conference</td>
<td>20</td>
</tr>
<tr>
<td>International Labour Conventions: Ratifications</td>
<td>21</td>
</tr>
</tbody>
</table>

### Documents

<table>
<thead>
<tr>
<th>Title</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>Points of consensus</td>
<td>23</td>
</tr>
<tr>
<td>Global Dialogue Forum on the Adaptability of Companies to Deal with Fluctuating Demands and the Incidence of Temporary and Other Forms of Employment in Electronics (Geneva, 9–11 December 2014)</td>
<td>27</td>
</tr>
<tr>
<td>Points of consensus</td>
<td>27</td>
</tr>
<tr>
<td>Conclusions</td>
<td>30</td>
</tr>
</tbody>
</table>

### Office publications and documents

To ensure that all regular readers of the *Official Bulletin* receive full and up-to-date information on Office publications and documents, the ILO quarterly publications list will be sent to them free of charge. A complete catalogue is available on request and books may be purchased from: ILO Publications, International Labour Office, CH-1211 Geneva 22, Switzerland. The reports and other documents referred to in the *Official Bulletin* may also be consulted on the ILO website at [www.ilo.org](http://www.ilo.org).
INFORMATION

323rd Session of the Governing Body of the International Labour Office

(Geneva, 12–27 March 2015)

The 323rd Session of the Governing Body of the International Labour Office was held in Geneva, from Thursday, 12 to Friday, 27 March 2015, chaired by Mr Apolinário Jorge Correia, Ambassador Extraordinary and Plenipotentiary, Permanent Representative of the Republic of Angola to the United Nations Office and other international organizations in Geneva.

The agenda was as follows:

INSTITUTIONAL SECTION

1. Approval of the minutes of the 322nd Session of the Governing Body
3. Preparation for the evaluation of the impact of the ILO Declaration on Social Justice for a Fair Globalization by the 105th Session of the International Labour Conference (2016)
4. Follow-up to the resolution concerning remaining measures on the subject of Myanmar adopted by the Conference at its 102nd Session (2013)
5. The Standards Initiative

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1 This includes the period from 1 January to 30 April 2015.
2 The Governing Body approved the minutes, as amended.
7. Complaint concerning non-observance by Fiji of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), made by delegates to the 102nd Session (2013) of the International Labour Conference under article 26 of the ILO Constitution

8. Complaint alleging non-observance by Qatar of the Forced Labour Convention, 1930 (No. 29), and the Labour Inspection Convention, 1947 (No. 81), made by delegates to the 103rd Session (2014) of the International Labour Conference under article 26 of the ILO Constitution


11. Report of the Director-General

   Supplementary Reports:
   – Monitoring and assessment of the progress towards decent work at the national level
   – Developments in the relationship between the ILO and the International Organization for Standardization (ISO), including in the field of occupational safety and health
   – Documents submitted for information only
   – Appointment of an Assistant Director-General
   – Report of the Committee set up to examine the representation alleging non-observance by Chile of the Old-Age Insurance (Industry, etc.) Convention, 1933 (No. 35), and the Invalidity Insurance (Industry, etc.) Convention, 1933 (No. 37), made by the College of Teachers of Chile AG, under article 24 of the ILO Constitution
   – Report of the Committee set up to examine the representation alleging non-observance by the Republic of Moldova of the Labour Inspection Convention, 1947 (No. 81), submitted under article 24 of the ILO Constitution by the National Confederation of Trade Unions of Moldova (CNSM)

12. Reports of the Officers of the Governing Body
   – Representation alleging non-observance by Peru of the Indigenous and Tribal Peoples Convention, 1989 (No. 169), made under article 24 of the ILO Constitution by the International Trade Union Confederation (ITUC), the Trade Union Confederation of the Americas (TUCA) and the Autonomous Workers’ Confederation of Peru (CATP)
   – Representation alleging non-observance by Peru of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), made under article 24 of the

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The Governing Body took note of the information presented in document GB.323/INS/11 regarding international labour legislation, internal administration, and publications and documents, as well as that in document GB.323/INS/11/Add.1 regarding the relocation of the Regional Office for Africa (RO-Africa) to Abidjan.

ILO Constitution by the Autonomous Confederation of Peruvian Workers (CATP) and the United National Union of Workers of the National Tax Administration Supervisory Authority (SINAUT-SUNAT)

- Representation alleging non-observance by Colombia of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), and the Collective Bargaining Convention, 1981 (No. 154), made under article 24 of the ILO Constitution by the General Confederation of Workers

- Representation alleging non-observance by Paraguay of the Equal Remuneration Convention, 1951 (No. 100), and the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), made under article 24 of the ILO Constitution by the Single Confederation of Workers

- Representation alleging non-observance by Poland of the Social Security (Minimum Standards) Convention, 1952 (No. 102), made under article 24 of the ILO Constitution by the Independent and Self-Governing Trade Union “Solidarnosc” (NSZZ “Solidarnosc”)

13. Composition and agenda of standing bodies and meetings

**POLICY DEVELOPMENT SECTION**

**Employment and Social Protection Segment**

1. Area of critical importance: Protecting workers from unacceptable forms of work
2. Area of critical importance: Creating and extending social protection floors
3. Conclusions of the Meeting of Experts on Non-Standard Forms of Employment

**Social Dialogue Segment**

4. Sectoral and technical meetings in 2014 and proposals for sectoral work in 2016–17

**Technical Cooperation Segment**

5. The ILO’s Development Cooperation Strategy 2015–17
6. Regional perspectives on development cooperation: The Arab States

**LEGAL ISSUES AND INTERNATIONAL LABOUR STANDARDS SECTION**

**Legal Issues Segment**

1. Incomplete delegations to the International Labour Conference and Regional Meetings
2. Promotion of the ratification of the 1986 and 1997 Instruments for the Amendment of the Constitution of the International Labour Organisation

**International Labour Standards and Human Rights Segment**

3. Choice of Conventions and Recommendations on which reports should be requested under article 19 of the Constitution in 2016
4. Outcome of the Meeting of Experts concerning the Seafarers’ Identity Documents Convention (Revised), 2003 (No. 185)
Programme, Financial and Administrative Section

Programme, Financial and Administrative Segment

1. The Director-General’s Programme and Budget proposals for 2016–17
2. Delegation of authority under article 18 of the Standing Orders of the International Labour Conference
3. Update on the headquarters building renovation project

Audit and Oversight Segment

7. Independent Oversight Advisory Committee (IOAC):
   - Selection process
   - Annual report
8. Report of the Chief Internal Auditor for the year ended 31 December 2014: Report of the Chief Internal Auditor on significant findings resulting from internal audit and investigation assignments undertaken in 2014

Personnel Segment

9. Statement by the staff representative
10. Amendments to the Staff Regulations
11. Matters relating to the Administrative Tribunal of the ILO:
   - Composition of the Tribunal
   - Recognition of the Tribunal’s jurisdiction by two international organizations

High-Level Section

Strategic Policy Segment

1. Global employment and social challenges: Emerging trends and the role of the ILO

The following is an account of the action taken by the Governing Body on the above agenda.

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1 The Director-General’s statement to the Programme, Financial and Administrative Section as well as his replies to the questions raised by the members of the Governing Body during the discussion on the Programme and Budget proposals for 2016–17 are reproduced in Appendices I and II, respectively, of the minutes of the 323rd Session of the Governing Body (document GB.323/PV).
2 The statement by the staff representative is reproduced in Appendix III of the minutes of the 323rd Session of the Governing Body (document GB.323/PV).
3 For a more detailed account, see the set of papers and reports examined by the Governing Body, together with the approved minutes of the sittings. All Governing Body documents may also be consulted on the Governing Body website, at www.ilo.org/gb.
Institutional Section

Agenda of the International Labour Conference (2017–19)

The Governing Body decided to place this item on the agenda of its 325th Session (November 2015) with due consideration given to the discussion that took place at the 323rd Session (March 2015).

Preparation for the evaluation of the impact of the ILO Declaration on Social Justice for a Fair Globalization by the 105th Session of the International Labour Conference (2016)

The Governing Body:

(a) provided further guidance on the preparation of the evaluation of the impact of the ILO Declaration on Social Justice for a Fair Globalization, including on the proposed schedule set out in paragraph 30 of document GB.323/INS/3; and

(b) placed this item on the agenda of its 325th Session (November 2015).

Follow-up to the resolution concerning remaining measures on the subject of Myanmar adopted by the Conference at its 102nd Session (2013)

The Governing Body noted that while progress had been made, a number of fundamental activities required under the Action Plan for the Elimination of Forced Labour in Myanmar by 2015 had not yet been implemented. In that context the Governing Body:

(a) requested the Director-General to prepare a report for consideration at the 325th Session of the Governing Body (November 2015) on the implementation and possible need for extension of the Action Plan, the status of any outstanding individual cases including those specifically referred to in the report, and steps necessary to ensure prosecution and accountability of those who had exacted forced labour;

(b) called on the Government of Myanmar to take all necessary actions to ensure compliance with the Forced Labour Convention, 1930 (No. 29), and requested the Government to submit, to the 325th Session of the Governing Body (November 2015), a report on the measures it would take to do so in the shortest possible time.

The Standards Initiative

The Governing Body:

(a) took note of the outcome and report of the Tripartite Meeting on the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), in relation to the right to strike and the modalities and practices of strike action at national level;

(b) pursuant to the decision taken at the 322nd Session of the Governing Body (November 2014), decided, in light of the outcome and report of the Tripartite Meeting, not to pursue for the time being any action in accordance with article 37 of the Constitution to address the interpretation question concerning Convention No. 87 in relation to the right to strike;

(c) decided to take the necessary steps to ensure the effective functioning of the Committee on the Application of Standards at the 104th Session of the International Labour Conference (June 2015), taking into account any recommendations made by the Working Group on the Working Methods of the Conference Committee on the Application of Standards, in particular with regard to the establishment of the list of cases and the adoption of conclusions;

(d) called on all parties concerned, in light of the commitments made at the Tripartite Meeting and at the 323rd Session of the Governing Body (March 2015), to contribute
to the successful conclusion of the work of the Conference Committee on the Application of Standards at the 104th Session of the International Labour Conference (June 2015);

(e) decided to establish under the Standards Review Mechanism (SRM) a Tripartite Working Group composed of 32 members: 16 representing Governments, eight representing Employers and eight representing Workers to meet once per year for one week;

(f) requested the Director-General to prepare draft terms of reference for the Tripartite SRM Working Group for its consideration and submission to the 325th Session of the Governing Body (November 2015) for decision;

(g) decided that the Tripartite SRM Working Group would report to the Governing Body at its 325th Session in November 2015 on progress made in the implementation of the SRM;

(h) requested the Chairperson of the Committee of Experts on the Application of Conventions and Recommendations (CEACR), Judge Abdul Koroma (Sierra Leone), and the Chairperson of the Committee on Freedom of Association (CFA), Professor Paul van der Heijden (Netherlands), to jointly prepare a report, to be presented to the 326th Session of the Governing Body (March 2016), on the interrelationship, functioning and possible improvement of the various supervisory procedures related to articles 22, 23, 24 and 26 of the ILO Constitution and the complaints mechanism on freedom of association;

(i) decided that the cost of the measures proposed in document GB.323/INS/5 estimated to cost up to US$226,800 in 2015 and up to US$707,200 in 2016–17 be financed in the first instance from savings in Part I of the budget for the respective bienniums or, failing that, through Part II, on the understanding that should this subsequently prove impossible, the Director-General would propose alternative methods of financing;

(j) decided to place on the agenda of its 328th Session (November 2016) an overall review of this decision, without prejudice to any other issue arising out of the standards initiative requiring prior consideration.

Complaint concerning non-observance by Guatemala of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), made by delegates to the 101st Session (2012) of the International Labour Conference under article 26 of the ILO Constitution

Taking into account the information communicated by the Government and workers’ and employers’ organizations of Guatemala in relation to all of the points in the roadmap set out in document GB.319/INS/7(&Corr.), and on the recommendation of its Officers, the Governing Body:

(a) requested the Government to take without delay, with the assistance of the Office and in consultation with the social partners, all the measures necessary to fully implement the roadmap, including measures to address the priority areas that continued to require additional and urgent action;

(b) requested the Office to provide the Officers of the Governing Body, at its 324th Session (June 2015), with updated information on the progress made based on clear indicators and results achieved, including information provided by the Government and employers’ and workers’ organizations of Guatemala, in particular on the follow-up given to the points of the roadmap;

(c) included this item on the agenda of its 324th Session (June 2015) in order to decide whether other measures would need to be adopted in relation to this complaint;

(d) deferred until its 325th Session (November 2015) the decision on the appointment of a commission of inquiry;
(e) invited the international community to facilitate the necessary resources to enable the Office of the Special Representative of the Director-General in Guatemala to continue to support the tripartite constituents in the implementation of the Memorandum of Understanding and the roadmap.

Complaint concerning non-observance by Fiji of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), made by delegates to the 102nd Session (2013) of the International Labour Conference under article 26 of the ILO Constitution

Taking into account the Tripartite Agreement recently signed by the Government of the Republic of Fiji, the Fiji Trades Union Congress (FTUC) and the Fiji Commerce and Employers’ Federation (FCEF) (reproduced in Appendix II to document GB.323/INS/7(Rev.1)), on the recommendation of its Officers, the Governing Body:
(a) requested the Government and the social partners, in accordance with the Tripartite Agreement, to submit a joint implementation report to its 324th Session (June 2015);
(b) deferred until its 325th Session (November 2015) the decision to consider the establishment of a commission of inquiry.

Complaint alleging non-observance by Qatar of the Forced Labour Convention, 1930 (No. 29), and the Labour Inspection Convention, 1947 (No. 81), made by delegates to the 103rd Session (2014) of the International Labour Conference under article 26 of the ILO Constitution

On the basis of discussions which had taken place, the Governing Body decided:
(a) to request the Government of Qatar to submit to the Governing Body for consideration at its 325th Session (November 2015), information on action taken to address all issues raised in the complaint;
(b) to defer further consideration of agenda item GB.323/INS/8 until the 325th Session (November 2015) of the Governing Body, in light of the information referred to in paragraph (a) above.

Report of the Committee on Freedom of Association

The Governing Body approved the 374th Report of the Committee on Freedom of Association.¹


Improving the functioning of the International Labour Conference

The Governing Body:
(a) decided to propose to the Conference that it implement, on a trial basis, the proposed arrangements for a two-week session of the International Labour Conference in June 2015, as set out in document GB.323/WP/GBC/1(Rev.1);
(b) requested the Office to prepare for the 325th Session (November 2015) of the Governing Body an analysis of the trialled format of a two-week session in June 2015, which would allow the Governing Body to draw the lessons of this experience and take the appropriate decisions as regards the format arrangements for the future sessions of the International Labour Conference.

¹ This report is reproduced in Official Bulletin, Vol. XCVIII, 2015, Series B, No. 1.
Improving the functioning of the Governing Body:  
Follow-up to the review of the implementation of the Governing Body reform

The Governing Body:

(a) decided that the words “technical cooperation” should be replaced with “development cooperation” where it was appropriate and that the title of the Technical Cooperation Segment should be readjusted accordingly;

(b) requested the Office to improve the current format of the Supplementary Report of the Director-General describing the follow-up action taken by the Office as a result of previous decisions through the implementation of the improvements proposed in paragraph 8 of document GB.323/WP/GBC/2 as well as by any additional improvement which could serve the objective of the relevant report;

(c) requested the Office to review the text of its Standing Orders, including the Introductory Note, and to propose amendments, including those needed to implement the agreed changes, to its 326th Session (March 2016).

Report of the Director-General

Supplementary reports

Monitoring and assessment of the progress towards decent work at the national level

The Governing Body requested the Director-General to take account of its guidance in enhancing support to constituent capacities to improve tools and methodologies, including statistical data to monitor and assess progress towards decent work and towards goals and targets of the envisaged post-2015 development agenda.

Developments in the relationship between the ILO and the International Organization for Standardization (ISO), including in the field of occupational safety and health

Noting the progress but expressing concern at continuing challenges of recent collaboration with the International Organization for Standardization (ISO), the Governing Body:

(a) requested the Director-General to seek to urgently resolve with ISO, through high-level contacts, the disputed interpretation over certain elements of the Agreement;

Further decided:

(b) to extend the pilot implementation of the ILO–ISO Agreement of 2013, for the time necessary for the ILO’s effective participation in the development of ISO 45001 and up to one year;

(c) to review the implementation of the ILO–ISO Agreement at its 325th Session (November 2015).

Appointment of an Assistant Director-General

The Governing Body noted that the Director-General, after having duly consulted the Officers of the Governing Body, had appointed Ms Tomoko Nishimoto as Regional Director of the ILO Regional Office for Asia and the Pacific at the Assistant Director-General level. Ms Nishimoto made and signed the prescribed declaration of loyalty as provided under article 1.4(b) of the ILO Staff Regulations.
The Governing Body:

(a) approved the report contained in document GB.323/INS/11/5, and specifically the conclusions set out in paragraphs 72–75 concerning the application by Chile of Conventions Nos 35 and 37;

(b) noted the will of the Ministry of Education to develop the teachers’ wage and welfare conditions through social dialogue and to find a durable solution to the pension issues raised in the representation by establishing, together with the College of Teachers of Chile, a Technical Board, which is expected to submit concrete proposals to that end and to deliver its final report at the end of the first semester of 2015;

(c) encouraged all parties concerned to reach a viable agreement in the very near future and request the Office to provide the parties to the representation with any technical, consultative or conciliatory services and good offices, which they may request;

(d) requested the Government of Chile to take the measures necessary for acquiring and preserving pension rights of municipal teachers in conditions of legal certainty, uniform implementation and enforcement required for the proper functioning of the pension scheme based on capital accumulation accounts, in particular:

(i) to accept the responsibility, in compliance with Article 10(5) of Convention No. 35 and Article 11(5) of Convention No. 37, for the administrative and financial supervision of the collection and payment of pension insurance contributions by the municipalities and municipal bodies employing the teachers, establish effective mechanisms for recuperation of arrears of unpaid contributions and, where necessary for this purpose, provide appropriate contributions by the public authorities to the financial resources of the municipalities or to the pension benefits of the teachers, in compliance with Article 9(4) of Convention No. 35 and Article 10(4) of Convention No. 37;

(ii) to ensure participation of the representatives of the teachers and other categories of insured persons in the management of their pension schemes, including collection of insurance contributions and supervision of their effective payment into respective schemes by the municipalities and other employers in respect of their employees, in compliance with Article 10(4) of Convention No. 35 and Article 11(4) of Convention No. 37, and to engage the process of dialogue with the representatives of the teachers for this purpose;

(iii) to improve the effectiveness of dispute resolution and appeal mechanisms in pension matters concerning municipal employees, ensure prompt rendition of justice in these cases and execution of court decisions engaging the liability of the municipalities for unpaid contributions, in line with Article 11 of Convention No. 35 and Article 12 of Convention No. 37;

(e) invited the Government to send reports under article 22 of the ILO Constitution on the application of Conventions Nos 35 and 37 by 1 September 2015 containing detailed information on the measures taken to give effect to the conclusions and recommendations made in points (a), (b) and (c) above, as well as on the solutions advanced through social dialogue within the work of the joint technical board established by the Ministry of Education and the College of Teachers of Chile, to be examined by the Committee of Experts on the Application of Conventions and Recommendations in relation with the follow-up on the recommendations adopted by the Governing Body in 1999 and 2006 on the previous representations submitted by the College of Teachers of Chile on similar issues;
(f) decided to make this report publicly available and declared closed the procedure initiated before the Governing Body as a result of the representation made by the CPC AG concerning the application by Chile of the Old-Age Insurance (Industry, etc.) Convention, 1933 (No. 35), and the Invalidity Insurance (Industry, etc.) Convention, 1933 (No. 37).

Report of the Committee set up to examine the representation alleging non-observance by the Republic of Moldova of the Labour Inspection Convention, 1947 (No. 81), submitted under article 24 of the ILO Constitution by the National Confederation of Trade Unions of Moldova (CNSM)

The Governing Body:

(a) approved the report contained in document GB.323/INS/11/6;

(b) invited the Government, in light of the conclusions set out in paragraphs 47, 55, 61, 64 and 71 of document GB.323/INS/11/6, to take such measures without delay as might be necessary to ensure the effective implementation of Articles 12 and 16 of the Labour Inspection Convention, 1947 (No. 81);

(c) invited the Government to consider availing itself of ILO technical assistance, particularly with regard to the further elaboration of amendments to Law No. 131 of 2012 on state control of entrepreneurship activities;

(d) entrusted the Committee of Experts on the Application of Conventions and Recommendations with following up on the issues raised in the report in respect of the application of Articles 12 and 16 of Convention No. 81;

(e) made the report publicly available and closed the procedure initiated by the representation made by the National Confederation of Trade Unions of Moldova (CNSM) alleging the non-observance by the Republic of Moldova of Convention No. 81.

Reports of the Officers of the Governing Body

Representation alleging non-observance by Peru of the Indigenous and Tribal Peoples Convention, 1989 (No. 169), made under article 24 of the ILO Constitution by the International Trade Union Confederation (ITUC), the Trade Union Confederation of the Americas (TUCA) and the Autonomous Workers’ Confederation of Peru (CATP)

Representation alleging non-observance by Peru of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), made under article 24 of the ILO Constitution by the Autonomous Confederation of Peruvian Workers (CATP) and the United National Union of Workers of the National Tax Administration Supervisory Authority (SINAUT–SUNAT)

Representation alleging non-observance by Poland of the Social Security (Minimum Standards) Convention, 1952 (No. 102), made under article 24 of the ILO Constitution by the Independent and Self-Governing Trade Union “Solidarnosc” (NSZZ “Solidarnosc”)

In light of the information presented in the different reports (documents GB.323/INS/12/1; GB.323/INS/12/2; and GB.323/INS/12/5), and on the recommendation of its Officers, the Governing Body decided that the representations were receivable and set up tripartite committees to examine them.
Representation alleging non-observance by Colombia of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), and the Collective Bargaining Convention, 1981 (No. 154), made under article 24 of the ILO Constitution by the General Confederation of Workers

In the light of the information presented in the report (document GB.323/INS/12/3), and on the recommendation of its Officers, the Governing Body decided that the representation was receivable with respect to Conventions Nos 111 and 144 and set up a tripartite committee to examine the representation. The Governing Body decided that the representation was not receivable in respect of Convention No. 154.

Representation alleging non-observance by Paraguay of the Equal Remuneration Convention, 1951 (No. 100), and the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), made under article 24 of the ILO Constitution by the Single Confederation of Workers

In the light of the information presented in the report (GB.323/INS/12/4), and on the recommendation of its Officers, the Governing Body decided that the representation was not receivable.

Composition and agenda of standing bodies and meetings

Committee of Experts on the Application of Conventions and Recommendations

Reappointments

On the recommendation of its Officers the Governing Body reappointed, for a period of three years, the following members of the Committee of Experts on the Application of Conventions and Recommendations:

– Mr Brudney (United States);
– Mr Cheadle (South Africa);
– Ms Machulskaya (Russian Federation);
– Ms Monaghan (United Kingdom);
– Ms Owens (Australia);
– Mr Shah (India).

New appointments

In order to fill three of the four current vacancies, on the recommendation of its Officers, the Governing Body appointed the following persons as members of the Committee for a period of three years:

– Professor Shinichi Ago (Japan);
– Professor Lia Athanassiou (Greece);
– Professor Bernd Waas (Germany).

13th African Regional Meeting
(Addis Ababa, Ethiopia, 30 November–3 December 2015)

Invitation of international non-governmental organizations

On the recommendation of its Officers, the Governing Body authorized the Director-General to invite the following international non-governmental organizations to be represented at the Meeting as observers:

– East African Trade Union Confederation (EATUC);
Appointment of Governing Body representatives on various bodies

Sectoral Meeting on Safety and Health in the Road Transport Sector (Geneva 12–16 October 2015)

The Governing Body appointed Mr José Valente Aguilar Zinser as its representative and as Chairperson of the above Meeting.

Policy Development Section

Employment and Social Protection Segment

Area of critical importance: Protecting workers from unacceptable forms of work

The Governing Body requested the Director-General to take account of its guidance in implementing the strategy for the ACI on “Protecting workers from unacceptable forms of work”, also in view of the proposed outcome 8 of the Programme and Budget proposals for 2016–17.

Area of critical importance: Creating and extending social protection floors

The Governing Body requested the Director-General to take account of its guidance in implementing the strategy for the area of critical importance on “Creating and extending social protection floors”, especially in the light of: the Social Protection Floors Recommendation, 2012 (No. 202); the strategy for action as a follow-up to the resolution concerning efforts to make social protection floors a national reality worldwide, endorsed by the Governing Body at its 316th Session (November 2012); the Social Security Plan of Action 2011–19 adopted by the Governing Body at its 312th Session (November 2011); and the conclusions of the recurrent discussion on social protection (social security) adopted by the International Labour Conference at its 100th Session (2011).

Conclusions of the Meeting of Experts on Non-Standard Forms of Employment (Geneva, 16–19 February 2015)

The Governing Body:

(a) took note of the final report of the Meeting of Experts on Non-Standard Forms of Employment (see the Appendix to document GB.323/POL/3) and authorized the Director-General to publish the conclusions of the meeting;¹

¹ The conclusions adopted by this Meeting are reproduced on pages 30 to 33 below.
(b) recommended to take into consideration the final report and the conclusions of the Meeting within the context of the recurrent discussion on social protection (labour protection) to be held at the 104th Session of the International Labour Conference;

(c) requested the Director-General to bear in mind, when drawing up proposals for future work of the Office, the wishes expressed in the conclusions for follow-up action by the ILO.

Social Dialogue Segment

*Sectoral and technical meetings in 2014 and proposals for sectoral work in 2016–17*

The Governing Body:

(a) took note of the final reports of the meetings referred to in section I of document GB.323/POL/4;

(b) authorized the Director-General to publish the Guidelines for implementing the occupational safety and health provisions of the Maritime Labour Convention, 2006;

(c) requested the Director-General to bear in mind, when drawing up proposals for future work, the recommendations for future action by the ILO made by the Global Dialogue Forum on Wages and Working Hours in the Textiles, Clothing, Leather and Footwear Industries (23–25 September 2014);¹ and by the Global Dialogue Forum on the Adaptability of Companies to Deal with Fluctuating Demands and the Incidence of Temporary and Other Forms of Employment in Electronics (9–11 December 2014);²

(d) endorsed the proposed programme of global sectoral meetings, global dialogue forums and meetings of experts as well as preparatory work for possible future global meetings for 2016–17 contained in Appendix I of document GB.323/POL/4, subject to approval by the 104th Session of the International Labour Conference in June 2015 of the corresponding allocations in the Programme and Budget for 2016–17.

Technical Cooperation Segment

*The ILO’s Development Cooperation Strategy 2015–17*

The Governing Body:

(a) requested the Office to proceed with the organization of informal, tripartite consultations on strategic matters pertaining to development cooperation, as outlined in paragraphs 1–5 of document GB.323/POL/5 and taking into account the guidance given in the discussion;

(b) endorsed the new and revised operating principles as well as deliverables and targets of the ILO’s Development Cooperation Strategy 2015–17.

Regional perspectives on development cooperation: The Arab States

The Governing Body requested the Office to expand its development cooperation programme in the Arab States and to develop a regional resource mobilization strategy in accordance with the ILO’s Development Cooperation Strategy 2015–17 (to be revised in November 2015).

¹ The points of consensus and the recommendations adopted by this Forum are reproduced on pages 23 to 26 below.

² The points of consensus and the recommendations adopted by this Forum are reproduced on pages 27 to 29 below.
Legal Issues
AND INTERNATIONAL LABOUR STANDARDS SECTION

Legal Issues Segment

Incomplete delegations to the International Labour Conference and Regional Meetings

The Governing Body:

(a) urged member States to comply with their constitutional obligations to accredit full tripartite delegations to sessions of the International Labour Conference and Regional Meetings;

(b) requested the Director-General to engage in awareness raising with regard to the need for member States to accredit full tripartite delegations in order to enable the Organization to fully discharge its mandate, and to continue to regularly monitor the situation of member States which failed to accredit any tripartite delegation to sessions of the International Labour Conference and Regional Meetings, taking into account the guidance provided by the Governing Body.

Promotion of the ratification of the 1986 and 1997 Instruments for the Amendment of the Constitution of the International Labour Organisation

The Governing Body:

(a) urged ILO Members which had not yet done so to ratify or accept the 1986 and 1997 Instruments for the Amendment of the ILO Constitution;

(b) requested the Director-General to pursue promotional efforts – in the light of the guidance provided by the Governing Body – for the ratification or acceptance of the two instruments of amendment, and to report at a future session on the basis of results obtained.

International Labour Standards and Human Rights Segment

Choice of Conventions and Recommendations on which reports should be requested under article 19 of the Constitution in 2016

The Governing Body:

(a) requested governments to submit reports for 2016, under article 19 of the Constitution, on the Safety and Health in Construction Convention (No. 167) and Recommendation (No. 175), 1988, the Safety and Health in Mines Convention (No. 176) and Recommendation (No. 183), 1995, the Safety and Health in Agriculture Convention (No. 184) and Recommendation (No. 192), 2001, and the Occupational Safety and Health Convention (No. 187) and Recommendation (No. 197), 2006;

(b) approved the report form concerning those occupational safety and health instruments contained in the appendix to document GB.323/LILS/3.

Outcome of the Meeting of Experts concerning the Seafarers’ Identity Documents Convention (Revised), 2003 (No. 185) (Geneva, 4–6 February 2015)

The Governing Body:

(a) took note of the general conclusion and the recommendations of the Tripartite Meeting of Experts concerning Convention No. 185 contained in the appendix to document GB.323/LILS/4;
(b) decided, subject to the necessary financial arrangements being made:

(i) to constitute an Ad Hoc Tripartite Maritime Committee and convene a meeting of this Committee in 2016 for the amendment of Convention No. 185, with the task of making proposals, based on the recommendations of the Meeting of Experts, for appropriate amendments to the annexes to Convention No. 185 with a view to their submission for adoption by the International Labour Conference in accordance with Article 8, paragraph 1, of Convention No. 185;

(ii) to fix the composition of the Ad Hoc Tripartite Maritime Committee as follows: 64 representatives, appointed by the Governing Body, 32 of whom would be designated by the Governments, 16 by the Shipowners’ group and 16 by the Seafarers’ group; and

(iii) that the Ad Hoc Tripartite Maritime Committee would meet in 2016 immediately before or after the Special Tripartite Committee established under the Maritime Labour Convention, 2006;

c) decided to place on the agenda of the International Labour Conference at its 105th Session in 2016 an item entitled “Amendment of the annexes to the Seafarers’ Identity Documents Convention (Revised), 2003 (No. 185)”;

d) recommended, in the light of the proposed amendments, which referenced current technology making it easier to implement Convention No. 185, that Members which had not ratified Convention No. 185 should now do so, especially those that had ratified the Seafarers’ Identity Documents Convention, 1958 (No. 108);

e) requested the Director-General to seek the assistance of the International Maritime Organization (IMO) in drawing the attention of all States parties to the IMO Convention on Facilitation of International Maritime Traffic, 1965, as amended (the FAL Convention), to facilitate shore leave for seafarers without the need for a visa, as provided for in the FAL Convention.

Programme, Financial and Administrative Section

Programme, Financial and Administrative Segment

The Director-General’s Programme and Budget proposals for 2016–17

The Governing Body:

(a) recommended to the International Labour Conference at its 104th Session (June 2015) a provisional programme level of US$797,388,828 estimated at the 2014–15 budget exchange rate of 0.95 Swiss francs to the US dollar, the final exchange rate and the corresponding US dollar level of the budget and Swiss franc assessment to be determined by the Conference;

(b) proposed to the Conference at the same session a resolution for the adoption of the programme and budget for the 75th financial period (2016–17) and for the allocation of expenses among member States in that period in the following terms:

The General Conference of the International Labour Organization, in virtue of the Financial Regulations, adopts for the 75th financial period, ending 31 December 2017, the budget of expenditure for the International Labour Organization amounting to $ ……….. and the budget of income amounting to $ ……….. which, at the budget rate of exchange of Swiss francs ……….. to the US dollar amounts to Swiss francs ……….. and resolves that the budget of income, denominated in Swiss francs, shall be allocated among member States in accordance with the scale of contributions recommended by the Finance Committee of Government Representatives.
Delegation of authority under article 18 of the Standing Orders of the International Labour Conference

The Governing Body delegated to its Officers, for the period of the 104th Session (June 2015) of the Conference, the authority to carry out its responsibilities under article 18 of the Conference Standing Orders in relation to proposals involving expenditure in the 74th financial period ending 31 December 2015.

Update on the headquarters building renovation project

The Governing Body took note of the revisions to the financial plan and recommended that the International Labour Conference adopt the following resolution at its 104th Session (June 2015):

The General Conference of the International Labour Organization decides that the Director-General be authorized to contract a loan with the Foundation for Buildings for International Organisations (FIPOI) amounting to not more than 130 million Swiss francs for the partial financing of the renovation of the ILO headquarters building.

Information and communications technology questions:

Progress report on the ILO Information Technology Strategy 2010–15

The Office took note of the comments and guidance provided by the Governing Body.

Other financial questions: Report of the Government members of the Governing Body for allocation of expenses

The Governing Body decided, in accordance with the established practice of harmonizing the rates of assessment of ILO member States with their rates of assessment in the United Nations, to base the ILO scale of assessment for 2016 on the UN scale for 2013–15, and accordingly proposed to the Conference the adoption of the draft scale of assessment for 2016 as set out in the appendix to document GB.323/PFA/5, subject to such adjustments as might be necessary following any further change in the membership of the Organization before the Conference is called upon to adopt the recommended scale.

Audit and Oversight Segment

Appointment of the External Auditor (2016–19)

Taking into account the selection process followed and the unanimous recommendation of the Selection Panel, the Governing Body appointed the Commissioner of the Commission on Audit, Republic of the Philippines, as the External Auditor of the ILO for the 75th and 76th financial periods, with the appointment to commence on 1 April 2016 for a period of four years.

Independent Oversight Advisory Committee (IOAC)

Selection process

The Governing Body decided to suspend paragraphs 19 and 20 of the terms of reference of the Independent Oversight Advisory Committee (IOAC) and instructed the selection panel, provided for in paragraph 21 of the terms of reference, to review the shortlisted candidates from the 2012 selection process in order to propose two new members of the IOAC and a reserve list at the November 2015 session of the Governing Body, to serve for a three-year mandate starting on 1 January 2016.
Annual report

The Office took note of the observations and guidance provided by the Governing Body on the report of the IOAC and its recommendations.

Report of the Chief Internal Auditor for the year ended 31 December 2014:

Report of the Chief Internal Auditor on significant findings resulting from internal audit and investigation assignments undertaken in 2014

The Office took note of the observations and guidance provided by the Governing Body on the report of the Chief Internal Auditor and its recommendations.

Personnel Segment

Amendments to the Staff Regulations

The Governing Body approved the proposed amendments to the Staff Regulations contained in paragraph 3 of document GB.323/PFA/10, taking into consideration the suggestion made by IMEC to replace the term “confinement”, as used in the English version of the Regulations.

Matters relating to the Administrative Tribunal of the ILO

Composition of the Tribunal

The Governing Body:

(a) recommended to the Conference that it convey its deep appreciation to Mr Seydou Ba for the valuable services he has rendered to the work of the Administrative Tribunal of the International Labour Organization over the past 18 years as judge, Vice-President and President of the Tribunal;

(b) proposed to the Conference:

(i) the renewal of the terms of office of Mr Giuseppe Barbagallo (Italy), Ms Dolores Hansen (Canada), Mr Michael Moore (Australia) and Sir Hugh Rawlins (Saint Kitts and Nevis) for three years each;

(ii) the appointment of Ms Fatoumata Diakité (Côte d’Ivoire) for a term of office of three years;

(c) thus decided to propose the following draft resolution for possible adoption by the Conference:

The General Conference of the International Labour Organization,

Decides, in accordance with article III of the Statute of the Administrative Tribunal of the International Labour Organization,

(a) to convey its deep appreciation to Mr Seydou Ba (Senegal) for the valuable services he has rendered to the work of the Administrative Tribunal of the International Labour Organization over the past 18 years as judge, Vice-President and President of the Tribunal;

(b) to renew the appointments of Mr Giuseppe Barbagallo (Italy), Ms Dolores Hansen (Canada), Mr Michael Moore (Australia) and Sir Hugh Rawlins (Saint Kitts and Nevis) for a term of three years; and

(c) to appoint Ms Fatoumata Diakité (Côte d’Ivoire) for a term of three years.
Recognition of the Tribunal’s jurisdiction
by two international organizations

The Governing Body approved the recognition of the Tribunal’s jurisdiction by the Global Crop Diversity Trust (Crop Trust) and the Consortium of International Agricultural Research Centers (CGIAR Consortium), with effect from 18 March 2015.

HIGH-LEVEL SECTION

Strategic Policy Segment

Global employment and social challenges:
Emerging trends and the role of the ILO

The Governing Body requested:

(a) the Director-General to maintain and strengthen the ILO’s engagement in the G20 process, other international economic policy forums, the post-2015 sustainable development agenda, the Third International Conference on Financing for Development and the 21st Session of the Conference of the Parties to the United Nations Framework Convention on Climate Change (COP21), taking into account the views expressed during the discussion;

(b) the constituents to engage in national policy-making discussions on reinforced international action to promote decent work, urgent recovery policies and the longer term UN sustainable development framework as set out in the ILO Declaration on Social Justice for a Fair Globalization.

Meetings for the remainder of 2015 and for 2016

<table>
<thead>
<tr>
<th>Date</th>
<th>Title of meeting</th>
<th>Place</th>
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</thead>
<tbody>
<tr>
<td>28–29 May</td>
<td>Committee on Freedom of Association</td>
<td>Geneva</td>
</tr>
<tr>
<td>1–13 June</td>
<td>104th Session of the International Labour Conference</td>
<td>&quot;</td>
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<tr>
<td>13 June</td>
<td>324th Session of the Governing Body</td>
<td>&quot;</td>
</tr>
<tr>
<td>21–25 September</td>
<td>Meeting of Experts to Adopt Flag State Guidelines for the Implementation of the Work in Fishing Convention, 2007 (No. 188)</td>
<td>&quot;</td>
</tr>
<tr>
<td>5–9 October</td>
<td>Meeting of Experts on Sustainable Development, Decent Work and Green Jobs</td>
<td>&quot;</td>
</tr>
<tr>
<td>12–16 October</td>
<td>Tripartite Sectoral Meeting on Safety and Health in the Road Transport Sector</td>
<td>&quot;</td>
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<tr>
<td>27–28 October</td>
<td>Global Dialogue Forum on Employment Relationships in Telecommunications Services and in the Call Centre Industry</td>
<td>&quot;</td>
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<tr>
<td>29 October–</td>
<td>325th Session of the Governing Body</td>
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<tr>
<td>12 November</td>
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<tr>
<td>18 November–</td>
<td>Committee of Experts on the Application of Conventions and Recommendations</td>
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<tr>
<td>5 December</td>
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<td></td>
</tr>
<tr>
<td>Date</td>
<td>Title of meeting</td>
<td>Place</td>
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<tr>
<td>30 November–3 December</td>
<td>13th African Regional Meeting</td>
<td>Addis Ababa, Ethiopia</td>
</tr>
</tbody>
</table>

### 2016 (advance information)¹

<table>
<thead>
<tr>
<th>Date</th>
<th>Title of meeting</th>
<th>Place</th>
</tr>
</thead>
<tbody>
<tr>
<td>February</td>
<td>Second meeting of the Special Tripartite Committee established under the Maritime Labour Convention, 2006</td>
<td>Geneva</td>
</tr>
<tr>
<td>February</td>
<td>Ad Hoc Tripartite Maritime Committee for the amendment of the Seafarers’ Identity Documents Convention (Revised), 2003 (No. 185)²</td>
<td>&quot;</td>
</tr>
<tr>
<td>First quarter</td>
<td>Tripartite Sectoral Meeting on Occupational Safety and Health and Skills in the Oil and Gas Industry Operating in Polar and Subarctic Climate Zones of the Northern Hemisphere</td>
<td>&quot;</td>
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<tr>
<td>10–24 March</td>
<td>326th Session of the Governing Body</td>
<td>&quot;</td>
</tr>
<tr>
<td>26–27 May</td>
<td>Committee on Freedom of Association</td>
<td>&quot;</td>
</tr>
<tr>
<td>30 May–11 June²</td>
<td>105th Session of the International Labour Conference</td>
<td>&quot;</td>
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<tr>
<td>11 June³</td>
<td>327th Session of the Governing Body</td>
<td>&quot;</td>
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<tr>
<td>27 October–10 November</td>
<td>328th Session of the Governing Body</td>
<td>&quot;</td>
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<tr>
<td>23 November–10 December</td>
<td>Committee of Experts on the Application of Conventions and Recommendations</td>
<td>&quot;</td>
</tr>
<tr>
<td>To be determined</td>
<td>16th Asia and the Pacific Regional Meeting</td>
<td>&quot;</td>
</tr>
</tbody>
</table>

¹ Subject to the approval of the corresponding resources in the Programme and Budget proposals for 2016–17, to be submitted to the International Labour Conference in June 2015.
² Subject to the approval of the concomitant financial implications by the Governing Body at its 234th Session (June 2015).
³ Subject to the decision to be adopted by the Governing Body in November 2015 as regards the format and dates of the 105th Session of the Conference in 2016.
Official measures taken regarding decisions of the International Labour Conference

Instrument for the Amendment of the Constitution of the International Labour Organisation, 1986

Acceptance

In accordance with article 3 of the Instrument for the Amendment of the Constitution of the International Labour Organisation, 1986, the following acceptance has been communicated to the Director-General of the International Labour Office:

<table>
<thead>
<tr>
<th>State</th>
<th>Measure</th>
<th>Date received</th>
</tr>
</thead>
<tbody>
<tr>
<td>South Africa</td>
<td>Acceptance</td>
<td>16 March 2015</td>
</tr>
</tbody>
</table>

The total number of ratifications and acceptances is thus 103, including two by States of chief industrial importance.²

² As of the date of writing, an additional 21 ratifications/acceptances by member States – including three by Members of chief industrial importance – were required for the Instrument for the Amendment of the Constitution of the International Labour Organisation, 1986, to enter into force.
International labour Conventions

Ratifications

Notice is hereby given that the Director-General of the International Labour Office has registered the following ratifications concerning the international labour Conventions mentioned below. In pursuance of article 20 of the Constitution of the International Labour Organisation, particulars of these ratifications have been communicated to the Secretary-General of the United Nations Organization for registration in accordance with Article 102 of the Charter of the United Nations.

The publication of information concerning action taken in respect of international labour Conventions and Recommendations does not imply any expression of view by the International Labour Office concerning the legal status of the State having communicated such information (including the communication of a ratification, denunciation, notification or declaration), or on its authority over the territories in respect of which such information is communicated; in certain cases this may present issues on which the ILO is not competent to express an opinion.

<table>
<thead>
<tr>
<th>State</th>
<th>Convention</th>
<th>Date of ratification</th>
<th>Date of effect</th>
</tr>
</thead>
<tbody>
<tr>
<td>Belgium</td>
<td>Workers with Family Responsibilities Convention, 1981 (No. 156)</td>
<td>10 April 2015</td>
<td>10 April 2016</td>
</tr>
<tr>
<td>Bosnia and Herzegovina</td>
<td>Labour Relations (Public Service) Convention, 1978 (No. 151)</td>
<td>31 March 2015</td>
<td>31 March 2016</td>
</tr>
<tr>
<td>Finland</td>
<td>Domestic Workers Convention, 2011 (No. 189)</td>
<td>8 January 2015</td>
<td>8 January 2016</td>
</tr>
<tr>
<td>Georgia</td>
<td>Seafarers’ Identity Documents Convention (Revised), 2003 (No. 185)</td>
<td>3 February 2015</td>
<td>3 August 2015</td>
</tr>
<tr>
<td>Kazakhstan</td>
<td>Minimum Wage-Fixing Machinery Convention, 1928 (No. 26)</td>
<td>5 March 2015</td>
<td>5 March 2016</td>
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<tr>
<td></td>
<td>Protection of Wages Convention, 1949 (No. 95)</td>
<td>3 February 2015</td>
<td>3 February 2016</td>
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<tr>
<td></td>
<td>Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)</td>
<td></td>
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<tr>
<td>Republic of Maldives</td>
<td>Seafarers’ Identity Documents Convention (Revised), 2003 (No. 185)</td>
<td>5 January 2015</td>
<td>5 July 2015</td>
</tr>
<tr>
<td>State</td>
<td>Convention</td>
<td>Date of ratification</td>
<td>Date of effect</td>
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<tr>
<td>Mongolia</td>
<td>Employment Service Convention, 1948 (No. 88)</td>
<td>17 April 2015</td>
<td>17 April 2016</td>
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<tr>
<td></td>
<td>Private Employment Agencies Convention, 1997 (No. 181)</td>
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<tr>
<td></td>
<td>In accordance with Standard A4.5(2) and (10), the Government has specified</td>
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<td></td>
<td>the following branches of social security: medical care; old-age benefit;</td>
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<tr>
<td></td>
<td>employment injury benefit; family benefit; invalidity benefit and survivors’</td>
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<tr>
<td></td>
<td>benefit.</td>
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<tr>
<td>Turkey</td>
<td>Safety and Health in Construction Convention, 1988 (No. 167)</td>
<td>23 March 2015</td>
<td>23 March 2016</td>
</tr>
<tr>
<td></td>
<td>Safety and Health in Mines Convention, 1995 (No. 176)</td>
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</tbody>
</table>
Points of consensus

Most important issues pertaining to wages and working hours in the textiles, clothing, leather and footwear industries

1. The textiles, clothing, leather and footwear (TCLF) sector is labour intensive, female dominated and is characterized by geographically dispersed production and rapid market-driven changes, as buyers determine by whom and where production takes place. Many jobs have been created in developing countries, especially for women, youth and low-skilled workers. As the employment creation potential continues to grow in many countries, the sector can also play an important role in industrial development, often acting as a gateway to manufacturing.

2. National contexts differ greatly. The TCLF sector is very competitive and manufacturers generally have low profit margins. Buyers and market pressures are driving down sourcing costs, including the cost of manufacturing, which includes labour costs.

3. Minimum wage levels in the sector are generally low and sometimes do not fulfil the needs of workers and their families. The fulfilment of these needs is sometimes only achieved through excessive overtime work. Wage levels are also influenced by national policies and the price paid by buyers.

4. Fluctuations in demand and short lead times require flexibility in working time in the TCLF sector. However, when these are poorly managed, they can often result in unduly long working hours. Excessive overtime is a concern for occupational safety and health and work–life balance of workers. Overtime should be an exception.

5. In relation to both wages and working hours, compliance is a challenge in the sector. The existence of non-compliant producers presents considerable barriers to ensuring sector-wide compliance, which often leads to unfair competition and unethical sourcing.

6. Social dialogue plays an important role in determining wages and working hours. Where it is absent, it is a concern. Governments should ensure that fundamental principles and rights at work are promoted, respected and realized.

7. Generally, there is a lack of national data regarding wages, working hours and gender inequalities, as identified in paragraph 22(d).

Measures to enhance workplace compliance with national labour laws and regulations, international labour standards and collective agreements on wages and working hours in the TCLF industries

8. There are notable gaps between law and practice in the TCLF sector in relation to wages and working hours. Since compliance is critical for achieving decent work and to ensure that human and labour rights abuses cannot take place, there is a great need for
governments to ensure compliance with national laws and regulations and ratified ILO Conventions. Challenges in relation to compliance have different causes, including the existence of informality and corruption, as well as enforcement deficits by governments.

9. An effective labour inspection system is central to ensuring compliance and contributing to a level playing field. In order to ensure the effectiveness of labour inspection systems, countries should regularly review and update their functioning and capacity including through training of inspectors and adequate resourcing. Information technology can contribute considerably to their effectiveness by improving the collection of necessary data. Regular inspections are critical.

10. The labour inspectorate and general compliance enforcement policies should not only sanction and penalize, but also set positive incentives for compliance. It should provide relevant technical information and advice to employers and workers, and measures should be taken to ensure that labour inspectors are free from improper external influences. Information and awareness campaigns can further support workplace compliance.

11. Private compliance initiatives cannot substitute labour inspection; they can, however, complement countries’ efforts in increasing compliance. However, experiences with corporate compliance programmes that rely on an auditing model and do not involve the social partners have shown the limitations of such approaches.

12. Governments, in consultation with employers and workers, have an important role to play in promoting gender equality measures through appropriate legal and institutional frameworks. Social partners and governments need to collaborate on measures, among others, to ensure that education, and training and employment opportunities are provided to women workers without discrimination and provide facilities for workers with care responsibilities.

13. Governments need also to ensure that sex-disaggregated data is collected that can be used to assess the situation in the TCLF industries and guide future public policy-making and tripartite actions.

14. As education and skills are important factors relating to wage levels, one focus should be to provide workers with more skills upgrading and training, including on-the-job training.

How social dialogue can contribute to addressing challenges on wages and working hours in the TCLF industries in order to promote decent work and sustainable enterprises

15. Social dialogue is an important means to achieve constructive and harmonious industrial relations. It must be based on respect for freedom of association and the effective recognition of the right to collective bargaining.

16. Production in the TCLF sector is truly globalized and therefore social dialogue can profit from participation of international actors, such as buyers. Sectoral social dialogue can take place at workplace, national, regional and international levels.

17. In many countries parts of the TCLF sector are informal. Social dialogue can play a role in contributing to the promotion of transition from the informal to the formal economy with the formalization of informal economy enterprises and workers.

18. Social dialogue is most effective when practiced regularly and proactively, and between social partners who have the capacities needed. Transparency and reliability of relevant data (as identified in paragraph 22(d)) contributes to the success of social dialogue.
19. Social dialogue in the sector can contribute greatly to its stability and success. Governments should create and enhance supporting regulatory frameworks, as appropriate, and take steps to ensure that agreements are better complied with.

20. Social dialogue also plays an important role in setting of labour legislation; the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), is of particular importance in this context.

Recommendations for future action by the International Labour Organization and its Members

21. In view of the discussion at the Global Dialogue Forum on Wages and Working Hours in the Textiles, Clothing, Leather and Footwear Industries the following future action was recommended.

22. The Office should:
(a) continue to promote the ratification and effective implementation of international labour standards relevant to the TCLF sector, including the Protocol of 2014 to the Forced Labour Convention, 1930, and the Forced Labour (Supplementary Measures) Recommendation, 2014 (No. 203), and those related to freedom of association and collective bargaining, as well as the promotion, respect and realization of fundamental principles and rights at work;
(b) promote social dialogue, which includes collective bargaining, in TCLF industries and develop capacity of tripartite constituents to effectively engage in social dialogue;
(c) provide technical assistance programmes to member States and constituents to help to design and implement adequate regulatory and institutional frameworks to improve conditions of work, skills, productivity, wages, competitiveness, training of labour inspectors and sustainability in the TCLF industries;
(d) assist member States in designing unified data systems to collect regular data on employment levels, minimum wages, wage structures, working hours, compensation, total cost of labour, productivity and other relevant data to better understand the national context; and
(e) undertake research and comparative analysis at a global level, map good practices and share knowledge on all of the data identified in (d) and on profit margins at a global level.

23. Governments should:
(a) work towards improved conditions of work in the TCLF sector by enforcing labour legislation and effective protection of workers’ rights as well as building capacity of workers and employers;
(b) ensure workplace compliance through labour inspection systems that have efficient and effective methods of governance, provide transparency and can establish broad partnerships (including private compliance initiatives (PCIs), including with international buyers;
(c) procure from compliant TCLF factories;
(d) develop and improve public policies aiming at the transition from the informal to the formal economy;
(e) assist social partners, upon mutual request, in setting up appropriate representative negotiating bodies;
(f) promote social dialogue, which includes collective bargaining, in TCLF industries and develop capacity of bipartite constituents to effectively engage in social dialogue; and
(g) promote, respect and realize fundamental principles and rights at work.
24. Employers’ and workers’ organizations in the TCLF sector should:

(a) engage in effective social dialogue in order to promote decent work and sustainable enterprises;

(b) promote social dialogue and identify and develop mechanisms to involve buyers in improving working conditions, productivity and competitiveness; and

(c) promote sourcing and subcontracting practices that enhance compliance.
Global Dialogue Forum on the Adaptability of Companies to Deal with Fluctuating Demands and the Incidence of Temporary and Other Forms of Employment in Electronics

(Geneva, 9–11 December 2014)

Points of consensus

Measures taken by enterprises to adapt to fluctuating demands

1. Short product cycles and fast-changing, sometimes seasonal, consumer demands, are a reality for parts of the electronics industry.

2. Companies can adopt a number of options to respond to fluctuating demands. Such options include better buyer–supplier coordination to avoid particularly high peaks in demand, the use of temporary and other forms of employment, as well as improved forecasting mechanisms to anticipate demands.

Effects of a high incidence of temporary and other forms of employment on enterprises

3. The effects of temporary and other forms of employment on enterprises can present both benefits and risks. As one measure to address fluctuation, temporary and other forms of work arrangements are often a necessity for companies.

4. Benefits may include the ability to right-size workforce to demand, bring new workers with new skills into the enterprise and stay competitive – creating and retaining jobs.

5. Risks brought by changes in a company’s workforce may include: decreased productivity; possible divulgation of trade secrets and resulting threats to a company’s intellectual property; as well as high costs for hiring and training of temporary workers.

Effects of a high incidence of temporary and other forms of employment on workers

6. A number of challenges are often encountered by workers under temporary contracts. These include a lack of employment security and protection of a work–life balance, less favourable working conditions and difficulties for them to exercise their rights at work. Among temporary workers, those more vulnerable include migrant workers, women workers and young workers.

7. Temporary and other forms of employment, in certain situations, provide flexibility for workers and an opportunity for entrants to find employment and for workers to build up their skills.

Measures to promote decent work and contribute to a more sustainable industry

8. Measures aimed at adapting the electronics industry to fluctuations in demand should strive to balance industry concerns for sustainability and the needs of workers. Social dialogue, which includes collective bargaining, is paramount to promoting decent work and to develop and implement sustainable measures supported by employers as well as workers.
9. These measures should include social protection, occupational safety and health (OSH), cross- and retraining; and they should ensure non-discrimination.

10. If temporary or other forms of employment present challenges, alternative options should be explored, including:
   (a) annualized hours schemes, under which workers might work more hours during certain periods and be compensated by reduced hours and time off during other periods;
   (b) multiskilling: workers are trained in multiple disciplines that allow them to perform a larger variety of tasks, thus allowing production to take place with a smaller workforce without creating production bottlenecks.

Other options may be identified through social dialogue to address these issues.

11. Long-lasting employment relationships are to be promoted, where possible, and all employment arrangements should be voluntary. All workers, including temporary workers, should have full access to fundamental principles and rights at work (FPRW). Sharing of available information on market developments and demand forecasts with workers and their representatives is particularly helpful for dealing with temporary and other forms of employment.

12. The respect for FPRW, as well as for the UN Guiding Principles for Business and Human Rights, should be ensured throughout the supply chains in the electronics industry. Corporate social responsibility measures can also play an important role in promoting decent work.

13. Labour inspection is central to workplace compliance. Governments should not only enforce legislation through sanctions, they should also provide corrective, developmental and technical advice and create incentives for outstanding efforts, for example, through mechanisms fostering tripartite collaboration.

14. Governments have an important role in creating an enabling environment for sustainable enterprises. Governments could encourage competitiveness and productive employment in the industry by helping companies to prioritize research and development and by the establishment of dual training systems and links between educational and training institutions and enterprises.

**Recommendations for future action by the International Labour Organization and its Members**

In view of the discussion at the Global Dialogue Forum on the Adaptability of Companies to Deal with Fluctuating Demands and the Incidence of Temporary and Other Forms of Employment in Electronics the following future action was recommended:

15. The Office should:
   (a) promote ratification and effective implementation of relevant international labour standards, including the Part-Time Work Convention, 1994 (No. 175), and the Private Employment Agencies Convention, 1997 (No. 181), as well as those Conventions related to FPRW; and promote the Employment Relationship Recommendation, 2006 (No. 198);
   (b) develop tailored training on FPRW specific to the needs in the electronics industry;
   (c) compile and disseminate case studies and good practices on fair measures to adapt to fluctuations in demand jointly developed by workers and employers; develop their capacity to implement such measures at all levels; help the constituents to promote the capacity of gathering quality information in this regard; and
(d) conduct research on the impact of purchasing practices in the electronics sector on labour rights and temporary and other forms of employment.

16. Governments should:
(a) engage social partners in improving labour legislation and policies to better meet the needs of companies and workers in the sector;
(b) build the capacity of social partners to better understand and comply with legislation and respect FPRW;
(c) encourage public and private investments in education, training and skills development to promote decent work and productive employment;
(d) share relevant and reliable labour market information with employer and worker organizations on issues such as the use of temporary and other forms of employment;
(e) improve social protection for workers affected by fluctuating demands, where needed; and
(f) enforce legislation through sanctions and provide corrective, developmental and technical advice, and create incentives for outstanding efforts, for example, through mechanisms fostering tripartite collaboration.

17. Employer and worker organizations in the electronics industry should:
(a) promote equitable treatment for all workers, regardless of their employment status;
(b) raise awareness and build capacity on FPRW and promote respect of these principles and rights throughout the supply chains;
(c) jointly explore options in addition to temporary or other forms of employment to respond to fluctuating demands; and
(d) promote long-lasting employment relationships, where possible.
Report of the Meeting of Experts on Non-Standard Forms of Employment

(Geneva, 16–19 February 2015)

Conclusions

1. Having met in Geneva on 16–19 February 2015, the Meeting of Experts on Non-Standard Forms of Employment reaffirms the commitment of the International Labour Organization to implement its constitutional mandate, as reflected in the Decent Work Agenda, which applies to all workers, including those in non-standard forms of employment, and whereby full, productive and freely chosen employment is promoted simultaneously with fundamental rights at work, social dialogue, an adequate income from work and the security of social protection.

2. The world of work has seen continuous evolution, including the growth of diverse forms of employment and contractual arrangements in labour markets across the world. Non-standard forms of employment have always existed and may serve specific purposes such as for use in seasonal industries, to replace temporarily absent workers, or to offer options for balancing work and private life. Non-standard forms of employment have assisted business adaptability and growth, as well as increasing labour market participation. In the past decades, due to globalization and other factors, their use has grown. Workers in non-standard forms of employment more frequently than other workers lack protection in law or in practice. These non-standard forms of employment include, among others, fixed-term contracts and other forms of temporary work, temporary agency work and other contractual arrangements involving multiple parties, disguised employment relationships, dependent self-employment and part-time work.

3. Non-standard forms of employment should meet the legitimate needs of workers and employers and should not be used to undermine labour rights and decent work, including freedom of association and the right to collective bargaining, equality and non-discrimination, and security of employment. Adequate protection is achieved by having an appropriate regulatory framework, compliance with and strong enforcement of the law, and effective social dialogue.

4. Well-designed and regulated non-standard forms of employment can help enterprises by increasing their ability to respond and adapt to market demands. They can also be a useful mechanism for retaining and recruiting workers, as well as for more quickly harnessing the skills and expertise of certain workers on the labour market. Yet when non-standard forms of employment are misused by employers in order to circumvent their legal and contractual obligations and other employment-related responsibilities, this undercuts fair competition, with detrimental effects for responsible businesses, workers and society at large.

5. The wider array of contractual arrangements available can facilitate the engagement of workers in the labour market. This is particularly true of well-regulated, freely chosen employment, such as part-time work and other non-standard employment arrangements that may permit workers to better reconcile their work, life and family responsibilities. While in some instances non-standard forms of employment may also act as stepping stones to standard employment, in many other instances they do not, warranting serious attention. Women,
youth and migrants, who are more prone to discrimination, are over-represented in non-standard forms of employment. This may be a reflection of the opportunities that some non-standard forms of employment provide for these workers to enter the labour market, but it may also reflect their greater risk of involuntarily remaining in these forms of employment.

6. Non-standard forms of employment, in parts of the world, exhibit a higher incidence of decent work deficits. These are often not sufficiently addressed by regulatory frameworks, enforcement and labour inspections systems, active labour market policies or the judicial system, all of which should be effective and accessible. A significant number of member States have adopted adequate regulations and ratified the relevant Conventions, and are addressing the deficits and protecting workers. Workers in non-standard forms of employment may face barriers to collectively addressing decent work deficits. These workers are more often than other workers unable to exercise their fundamental rights, including the right to freedom of association and to bargain collectively with the relevant employer(s). As a result, workers in non-standard forms of employment risk facing decent work deficits along one or more of the following dimensions of work: (1) access to employment and labour market transitions to decent work; (2) wage differentials; (3) access to social security; (4) conditions of work; (5) training and career development; (6) occupational safety and health; and (7) freedom of association and collective bargaining. If left unchecked, these decent work deficits risk contributing to increased insecurity and greater inequality.

**Measures to protect and maintain decent work for workers in non-standard forms of employment**

7. To ensure that all workers, irrespective of their contractual arrangements, are protected, measures should therefore be put in place, or strengthened, to address potential decent work deficits along these seven dimensions. While tailoring their strategies to their specific national context, governments, employers and workers may want to consider, through social dialogue, the following:

(a) **Decent jobs and working conditions:** Governments and social partners should pursue labour market and other policies with the goal of ensuring continuous progress towards decent jobs. All employers, whether public or private, using non-standard forms of employment should provide workers with appropriate protection.

(b) **Supporting labour market transitions:** As workers transition across jobs throughout their working lives, governments, in consultation with the social partners where appropriate, should support the creation of quality employment and invest in labour market policies that promote economic growth and development, lifelong learning, skills training and development, labour market matching and access to decent jobs.

(c) **Promoting equality and non-discrimination:** Action should be taken to promote equality and to ensure that all workers, regardless of their contractual arrangements, are protected against discrimination.

(d) **Ensuring adequate social security coverage for all:** Measures such as minimum hour or income thresholds for social security entitlements may result in employment practices excluding workers in non-standard forms of employment from social security coverage and other social benefits. Countries should aim to design and adapt their social security systems so as to provide workers in non-standard forms of employment with conditions equivalent to workers in standard employment.

(e) **Promoting safe and healthy workplaces:** Governments and employers should take adequate measures to ensure that workers in non-standard forms of employment have a safe and healthy work environment. Workers in non-standard forms of employment should receive training and be provided with safety equipment, and they should be able to participate in workplace health and safety systems and processes.
Ensuring access to freedom of association and collective bargaining: As stated in the Declaration on Social Justice for a Fair Globalization, freedom of association and the effective recognition of the right to collective bargaining help support the attainment of decent work. Non-standard forms of employment may pose challenges when it comes to the effective realization of freedom of association and collective bargaining rights. Some triangular relationships pose particular challenges. Governments, employers and workers should use social dialogue to develop innovative approaches, including regulatory initiatives that enable workers in non-standard forms of employment to exercise these rights and enjoy the protection afforded to them under the applicable collective agreements. These initiatives should include promotion of effective bargaining systems and mechanisms to determine the relevant employer(s) for the purpose of collective bargaining, in coherence with international standards, national laws and regulations.

Adopting a strategic approach to labour inspection: Labour inspectorates should be adequately resourced and should harness their resources through various strategies, including targeting specific sectors and occupations, taking into account the expansion of non-standard forms of employment with a high incidence of non-compliance.

Addressing highly insecure forms of employment and fundamental rights at work: Special attention should also be given to preventing and eliminating forms of non-standard work that do not respect fundamental rights at work, and which are not in accordance with elements of the Decent Work Agenda.\(^1\)

Recommendations for future action by the Office

8. Supporting the abovementioned objectives requires a long-term effort from the Office across a broad range of activities. It should, in particular:

(a) Work with member States to improve and expand data collection and reporting with respect to the different forms of non-standard employment and the characteristics of these forms of employment. Account should also be taken of resolutions adopted by the International Conference of Labour Statisticians.

(b) Promote the ratification and better use of the relevant international labour standards mentioned in the background report to the Meeting of Experts on Non-Standard Forms of Employment. Provide technical assistance to member States so that they can adapt their national legislation and other policy measures in line with the provisions of those standards. Support these efforts with the development of a guide which brings together these standards as an integrated whole and with fact sheets that explain the relevance of each of the standards for non-standard forms of employment.

(c) Analyse whether there are gaps in international labour standards, or instruments that do not sufficiently reflect the reality of today’s world of work, and identify barriers to ratification of standards. Consideration should be given to evaluating the need for additional international labour standards possibly through meetings of experts to address temporary contracts, including fixed-term contracts, and discrimination based on employment status.

(d) Taking into account the future of work, examine and address possible barriers to freedom of association and collective bargaining, in law and in practice, in order to enhance the ability of workers in non-standard forms of employment to exercise these rights, including the possibility to negotiate with the relevant employer(s). Identify best practice, regulatory and other initiatives that are helping to close representational gaps, and use this knowledge to build the capacity of workers’ and employers’ organizations.

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1 “The Decent Work Agenda is one in which freely chosen productive employment is promoted simultaneously with fundamental rights at work, an adequate income from work and the security of social protection” (ILO, Global Employment Agenda, 2003, p. 2).
(e) Research and disseminate information on practices and innovations in collective bargaining that contribute to decent working conditions for workers in non-standard forms of employment; investigate reactions and overall satisfaction of employers and workers with regard to different forms of collective bargaining and social dialogue in connection with non-standard forms of employment.

(f) Research, document and disseminate information on innovative and best practice approaches to labour inspection. Support member States’ efforts to improve labour inspection by encouraging provision of sufficient resources, and by providing guidance on how to more effectively use the funds and other resources available to target specific areas of concern with respect to non-standard forms of employment. Support efforts to ensure effective access of workers in non-standard forms of employment to courts and labour adjudication mechanisms.

(g) Analyse, document and disseminate information on approaches to extend employment-based social security to workers in non-standard forms of employment, including the dependent self-employed, which can ensure appropriate levels of protection, including during transitions in the labour market, while preserving the sustainability and effectiveness of social security systems.

(h) Support country activities to identify and address decent work deficits in non-standard employment, as referred to in the background report for the Meeting. Encourage countries to take the Meeting of Experts’ discussion and conclusions into account in the Decent Work Country Programmes.

(i) Taking into account current challenges and looking to the future of work, provide guidance for integrated and innovative approaches to address the needs of both men and women workers with family responsibilities, making full use of the relevant ILO Conventions.

(j) Continue efforts begun with the preparation of the background report for the Meeting, to document trends as well as to analyse the effects of non-standard forms of employment on workers, firms, public services, the labour market and economic performance. Improve understanding of national regulatory practices and developments with respect to non-standard forms of employment. Gain a better understanding, including through historical analyses, of the interplay between the evolution of different forms of non-standard employment, development of new technologies and models of production, transport and public services, in order to discern the larger implications for equality, social inclusion and the future of work.

(k) Create a repository of data, information and analysis, including research papers and reports, on non-standard forms of employment and innovative practices to best ensure protection of workers, sustainable enterprises and well-functioning labour markets. Make particular efforts to fill existing information gaps with respect to non-standard forms of employment in developing countries.