

**Global Dialogue Forum on Employment Relationships
in Telecommunications Services and in the Call Centre
Industry**Geneva
27–28 October 2015

Points of consensus ¹**Introduction**

1. Telecommunications and call centres are indispensable to today's globalized, highly connected and technology-driven knowledge economy. They also represent an important source of jobs around the world, and are often a vital entry point into the labour market.
2. Business adaptability and sustainability should go hand in hand with promotion of decent and productive work in the industry. Fundamental principles and rights at work and all ratified international labour standards relevant to the industry, should be upheld and promoted. Effective social dialogue is key to promoting sustainability of both business and decent work in the industry, and to address challenges related to occupational safety and health, excessive stress, high sick leave rates, low pay, long working hours, unfair dismissals, high turnover rates and other unfair labour practices, where they exist.

**Challenges faced in addressing employment
relationships in telecommunications services
and call centres**

3. In a number of countries, decent work challenges in the industry comprise gaps in the regulatory framework, the weakness of social dialogue and collective bargaining, and restriction of freedom of association. Due to globalization and other factors, non-standard forms of employment (NSFE) have grown extensively, including in the telecommunications and call centre sectors. These have assisted business adaptability and growth. Well-regulated and freely chosen NSFE can offer options for balancing work and private life. NSFE may pose problems for workers' protection, union organizing and the effective realization of freedom of association and collective bargaining rights.
4. There is a need for social partners and governments to consider innovative approaches to social dialogue and engagement. This should include developing and using new dialogue

¹ These points of consensus were adopted by the Global Dialogue Forum on 28 October 2015. In accordance with established procedures, they will be submitted to the Governing Body of the ILO for its consideration.

mechanisms that should ensure that workers in NSFE enjoy the labour protection they are due.

5. The Meeting of Experts on Labour Inspection and the Role of Private Compliance Initiatives (10–12 December 2013) provides some pointers on how such initiatives could make this process more effective.
6. Call centres in some countries are either not regulated or are poorly regulated, and it is sometimes difficult to monitor their operations – some businesses and jobs are undeclared and non-compliant with national laws. Social partners and policy-makers have a shared interest to ensure that this does not unfairly penalize compliant enterprises and their workers. When relocation of work from one country to another or from one region of a country to another is undertaken to take advantage of less protective labour regulations and lower labour costs, it can pose a concern as it could lead to social dumping and a race to the bottom. Better and more effective regulations could be an appropriate response in this regard.
7. Improved and better resourced labour inspection are an important part of the response to the challenges arising from changed employment relationships in the industry.
8. There is a need to bridge the skills gap and mismatch, and to promote technical and vocational education and training to support industry human resource needs.
9. All workers, irrespective of their contractual relationship, should enjoy equality of treatment and be free from discrimination.

Contribution of social dialogue to improving telecommunications services and call centre work environments

10. Governments, employers and workers should use social dialogue to develop innovative approaches, including regulatory initiatives that enable workers in NSFE to exercise these rights and enjoy the protection afforded to them under the applicable collective agreements.
11. Social dialogue, collective bargaining and engagement of the social partners are very important. Structured engagement with regulators and with the government is essential. Workplace forums and councils on topics such as training, occupational safety and health and staff welfare can extend such dialogue. International Framework Agreements, as voluntary initiatives between unions and telecommunications services enterprises can be valuable in improving working conditions.
12. Workers, employers and governments should look at worker representation in agency, dispatch and outsourced working – to ensure that workers in non-standard forms of employment enjoy fundamental principles and rights at work, including freedom of association and the right to bargain collectively.
13. Government has the role of regulating the world of work; effectively inspecting workplaces; promoting respect for workers' rights; promoting the sharing of good practices; encouraging productivity, and promoting social dialogue. Governments could promote skills development with the support of social partners.

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

14. The Forum recommends the following future action in this industry:

1. Tripartite constituents should:
 - (a) engage in effective social dialogue to promote decent and productive work and equitable treatment for all workers regardless of their employment status;
 - (b) seek to align flexible work arrangements and NSFE with decent work principles and practices, where needed;
 - (c) design and implement measures to ensure respect for applicable legal frameworks by all; and
 - (d) enhance access for all workers to relevant skills development and anticipate future training needs.
2. Governments should:
 - (a) engage social partners in defining, monitoring and tracking the impact of NSFE and improving labour legislation and policies;
 - (b) improve labour and social protection systems to mitigate the impact of NSFE on working conditions, where necessary; and
 - (c) enhance labour inspection capacity and resources.
3. The Office should:
 - (a) continue to promote the ratification, effective implementation and better use of relevant international labour standards, particularly those related to freedom of association and collective bargaining, conditions of work, occupational safety and health, and build the capacity of constituents to do likewise; and analyse whether there are industry-specific gaps in those standards;
 - (b) promote social dialogue – including workers’ representation in NSFE – and develop constituents’ capacity to effectively engage in social dialogue;
 - (c) work with member States to improve national systems to regularly collect and disseminate objective data on employment, wages, working hours, contractual arrangements, staff turnover and other relevant data on the basis of resolutions adopted by the International Conference of Labour Statisticians; and
 - (d) undertake, together with constituents, research and comparative analysis, monitor, assess and map good practices and share knowledge on: drivers and impact of change, employment-creation potential, diversification of employment relationships and the role of SMEs and multinational enterprises.