

Outcome 14 - Freedom of Association and the Right to Collective Bargaining: The right to freedom of association and collective bargaining is widely known and exercised

RESULTS BY INDICATOR

Indicator - 14.1. Number of member States that, with ILO support, improve the application of basic rights on freedom of association and the right to collective bargaining.

Measurement

To be counted as reportable, results must meet at least two of the following criteria:

1. An awareness-raising strategy and/or programmes on freedom of association and collective bargaining targeting the tripartite constituents are launched.
2. Convention No. 87 or 98 is ratified.
3. There is progress in the respect of the fundamental civil liberties of the members of trade unions and employers organizations.
4. Changes are introduced in law, policy or practice to ensure that trade unions and employers organizations can be registered and function without undue restrictions.
5. Mechanisms to ensure protection against acts of anti-union discrimination or interference are established or expanded.
6. Policies and mechanisms to promote collective bargaining are established or expanded

Country/Country Programme Outcome (CPO)	Measurement Criteria	Result Achieved	ILO Contribution
Africa			
Tunisia/TUN999 -	1	Awareness raising/programme on Freedom of Association and Collective Bargaining targeting tripartite constituents	Technical assistance provided for a tripartite discussion on law reform " entre réalités et perspectives"
	6	Mechanisms to promote collective bargaining established, which corresponds to the conclusion of the CB agreement at the sectoral level.	The technical assistance provided for the preparation and implementation of the National Seminar on agriculture. This helped the discussion and later conclusion of a collective bargaining agreement in the sector

South Africa/ZAF153

Freedom of Association and the right to collective bargaining strengthened with particular focus on selected sectors

1	<p>There is strengthened awareness among labour inspectors in the wine growing regions of the Western Cape on rights and responsibilities associated with Freedom of Association in the rural/agricultural sector. This was evidenced by an evaluation conducted to assess impact of training. A follow up evaluation exercise is planned before end November 2015 to further determine impact of training. There has also been an increased awareness by representatives of employers and workers in the agricultural sector on the principles of freedom of association and collective bargaining as demonstrated in post training evaluations conducted for both workers and employers.</p>	<p>The ILO facilitated a series of training workshops for 25 labour inspectors in the wine growing region of the Western Cape during the piloting of a training manual designed for labour inspectors on freedom of association in the rural/ agricultural sector. The pilot of the training manual informed the development and finalization of a Trainers Handbook on Freedom of Association and Labour Inspection in Rural Areas by the ILO. The ILO also facilitated training for representatives of Workers and Employers organizations and associations in the agricultural sector on the principles of freedom of association and collective bargaining.</p>
5	<p>Cooperation between the labour inspectorate and the Commission on Conciliation, Mediation and Arbitration (CCMA) in terms of improved coordination in responding to FACB challenges on the ground has been bolstered, and indicated in assessment of the impact of the training of the labour inspectors in the Western Cape.</p>	<p>At the request of the National Department of Land Reform and Rural Development, the ILO commissioned and supported a comprehensive qualitative research study to examine socio-economic conditions on South African farms, including the labour relations environment. The results of the study which were shared with government and the public through various media platforms also formed the basis for engagement between worker and employer representatives at a bipartite engagement held in November 2015. Ahead of the bipartite workshop, the ILO facilitated two preparatory sessions for employer representatives to facilitate their effective engagement at the planned bipartite meeting. Similarly, two preparatory consensus building sessions were organised for diverse</p>

representation of worker organisations in the sector to facilitate their effective engagement during the bipartite. In light of the tenuous relationship between workers and employers in the sector, the preparatory sessions held for both culminated into the development of an agenda outlining mutual areas of discussion for constructive engagement at the bi-partite.

Additional CPO Information (This information should only be added when relevant and necessary and should not repeat information already entered under results or ILO contribution)

a) Gender equality and non-discrimination

Within the broader context of promoting sensitization and awareness on freedom of association and collective bargaining among the tripartite constituents, the ILO co-facilitated a training workshop specifically designed for trade union gender focal points, educators, negotiators, and women leaders of trade unions representing the agricultural/ rural sector. The training was facilitated using a training manual developed by ILO GENDER, DECLARATION AND ACTRAV on Promoting Freedom of Association for rural women workers. The training highlighted the challenges faced by women rural workers in exercising their rights to freedom of association and facilitated discussion on concrete measures to strengthen the capacities of trade unions to reach out to and inform women rural workers of their right to Freedom of Association.

b) Partnerships (external)

DITSELA, a workers education institute, co-facilitated training with the ILO on the Promotion of Freedom of Association for rural women workers in the agricultural sector. The training was organized for trade union gender focal points, educators, negotiators, and women leaders of trade unions representing the agricultural/ rural sector.

The Labour Research Services partnered with the ILO in facilitating a training workshop for representatives of workers and trade unions in the wine growing farms of the Western Cape on the right to freedom of association and collective bargaining. The Labour Research Services also provided assistance in mobilizing and ensuring participation by all key worker representatives from the farms at the workshop.

Swaziland/SWZ828

Application of the right to freedom of association and collective bargaining strengthened

1

Since the High-Level Tripartite Mission that took place in October 2010 to examine how to assist the country in giving effect to the comments made by the two ILO Supervisory Bodies (Committee on the Application of Conventions and Recommendations (CEACR) and the Committee on Freedom of Association (CFA)) regarding Freedom of Association, Swaziland was placed under a Special Paragraph in 2011 and discussed in 2013 by the International Labour Conference Committee on the Application of Standards (CAS) at which time the Government was invited to accept a High-level Fact-finding mission on the outstanding issues that was to report to the CEACR by its meeting in November 2013.

A number of legislative provisions have been found by the CEACR to be incompatible with the Freedom of Association principles further by ILO Convention No. 87. In the absence of any concrete progress achieved in this regard, the Government of Swaziland was convoked before the 2013 International Labour Conference (ILC) Committee on the Application of Standards (CAS). The CAS conclusions called for action to finalise the Industrial Relations Amendment Bill and ensure its adoption without delay so that the national social partners may be registered and recognized; to ensure the full participation of the TUCOSWA, the FSE and SBC in the tripartite structures and that they may fully exercise their rights under the Convention and the IRA; to ensure

The ILO provided technical assistance to Swaziland to strengthen its social dialogue mechanisms and its use of dialogue to promote government observance of fundamental rights and principles and freedoms at work. This largely took the form of training in social dialogue.

		immediate, significant and concrete progress on pending matters; and to ensure full respect for the basic civil liberties of freedom of expression and of assembly for all workers' and employers' organizations.	
	3	The Swaziland government has finally relented and registered three federations to operate lawfully in the country. These are the Trade Union Congress of Swaziland (TUCOSWA), Federation of the Swaziland Business Community (FSBC) as well as the Federation of the Swaziland Employers and Chamber of Commerce (FSE&CC). The registration of the federations will operationalize the tripartite structures following that they had been affected by the non-registration of the federations since October 2014, when they were banned. These structures include the social dialogue committee, the Labour Advisory Board (LAB), Boards of Public Enterprises under the ministry of labour, 18 wages councils and the workmen's compensation medical board	The ILO has provided technical assistance with in house specialist as well as external consultants in the form of capacity building for the federations.

Additional CPO Information (This information should only be added when relevant and necessary and should not repeat information already entered under results or ILO contribution)

a) Gender equality and non-discrimination

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b) Partnerships (external)

For attainment of this result, partnerships were formed with the Royal Swaziland Police, The Attorney Generals office.

Asia and the Pacific

Myanmar/MMR102

Sustained and deepened progress on Freedom of Association as foundation for sound social dialogue

1

A project on Promoting Freedom of Association and Social Dialogue was launched in September 2012 with support from the United States Department of State and Phase 2 of this project continues from October 2013 through January 2015 with funding from the Norwegian Government.

The project operates at multiple levels in order to:

- Ensure that national labour institutions (laws, regulations, labour administration and labour dispute settlement system) are in a better position to recognize, implement, and enforce fundamental rights at work;
- Ensure employers, their organizations and worker organisations have improved capacity and effectiveness in implementation of the Labour Organisation Law and the Settlement of Labour Disputes Law, and work together constructively on dispute resolution, collective bargaining, occupational safety and health, and building an industrial relations system based on respect, and
- Promote sound labour relations and Social Dialogue at an industry/sector, regional and national level.

As a direct result of the project, more than 2,000 employers, workers, their respective representative organizations, and government agencies at local, regional and national levels are aware of the principles of Freedom of Association and the Right to

More than 6500 participants (direct beneficiaries) were reached in 12 (of 14) Divisions and States such as Yangon, Mandalay, Nay Pyi Taw, Ayarwaddy, Bago, Magwe, Sagaing, Tanintharyi, Mon, Kayin, Shan, Rakhine as well as the Nay Pyi Taw Union Territory by 200 project activities (awareness raising, workshops, seminars, symposium, trainings and meetings).

Support to labour market institutions has been provided, including:

- 3 tripartite meetings held, and technical advice on reform of labour laws (OSH, Factories Act, Shops and Establishments Act, Labour Organization Law and Settlement of Labour Disputes Law), accompanying regulations, and other relevant subjects such as the salary slip and employment contract.
- More than 75 members of Conciliation Bodies and 40 members of Arbitration Bodies were trained on labour dispute resolution systems, including comparative systems.
- A sustainable training strategy was developed by the Factories and General Labour Laws Inspection Department with support from the Office, and labour inspectors underwent four weeks of intensive training using materials adapted from the ILO-ITC curriculum on “Building Modern and Effective Labour Inspection Systems”.

		<p>Collective Bargaining, as well as the content, rights and obligations arising from the Labour Organization Law (2011) and the Settlement of Labour Disputes Law (2012). Nearly 400 constituents and members of the public have been trained and have committed to support the spread of information on FoA and CB principles within their communities.</p> <p>Nearly 2,000 employers, managers and union leaders at the enterprise and factory level have gained skills on effective dialogue, including collective bargaining and dispute settlement. The project has also supported labour organizations in their knowledge and understanding of wages, to include minimum wages, C. 87 and C. 98 as well as the ILO supervisory system.</p> <p>Sectoral and national social dialogue has also been supported, with modest but positive developments at both levels. A National Tripartite Dialogue Forum has been established as a body to address a wide range of labour market issues from labour law reforms to industrial relations issues. Tripartite actors have also participated together in a range of other national level seminars and consultations, including tripartite consultations on draft OSH laws, on possible improvements to the Labour Organi</p>	<p>An Educators' Network was established, with more than sixty (60) members with their own skills and capacities developed to help deliver trainings and promote the concepts of freedom of association, social dialogue and sound industrial relations.</p> <p>Nearly 60,000 distinct pieces of training / awareness-raising materials have been produced and disseminated, on topics ranging from negotiation skills and dispute resolution to OSH, labour inspection and trade union administration. A dedicated public Facebook page (www.facebook.com/ilofoa) was set up as part of the awareness-raising strategy, and is currently followed by nearly 3,000 people from within and outside Myanmar. A labour law guide is being developed in an effort to assist the parties in understanding the relevant labour laws.</p> <p>More than eighty (80) Bipartite Basic and Stage 2 workshops have been held for employers and workers at enterprise level, introducing the new laws, and building basic skills required for workplace dialogue, negotiation and problem-solving. Public "awareness raising" workshops have introduced the concept of FoA, the new laws, and a "partnership for development" approach to over 2,000 individuals. A more in-depth Training of Promoters programme created over 400 "champions" for pr</p>
	2	<p>Convention No. 87 was ratified in 1955 and the Labour Organization Law (2011) and Settlement of Labour Disputes Law (2012) were enacted in order to give effect to the</p>	<p>Continuous technical support to the tripartite constituents on the (relatively new) concepts of C.87 and C.98. The Office has encouraged the Government to align its laws with both C. 87</p>

		<p>rights and obligations under the Convention in 2012.</p> <p>The concepts of Freedom of Association and Collective Bargaining have been introduced, through awareness-raising and training events, to hundreds of union leaders, employers and government officials.</p> <p>Trade unions identified the ratification of C. 98 – and full compliance with C. 87 – as a major priority which they presented in the National Tripartite Dialogue on ILO's Programme in Myanmar. (Dec, 2014)</p>	<p>and C. 98 during the reform process, thereby enabling them to ratify the latter, and ensuring they will be less likely to have comments from the CEACR regarding compliance with the former.</p>
	4	<p>Since the Labour Organization Law entered into force in 2012, the number of registered labour organizations has grown steadily. As at March 2015, there were 1,517 basic labour organizations, 58 township labour organizations and four labour federations (all in the maritime sector), as well as 28 basic employers' organizations, one township employers' organization and one employers' federation (maritime).</p> <p>In 2014, the Government formally recognized the as-yet unregistered national trade union Federations for the purposes of social dialogue on national policy issues. The Government also informed the social partners and the ILO of its desire to seek rapid solutions to the registration of national-level trade union organizations.</p> <p>Since mid-2015 two additional national sectoral Federations (AFFM, AFFM-IUF) have been registered, as has one National Trade Union Centre (CTUM). Today, the</p>	<p>The ILO has provided regular technical advice and assistance to the Government in relation to laws, policies and approaches to registration. This advice, which drew from CEACR comments, the CFA digest, addressed both ad hoc, specific cases, as well as patterns that were noted in the registration and independent functioning of organizations. The Office discussed with Ministry Officials at length regarding the importance of recognizing their national-level counterparts irrespective of registration status. The Office provided a written technical note to the Ministry of Labour on the criteria for recognising national union centres and facilitation of bilateral dialogue between the government and trade unions.</p>

		<p>Government reports having registered more than 1,700 labour organizations.</p> <p>The Government has publicly committed to review the Labour Organization Law, the Settlement of Labour Disputes Law and their accompanying Rules together with the social partners and the ILO, and has established a technical working group under the National Tripartite Dialogue Forum to this end.</p>	<p>The Office has encouraged the Government – including through an official mission by the Director of the International Labour Standards Department – to review and revise the relevant laws and regulations to align them with Convention 87, taking into account the guidance provided by the CEACR and principles outlined in the CFA digest, and to enable them to eventually ratify Convention 98. The ILO is providing technical inputs (further technical note / “Issues Paper” on possible amendments to the laws / regulations as well as specific notes focused on measures to protect against anti-union discrimination, specific language to strengthen provisions on collective bargaining and comparative experience in the establishment of labour court systems), as well as regular technical and financial assistance to the work of the technical working group.</p>
	5	<p>From the outset, retaliation and discrimination against union leaders was identified as a key problem in the effective introduction and evolution of sound industrial relations in Myanmar. Protection against anti-union discrimination was left to the Arbitration Council, but the low penalties made compliance a major issue. In early 2014, the Ministry of Labour introduced a draft amendment to the Settlement of Disputes Law increasing the penalty for non-compliance with an Arbitration Council decision, to include the possibility of a prison sentence of up to three months. The amended law was promulgated in late 2014,</p>	<p>Stage 2 Bipartite training introduces the principles and concepts of collective bargaining and labour disputes settlement process in workplace level to unions and employers. 258 Employers have also been separately sensitised to the new concept through “problem-solving” workshops.</p> <p>Training on collective bargaining, collective agreements, good faith principles and the role of the public authority in promoting collective bargaining was provided to more than 120 government officials in 2015. Outputs of these workshops fed into the review of the Labour Organization and Settlement of Labour</p>

	<p>with the monetary penalty increased but no provision for a prison sentence was included. Collective bargaining concepts have been progressively introduced to constituents. Unions, employers and senior officials of the Ministry of Labour Employment and Social Security are increasingly aware and understand their roles and responsibilities with respect to the development of collective bargaining in Myanmar.</p> <p>Unions have identified the review and amendment of the Labour Organization Law and Settlement of Labour Disputes Law in line with C. 87 and C.98 as their first priority during the National Tripartite Dialogue on ILO's Programme in Myanmar. (Dec, 2014)</p> <p>The review and possible revision of the Labour Organization Law, the Settlement of Labour Disputes Law and their accompanying Rules is expected to include possible measures to strengthen mechanisms and policies to promote and support the development of collective bargaining.</p> <p>The Myanmar Garment Manufacturers Association (MGMA) has adopted a 10-year industry strategy (2015-2024) which includes specific reference to the promotion of social dialogue at all levels of the industry, and including specific reference to the development of collective bargaining. Under Strategic Objective 2.5, the MGMA has committed to, "Engage with Unions and other stakeholders to inform and keep MGMA members up-to-date through seminars on</p>	<p>Disputes Laws.</p> <p>As mentioned above, the Office has prepared a technical note for discussion in the specifically looking at language to strengthen legal and regulatory provisions governing collective bargaining for the consideration of the technical working group established under the National Tripartite Dialogue Forum.</p> <p>The Office has supported the development of the industry strategy, and is in the process of supporting a bipartite labour market strategy for the garment industry. ILO comments influenced the drafting of the strategy, to include the incorporation of appropriate language related to collective bargaining and social dialogue.</p>
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Philippines/PHL129

Improved application of basic rights on freedom of association and the right to collective bargaining

1	<p>- ECOP has institutionalized the conduct of awareness raising and training programmes on collective bargaining and social dialogue for potential and existing members since August 2014. As a result:</p> <ul style="list-style-type: none"> •80 enterprise-based action plans to promote social dialogue formulated by both current and potential ECOP members (56 enterprise-based action plans to promote social dialogue formulated by both current and potential ECOP members in Cebu, Davao and Naga) <p>-At least 12 workers' organizations at the national and local union levels, are in the process of implementing their respective action plans to organize more young workers and mainstream youth participation in union activities, specifically in union organizing, collective bargaining and other forms of social dialogue at the workplace.</p>	<p>- The ILO supported the development and implementation of the training programmes promoting freedom of association and collective bargaining through social dialogue, which ECOP has institutionalized. The first was a Trainers Training on Promoting Social Dialogue and Collective Bargaining, with 36 employer representatives. The second was a training programme on Labour Law Compliance Through Social Dialogue with 68 employer representatives from micro, small and medium scale enterprises.</p> <p>-These action plans were developed by youth leaders from different workers' organizations in a series of Basic Leadership Trainings targeting 83 young trade unionists (43 males and 40 females). The programme was aimed at raising awareness among young and potential trade union leaders on freedom of association and collective bargaining principles, in national law and practice, and how to operationalize protection of these rights as a core union service.</p>
3	<p>Progress in the measures taken by key government institutions and tripartite constituents to promote observance of the fundamental civil liberties of trade unionists, including speedy and impartial prosecution of labor related cases are the following:</p>	<p>- In 2014, the ILO conducted area-wide orientation training in Luzon, Visayas and Mindanao for 200 uniformed personnel on freedom of association, collective bargaining and civil liberties of trade unionists. Participants in these orientations re-echoed the training as part of their re-entry plans.</p>

		<p>- To address harassment and targeting of trade unions and undue intervention of uniformed personnel in legitimate union activities, the AFP in coordination with at least two DOLE Regional Offices, starting in 2014 to organize orientations on workers' rights to freedom of association and collective bargaining and civil liberties of trade unionists for uniformed personnel.</p> <p>To ensure more effective and efficient internal and external coordination between national and regional tripartite monitoring bodies that validate labor related grave violations of human rights and civil liberties, the National Tripartite Industrial Peace Council (NTIPC) has recently approved a set of harmonized guidelines.</p> <p>- To address weak evidence gathering and lack of witnesses on labor related violations of human rights and civil liberties, the Technical Working Group on the Inter Agency Committee on Extra Legal Killings, Enforced Disappearances, Torture and Other Grave Violations of the Right to Life, Liberty, Security of Persons (TWG on AO 35) is currently reviewing a set of recommendations from tripartite constituents, key government bodies, police, investigators and prosecutors on how to support effective and efficient case building and prosecution of such cases.</p>	<p>-The ILO workshop for 58 representatives from Regional and National Tripartite Monitoring Bodies, police and the military in 2014, produced refinements on the then proposed Operational Guidelines.</p> <p>- The ILO supported a capacity building workshop for tripartite monitoring bodies, AO 35 TWG and field teams in 2015, that served as platform for identifying possible areas of collaboration between prosecutors, investigators and workers' organizations to ensure effective and efficient case building on such cases</p>
	6	Progress made towards a tripartite adoption of proposed collective bargaining and labor relations reforms based on a more objective and comprehensive analysis of inputs from national, regional and industry stakeholders	- A key reference of tripartite partners in the ongoing review of collective bargaining and labor relations reforms is a strategy paper which was developed with the technical support of the ILO in 2015. The ILO also

supported two national consultations starting 2014, which provided a venue to gather inputs from tripartite stakeholders at the national, regional and industry levels.

Additional CPO Information (This information should only be added when relevant and necessary and should not repeat information already entered under results or ILO contribution)

a) Gender equality and non-discrimination

- Although ensuring gender equality in a majority of activities under this Outcome was difficult, since the ILO had to work with existing structures which already had identified members, the ILO ensured equality in representation among participants of the series of Basic Trade Union Leadership Trainings for new and potential trade unionists, with 43 males and 40 females.

b) Partnerships (external)

Work on the abovementioned interventions were covered by projects on freedom of association and right to collective bargaining (FOA CB) funded by the United States Department of State (USDOS), Norway and the Swedish International Development Agency (SIDA).

Through DOLE, worked with the Philippine National Police (PNP) and the Armed Forces of the Philippines (AFP) on the conduct of regional orientations for security personnel. . Also, through DOLE, the , the ILO has worked with other government bodies involved in the investigation and prosecution of alleged labor related grave human rights cases. These government bodies include the

- Department of Justice (DoJ)
 - Commission on Human Rights (CHR)
 - National Bureau of Investigation (NBI)
 - Department of National Defense (DND)
 - Department of Interior and Local Government (DILG)
 - Office of the Presidential Adviser on the Peace Process (OPAPP)
- The ILO has also closely been working with all employers and workers' organizations at the National Industrial Peace Council (NTIPC) in the conduct of consultations on collective bargaining and labor relations reforms.

Sri Lanka/LKA104

Improved tripartite cooperation to achieve job security, productivity and competitiveness

1	Three Collective Agreements have been revised of which one is in the Free Trade Zones (FTZ) whilst the other two have Board of Investment Status that are governed by rules and regulations similar to FTZ based workplaces.	ILO provided technical support for awareness raising workshops on FOACB o reach out to Trade Unions (TU's) and employers in the Free Trade Zone (FTZs).
3	A few TUs have improved access to FTZ workers, particularly for the Free Trade Zone General Service Employees Union who now use the Facilitation Centres set up for meeting with workers to discuss trade union related issues and challenges pertaining to ensuring workers' rights in the FTZs.	ILO provided technical support to promote social dialogue, freedom of association and collective bargaining in the (Free Trade Zone) FTZs and the Ready-made garment sector (RMG) to conduct pocket meetings, develop material and convene workshops.
4	Capacity of 33 Labour Tribunal Presidents enhanced on International Labour Standards (ILS) , specifically ILO C 87 & C 98 on FOACB and ILO C 100 and C 111 on equality and non-discrimination including sexual harassment in the workplace, to ensure translation of law into practice in the labour courts.Support to the Ministry of Labour to review labour laws and regulations.	ILO provided support for two fellowships on International Labour Standards for Judges and Legal Educators conducted in June 2015.

Additional CPO Information (This information should only be added when relevant and necessary and should not repeat information already entered under results or ILO contribution)

a) Gender equality and non-discrimination

- Non-discrimination, Gender equality and prevention of sexual harassment in the workplace have been mainstreamed into all awareness raising and capacity building programmes supported by the ILO. These interventions cover over 10 workshops that focussed on issues such as women's leadership in TU's to promote FOACB and challenges such as sexual harassment in the workplace reaching out to at least 2,000 young workers in the FTZs of whom at least 50% were female; two workshops reaching over 60 participants of whom at least 50% were women, were dedicated to gender, and covered topics such as gender disaggregated information

b) Partnerships (external)

MAS (pvt) Ltd, (RMG sector large scale enterprises): Free Trade Zone General Services Employees Union, the Progress Union, the Commercial and Industrial Workers Union and the National Trade Union Federation.

collection, collation and analysis, gender mainstreaming, sexual harassment in the workplace, equality and equity for realising decent work in June 2015.

Europe and Central Asia

Georgia/GEO102

Right to freedom of association and collective bargaining is known and exercised

5	The Georgian court system is more knowledgeable about the labour legislation and the judicial use of ILS and it is reflected in number of court decisions concerning anti-union discrimination. The mechanism of collective labour disputes mediation, enshrined in the revised Labour Code of 2013 has been utilised to settle a number of high profile cases.	The ILO provided training to judges from all instances and regions of the country with a strong emphasis on anti-union discrimination and ILS; a manual for judges is under preparation alongside with the ToT for the selected judges. The provided technical support through coaching the Georgian mediators in the mediation cases and trained eight mediators through introductory and regulat refreshment courses and lessons learned sessions.
6	Through capacity building of social partners, trainings, workshops and bipartite initiatives, mechanisms to promote collective bargaining are being established.	The ILO provided technical advice in developing a concept of the so-called “Flying bargaining team” of the GTUC and provided capacity building to GTUC in the areas of education, collective bargaining, communication, industrial relation and ILS. The ILO provided technical support to GEA in the field of industrial relations, ILS and in establishing pilot bi-partite initiatives in the pilot sectors/enterprises.

Latin America and the Caribbean

Colombia/COL151

Mandantes cuentan con más herramientas para defender el derecho a la libertad sindical y negociar más espacio para la negociación colectiva con perspectiva de género

1

El Ministerio de Trabajo de Colombia ha reforzado las acciones de la inspección de trabajo para identificar el uso de formas de contratación que desnaturalizan la relación laboral, que no reconocen los derechos inherentes a la misma y limitan el ejercicio de la libertad sindical. Asimismo, los inspectores de trabajo han sido capacitados en la identificación del uso abusivo de pactos colectivos, como una estrategia de desincentivar la libertad de asociación y negar el derecho a la negociación colectiva. Asimismo, se ha fortalecido la capacidad de los miembros de las organizaciones de trabajadores para presentar quejas mejor fundamentadas ante el Ministerio de Trabajo, para requerir la tutela de su libertad sindical y de asociación y negociación colectiva.

ILO, with funds from USDOL, has designed a Training Program which contains four modules: Administrative Labor Procedure; Ambiguous and Disguised Employment Relationships; Conduct Prejudicial to the Right of Freedom of Association; and Competencies of the Division of Inspection, Monitoring, Control and Regional Management), incorporating Practical Inspection Tools. To build on the success of the Training Program, ILO launched a Virtual Training Program which replicates the content of it in a virtual mode. In addition, the Training Program to Promote Demand for Labor Rights socializes the eight Practical Inspection Tools designed for labor inspectors with workers to help them develop well-founded and documented complaints to the Ministry of Labor, in order to promote the reduction of unsubstantiated claims. The Training Program held seven sessions in 2014 that resulted in the presentation of 113 complaints to the Ministry of Labor demonstrating use of the Program's Practical Inspection Tools. Amongst the 113 cases, is a block of 28 cases on the use of a non-collectively bargained benefits packages to undermine freedom of association presented on May 15, 2014. On April 30, 2015, ILO was informed of the first sanction in one of those cases. The other 23 of the 28 cases also show a change in status since December, 2014 and 3 of those cases are close to resolution/sanction. ILO is designing additional practical tools on effective case management and monitoring for future

	5	<p>El Gobierno de Colombia ha venido trabajando para mejorar el funcionamiento de las entidades responsables de proteger a los miembros de las organizaciones sindicales que son amenazados por ejercer su derecho a la asociación. Asimismo, se ha iniciado una iniciativa piloto que busca promover acciones judiciales efectivas, a través de las cuales se establezcan sanciones penales a los responsables de los actos de discriminación o injerencia sindical. En esa misma línea, el Congreso de la República aprobó la reforma del Código Penal, en la cual se establece una responsabilidad a aquellos empleadores que hacen uso de los pactos colectivos como una estrategia de discriminación de los miembros de las organizaciones sindicales o que con sus actos limitan el ejercicio de los derechos de asociación de los trabajadores (Art. 200)</p>	<p>La OIT, con fondos proveídos por USDOL, apoyó la difusión del Decreto 1092 sobre Negociación Colectiva en el sector público, entre las organizaciones sindicales y entidades gubernamentales en varias regiones del país, capacitó negociadores de ambas partes y preparó un manual para apoyar la elaboración del pliego de solicitudes que las organizaciones sindicales presentaron a las distintas instancias del gobierno a inicios del 2015. Adicionalmente, la OIT en coordinación con la Escuela Superior de Administración Pública (ESAP) ha elaborado un módulo de formación destinado a las nuevas autoridades municipales y departamentales que asumirán en enero de 2016, de modo que sean capacitados en su obligación legal de negociar colectivamente y conozcan casos exitosos que han venido siendo desarrollados en Colombia durante los últimos años. De manera complementaria, la OIT está trabajando con la Procuraduría General de la República, entidad contralora de las instituciones del Estado, para garantizar una supervisión efectiva para el cumplimiento del Decreto 1092-2014, en línea con la aplicación del Convenio 151.</p>
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Guatemala/GTM105

El país, con apoyo de la OIT, mejora la aplicación de los derechos fundamentales de la libertad sindical y de asociación y la negociación colectiva

1	<p>A finales de octubre del 2015, el Ministerio de Trabajo inició la pauta por medios de comunicación propiedad del Estado (diario oficial, radio TGW, canal Cable del Gobierno y redes sociales) una campaña de sensibilización en materia de libertad sindical, que la OIT realizó, a pedido de los actores sociales.</p> <p>La campaña fue construida de forma tripartita, pero es responsabilidad del Gobierno su vinculación en los medios de comunicación.</p>	<p>La OIT brindó acompañamiento técnico para la elaboración de la campaña y facilitó la elaboración tripartita de la campaña.</p>
5	<p>Durante el 2014, los Constituyentes crearon la Comisión de Resolución de Conflictos ante la OIT, en materia de la libertad sindical y negociación colectiva. Hubo resoluciones tripartitas de casos presentados en la Comisión que resultaron en el apoyo de una solución al conflicto.</p> <p>En el 2014 el Gobierno continuó con las reuniones periódicas con sindicalistas para establecer mecanismos de protección y reacción contra amenazas y hechos violentos contra líderes sindicales.</p> <p>Durante el bienio, el Ministerio Público continuó las reuniones con las centrales sindicales para informar sobre el avance de las investigaciones de los casos de muertes violentas contra los líderes sindicales.</p> <p>En febrero del 2015 el Ministerio Público, aprueba la nueva estrategia de investigación de delitos cometidos contra sindicalistas y el fortalecimiento de la Unidad de Investigación de Delitos contra Sindicalistas.</p>	<p>La OIT brindó asistencia técnica al Ministerio Público y a las centrales sindicales para elaborar la nueva estrategia de investigación (Instrucción 1-2015). También se apoyó en la capacitación para el uso de la nueva instrucción a todos los fiscales del país.</p> <p>Para el fortalecimiento de la Unidad de Investigación de Delitos contra Sindicalistas, la OIT apoyó en la creación del Manual Interno para la investigación de los delitos. Asimismo, entregó asistencia técnica en la reestructuración de otras estrategias de investigación criminal contra sindicalistas con la perspectiva de protección de derechos.</p> <p>La OIT apoyó técnicamente a las centrales sindicales para la redacción del protocolo.</p>

	Las centrales sindicales definieron un protocolo para la protección de los delitos contra los líderes sindicales que está en estudio por parte del Ministerio de Gobernación para su aplicación.	
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Outcome 14 - Freedom of Association and the Right to Collective Bargaining: The right to freedom of association and collective bargaining is widely known and exercised

RESULTS BY INDICATOR

Indicator - 14.2. Number of member States that, with ILO support, take significant action to introduce freedom of association and the right to collective bargaining in EPZs.

Measurement

To be counted as reportable, results must meet at least one of the following criteria:

1. An awareness-raising strategy and/or programmes on freedom of association and collective bargaining targeting the workers and employers in EPZs are launched.
2. Measures are adopted to permit workers organizations to be established and function in EPZs.
3. Mechanisms to ensure protection against acts of anti-union discrimination or interference in EPZs are established or expanded.
4. Policies and mechanisms to promote collective bargaining in EPZs are established or expanded.

Country/Country Programme Outcome (CPO)	Measurement Criteria	Result Achieved	ILO Contribution
Arab States			
<p>Jordan/JOR128 Tripartite mechanisms established and sound industrial relations promoted to ensure the enforcement of national legislation, and the development of socio-economic policies</p>	<p>1</p>	<p>- A survey of economic sectors to establish the baseline for pilot projects on collective bargaining was prepared with the aim to provide ILO and tripartite partners with basic information on the economic situation, labour markets, wages and working conditions and industrial relations arrangements in selected industries in Jordan.</p>	<p>- The ILO prepared a brief survey of economic sectors to establish the baseline for pilot projects on collective bargaining, in collaboration with tripartite stakeholders. This brief survey is designed to provide ILO and tripartite partners with basic information on the economic situation, labour markets, wages and working conditions and industrial relations arrangements in selected industries in Jordan. Based on the survey results, the ILO will conduct a series of consultations with the government and social partners in those sectors with a view to selecting an economic</p>

		<p>sector for pilot development of collective bargaining practices based on mutually agreed objectives and working methods between ILO and social partners in the sector.</p> <p>- The ILO provided technical advisory services (February 2015) aimed at assessing and improving the capacity of social partners to engage in collective bargaining in the Garment sector. The ILO conducted preparatory work for the extension of these services to social partners in the pharmaceutical, printing and packaging sectors, as well as construction.</p>
4	<p>The sectoral collective bargaining agreement (CBA) was renewed in August 2015 for a period of two years. The new CBA covers around 60,000 workers. The agreement, which is unique in Jordan, represents a commitment on the part of the employers and worker representatives to work together to improve working conditions and strengthen the sector as a whole.</p> <p>- An agreement to form the “Jordan Garment Sector Industrial Relations Joint Council” was signed in March 2015. The signing of this agreement is another important step in strengthening collective bargaining in the garment sector in Jordan. The purpose of the Joint Council is not only to administer CBAs signed by the Parties, but also to: promote social dialogue; address any dispute arising therefrom; share relevant information; provide the Parties with appropriate technical services relative to the regulation of working conditions and terms of</p>	<p>- The ILO supported the implementation of the collective bargaining agreement in the garment sector. To administer the agreement, the ILO supported the parties in establishing a joint-council bringing together tripartite representatives.</p>

	<p>employment, and relations between employers and workers; regulate the relations between the Parties themselves through collective bargaining and develop the awareness and education of employers as well as employees on the laws and collective agreements. This kind of collective bargaining mechanism will be used as an example in other countries.</p> <p>- The National Strategy for the Jordanian Garment Industry was developed with the aim of ensuring the sustainability of the industry and to increase its contribution to the socioeconomic development of the country. A key element of the strategy is to strengthen collective bargaining in the sector.</p>	
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Asia and the Pacific

Bangladesh/BGD226

Country takes effective measures to respond and implement CEACR recommendation including fulfilling its reporting obligations.

1	Strategy adopted by NCCWE and the IBC on Workers' awareness programmes on Freedom of Association (FoA) and Collective Bargaining (CB) in RMG and Leather sectors.	<p>a)ILO assisted in drafting the strategy through consultative process in compliance with ILO conventions 87 and 98.</p> <p>b)ILO partnered with NCCWE and IBC in drafting the modules for imparting trainings on workers' awareness programme promoting workplace cooperation.</p> <p>c)ILO provided training to 56 Master trainers and 320 co-facilitators.</p>
3	Online trade union registration and case management of practices on anti-union discrimination launched by the Ministry of Labour in March 2015 facilitates a transparent and accountable registration process.	<p>a)ILO provided support to conduct study on the existing registration process.</p> <p>b)ILO provided Technical and financial support to develop and operationalize the systems.</p> <p>c)ILO conducted trainings for 40 related officials in the Directorate of Labor.</p> <p>d)ILO drafted training programs for end-users targeting workers' federation.</p>