

INTERNATIONAL LABOUR ORGANIZATION  
Sectoral Activities Programme

**Note on the proceedings**

Tripartite Meeting on the Production of Electronic  
Components for the IT Industries: Changing Labour  
Force Requirements in a Global Economy

Geneva, 16–18 April 2007

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## Introduction

The Tripartite Meeting on the Production of Electronic Components for the IT Industries: Changing Labour Force Requirements in a Global Economy was held at the ILO in Geneva from 16 to 18 April 2007. The Office had prepared a report<sup>1</sup> to serve as a basis for the Meeting's deliberations. It addressed the following topics:

- recent developments in production, exports and employment in the IT industry;
- the rise of contract manufacturers, electronic manufacturing services (EMS) providers and ODM (original design manufacturers);
- global value chains for PCs and mobile phones;
- country strategies in developing IT growth;
- training needs and requirements; and
- emerging social and labour issues affecting working conditions.

The Governing Body had designated Mr Nakajima, Worker member of the Governing Body, to represent it and to chair the Meeting. The three Vice-Chairpersons elected by the Meeting were: Mr Abutaleb (Egypt) from the Government group; Mr Patil from the Employers' group; and Mr Sairo from the Workers' group.

Government representatives from 19 countries, as well as ten Employer and ten Worker representatives attended the Meeting.

Observers from GoodElectronics, the International Trade Union Confederation (ITUC), the International Metalworkers' Federation (IMF) and the International Organisation of Employers (IOE) also attended the Meeting.

The three groups elected their Officers as follows:

*Government group*

*Chairperson:* Mr Abutaleb (Egypt)

*Employers' group*

*Chairperson:* Mr Garza

*Secretary:* Mr J. Dejardin (IOE)

*Workers' group*

*Chairperson:* Mr Skyte

*Vice-Chairperson:* Mr Sairo

*Secretary:* Mr R. Steiert (IMF)

The Secretary-General of the Meeting was Ms Johanna Walgrave, Acting Executive Director of the Social Dialogue Sector. The Deputy Secretary-General was Ms E. Tinoco,

<sup>1</sup> *The production of electronic components for the IT industries: Changing labour force requirements in a global economy* (Geneva, ILO, 2007), xii + 119 pp.

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Chief of the Sectoral Activities Branch, and the Executive Secretary was Mr P. Bailey of the same branch. The experts were: Mr Appave, Ms Foucault-Mohammed, Mr Hahn, Mr Kamakura, Ms Mazurova, Mr Meletiou, Mr Myers, Ms Nsabimbona, Mr Ratteree, Mr Sajhau, Mr Sendanyoye, Ms Tomoda, Mr Wagner and Ms Wiskow.

## Opening speeches

The Chairperson indicated that the industry included the manufacture of office, accounting and computing equipment; the manufacture of electrical machinery; and the manufacture of radios, televisions and communications equipment. The various subsectors of the electronics components manufacturing and assembly industry were currently promoted strongly by countries because of their high employment- and income-generating potential, export-earning propensity, research and development spending and level of education and skills requirements. Despite declining shares, the production and export of IT components still remains important for the United States and Japan. Nevertheless, over half of world exports presently originated in the developing countries of Asia. In addition, there have been a few major mergers and acquisitions in recent years, particularly prevalent in the telecommunications sector. There was, however, a wide disparity in working conditions throughout the value chain as a whole. At one end of the spectrum, there was no doubt that the larger “brand name” companies were among the best. Further down the value chain, it was less clear whether best practice always applied. Global competition was inciting companies to adopt just-in-time methods of production and forms of work organization to meet consumer demand. Obviously, this had implications for workers. He trusted that the Meeting would examine how to successfully meet these challenges.

Ms Walgrave, acting Executive Director of the Social Dialogue Sector, indicated that the information technology – or IT – industry (also referred to as the information and communications technology or “ICT” industry) represented a significant sector for many countries, since by any measure – innovation, production, employment, wages, exports and value added – it was a large and important industry. The rapid changes taking place as a result of globalization also had an impact on the manufacture of electronic components for the information technology industry, which meant that effective social dialogue was all the more imperative. Social dialogue was increasingly accepted as the best means to manage the effects of change and to balance the interests of employers and workers. It could play a decisive role in overcoming the challenges of globalization. However, strong, independent and responsible social partners, a political will and an enabling legal and social framework were necessary. This was the first time an ILO report has been entirely devoted to the manufacture and the assembly of electronic components. The increasing use of component suppliers was radically altering the industry as a whole, which employed over 18 million people worldwide in 2004. The figures for manufacturing employment did not include software developers and programmers, who are more often thought of when one thinks of skills shortages in the IT industries.

The changes taking place in this industry were significant for governments, workers and employers because of the importance of the IT manufacturing sector. Virtually, all major employment increases in the sector had been in countries that were relative newcomers to the industry. However, the ascendancy of the components industry was largely due to the outsourcing or subcontracting of work formerly done in the factories of the brand name companies themselves.

Such employment shifts were cause for concern for trade unions, when work previously done “in-house” is outsourced, often resulting in lower wages and loss of benefits when a new company bought an existing facility.

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In recent years, both individual company and industry-wide codes of conduct had emerged, under the general heading of corporate social responsibility, as companies have focused on the management of their global value chains. An essential element of the Decent Work Agenda was adequately balancing the flexibility that businesses require with workers' needs for employment security; it was hoped that the Meeting would provide guidance on this subject.



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Part 1

**Consideration of the agenda item**



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## Report of the discussion

### Introduction

1. The Meeting met to examine the item on the agenda. In accordance with the provisions of article 7 of the *Standing Orders for sectoral meetings*, the Officers presided in turn over the discussion.
2. The Employer spokesperson was Ms Nixon Gardiner and the Worker spokesperson was Mr Skyte. The Meeting held four sittings devoted to the discussion of the agenda item.

### Composition of the Working Party

3. At its third sitting, in accordance with the provisions of article 13, paragraph 2, of the *Standing Orders*, the Meeting set up a Working Party to draw up draft conclusions reflecting the views expressed in the course of the Meeting's discussion of the report. The Working Party, presided over by the Government Vice-Chairperson, Mr Abutaleb was composed of the following members:

#### *Government members*

<i>Benin:</i>	Ms Adegnika
<i>Indonesia:</i>	Ms Supenti
<i>Japan:</i>	Mr Hayashi
<i>Switzerland:</i>	Mr Hofmann-Reist
<i>Bolivarian Republic of Venezuela:</i>	Mr Flores Torres

#### *Employer members*

Mr Combuechen  
Mr Fabre-Roustand de Navacelle  
Ms Nixon Gardiner  
Mr Noel  
Mr Patil

#### *Worker members*

Ms Dhamayanti  
Ms Holdcroft  
Mr Mongeon  
Mr Steiert  
Mr Skyte

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## **Presentation of the report and general discussion**

### ***Presentation of the report***

4. The report prepared for the Meeting by the Office was introduced by the Executive-Secretary. He emphasized that the report concentrated on the manufacture of electronic components for the information technology (IT) industries and their assembly, not on software development. Currently, brand-name companies, also known as Original Equipment Manufacturers (OEMs), concentrated on inventing and marketing new products. Their manufacture and assembly was largely in the hands of contract manufacturers, also known as providers of Electronic Manufacturing Systems (EMS). Increasingly, design was also outsourced to Original Design Manufacturers (ODMs). Further down the value chain were second- and third-tier suppliers. Although there had been significant employment declines in the United States and Japan, these two countries still remained large employers in the sector. The country with the most rapid growth in terms of employment and exports was China, but other noteworthy examples included: Brazil, France, India, Italy, the Republic of Korea, Mexico, the Philippines, the Russian Federation and Thailand. Five countries had over 400,000 employed in the sector. Countries participated in globalization in a number of ways: receiving foreign direct investment (FDI), exporting products, migration (out-migration, return migration), education and overseas remittances. Some countries had been more successful than others in attracting FDI. The Information Technology Agreement (ITA) of the World Trade Organization (WTO) was signed in 1996 in Singapore. Because of Most Favoured Nation (MFN) treatment, there were “zero” tariffs on IT products. However, did the elimination of tariffs necessarily lead to increased trade, lower prices and increased employment? The report provided information on training needs and skills acquisition. Nevertheless, formal education and training could only go so far at present. Companies and workers had to invest in lifelong learning. Examples were given of wider community efforts by companies, and their cooperation with local school systems (best practice). The social and labour issues confronting the sector involved: employment security; restructuring; employment contracts; temporary workers; freedom of association and collective bargaining; safety and health; and wages and hours of work. The industry had responded by adopting the Electronic Industry Code of Conduct (EICC). However, there were questions about the content, implementation and monitoring of this and other initiatives, such as the Global e-Sustainability Initiative (GeSI).

### ***General discussion***

5. The Worker spokesperson welcomed the ILO’s initiative in organizing this Meeting on the IT sector, which had emerged as a key industry affecting many aspects of our everyday life. The IT sector had been very innovative, for example in the automotive and cellphone sectors. The sector had affected manufacturing processes, creating outsourcing potential and facilitating the emergence of contract manufacturers. This, however, has resulted in negative consequences for workers, who often had to fight against precarious and poor employment conditions against the background of anti-union policies. These developments were also detrimental to progress in environmental policies. He strongly felt that globalization was a product of decisions made by men and women, and it was important that workers’ voices were also heard in the evolution of the sector. They should not be passive recipients of change, but active participants in innovation to benefit from the development of the industry. He wished that the Meeting’s discussions would be relevant not only at the international and national levels, but also at the plant level. Workers should be very much involved in topics such as transparent supply chains and lifelong learning to ensure the sustainability of the workforce, their skills, the population and the planet and to improve the situation in the industry. The Workers were ready to enter into constructive social dialogue in the Meeting.

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6. The Employer spokesperson stressed the rapid changes the sector was undergoing in innovation and effectiveness; she thought that many issues had to be understood in the context of the IT industry's evolution. The sector had to maintain high skill levels among workers, while protecting its intellectual property. Since the sector was transforming rapidly, data from only two to three years ago were no longer valid. In fact, labour costs represented only a small portion of the industry's expenditure. While it was essential to consider issues such as the safety and health of workers, the industry also needed to operate flexibly in order to respond to rapid changes in demand. As part of IT employers' concerns regarding social issues resulting from the evolution of the sector, she underlined the voluntary initiatives to which the Employers were committed, such as the GeSI and the EICC, in addition to corporate social responsibility (CSR). The EICC had established a common set of standards in line with international trade treaties, under which auditing and compliance monitoring were conducted regularly to aim at continuous improvement. Member companies were also involved in joint monitoring and action for capacity building, because the standards were not sustainable unless they were integrated in each company's standards. During the Meeting she hoped to focus on some of these achievements resulting from the collaboration among industry competitors, as well as with NGOs. She also wished to explore what the ILO could do to further these initiatives to improve the working and living conditions of workers in the sector.
  7. The representative of the Government of Egypt stated that, contrary to what had been reported, the workforce in the IT sector was not very large, as it represented only between 1 and 3 per cent of the working population in his country. He recognized, however, that the impact of the IT sector was significant and that it was growing fast. Although it represented 5 per cent of GDP, it represented 20–25 per cent of GDP growth. The IT sector, particularly in the assembly subsector, found it easy to recruit workers, as it required only medium-level skilled workers (though programmers required advanced qualifications). This was why the industry was able to relocate to developing countries, in which governments facilitated multinationals' entry and operation, upholding the employers' right to "hire and fire", in addition to providing tax breaks and other attractive conditions. He felt, however, that the ILO could add its value in this area by developing international standards and certificates to facilitate FDI while simultaneously protecting workers.
  8. The representative of the Government of the Philippines thanked the ILO for making this Meeting possible which, in his view, would enhance common understanding of issues among social partners. He hoped the discussions in the Meeting would result in higher productivity.
  9. The representative of the Global e-Sustainability Initiative, an industry initiative created six years ago, emphasized the importance of sustainability and CSR issues in companies in the IT industry's supply chain. He noted that although each company developed its own code, GeSI, in collaboration with the EICC, brought many global companies with different perspectives together aiming to improve condition of work in the companies' supply chains. GeSI and the EICC group of companies developed tools based on ILO standards to achieve this. GeSI and the EICC would be holding meetings in Geneva with NGOs and other stakeholders to inform them about present developments and to seek their inputs, directly after this ILO Meeting.

Question 1 – Review of recent developments in the  
IT industries and the role of social dialogue

10. The Employer spokesperson stated that her group agreed absolutely on the importance of the role of social dialogue. They had demonstrated their positive position in this respect on many occasions, in which their representatives around the world – such as the GeSI and EICC – had been constructively engaging in social dialogue activities. There was a need,

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however, to define social dialogue in a way that would reflect the realities in the sector regarding stakeholders. The ILO's definition of social dialogue – which includes “all types of information exchange, consultation, negotiation and collective bargaining between representatives of governments, employers and workers – and between the social partners themselves – on all issues of common interest” – did not cover certain stakeholders specific for the IT sector, such as suppliers, customers and shareholders. Many employers – and also more specifically the EICC and GeSI initiatives – were very active in social dialogue, had responded to calls for dialogue and had never refused any invitation in this respect. However, if there had been cases in which not all interested parties had been invited to participate in certain social dialogue processes, this was because the employers did not know such parties. If more parties ought to be involved, the employers would be very open and inclusive. Over the past three years, employers had participated in several meetings and other activities involving social dialogue around the world. They would take every opportunity that might be offered to meet and engage in social dialogue with workers' representatives.

11. She noted that some employers (individuals and companies) had made constructive comments on the CAFOD, OEKO, SOMO and SACOM reports <sup>1</sup> and met several workers' representatives in different countries on this matter. If some stakeholders still thought that they had not been involved in these consultations, they should make that clear. Many employers had also investigated certain allegations that were made by the workers' representatives. The 41 members of GeSI and the EICC and many other companies might have different policies and codes, but most were over 95 per cent similar and specifically 26 companies adhered to the EICC code. The critical issue was implementation. She stressed the fact that small and medium-sized enterprises (SMEs) did not have the resources to develop the tools and to participate in events such as ILO meetings. In this case, many of the larger companies should support capacity-building processes. She considered that employers should retain the freedom to take strategic decisions to manage their own enterprises. The rate of change was extremely rapid in the IT sector, thus there were daily challenges to continuously educate all parties. The Employers invited the ILO and others to promote schemes that would constantly build management competences and workers' skills for tomorrow's jobs. A noteworthy project to develop a capacity-building strategy for China's electronic supply chains and corporate social responsibility involved the Foreign Investment Advisory Service (FIAS), the World Bank/IFC, Shenzhen Electronic Association, the Shenzhen municipal government in China, the EICC, GeSI, Business for Social Responsibility and others. Capacity-building strategies should be developed through social dialogue that would take into consideration cultural differences and other dissimilarities among countries. Notwithstanding the importance of social dialogue, she emphasized that employers did not see social dialogue as the solution to all problems, because sometimes decisions should be made by enterprises.
12. The Worker spokesperson, in commenting on the report, expressed surprise that India did not feature more prominently given the emerging importance of its electronics components manufacturing industry. Regarding social dialogue, he wished to know what the Employers meant by the term and which parties they considered should be involved in it.
13. The Employer spokesperson stipulated that her group based its view of social dialogue on the ILO definition, which included all types of interactions ranging from the exchange of information and consultations to negotiations between employers and workers. However,

<sup>1</sup> These abbreviations are respectively CAFOD – Catholic Agency for Overseas Development (London); ÖKO-Institut [Institute for Applied Ecology] (Freiburg, Germany); SOMO – Centre for Research on Multinational Corporations (Amsterdam); and SACOM – Students and Scholars against Corporate Misbehaviour (Hong Kong, China).

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this could be expanded to include other critical stakeholders such as customers, shareholders, employees, non-governmental organizations and so on.

- 14.** The Worker spokesperson supported the idea that companies ought to engage the widest range possible of stakeholders on issues of concern. He emphasized, however, that the ILO's definition of social dialogue related specifically to interaction between employers and workers directly or through their trade unions. Workers considered that talk of stakeholders in the context of social dialogue was solely aimed at diluting the role of trade unions in the process. Nevertheless, no satisfactory alternative to trade unions as representative of the interests of workers had appeared in the past 200 years. Therefore, from the Workers' perspective, social dialogue could only be understood as engagement between employers, workers and their respective organizations. He regretted the many examples in various countries of employers declining invitations to meet workers' representatives to discuss issues of mutual interest. However, as the title of the Meeting implied, the contemporary – increasingly knowledge-based – economy, of which IT industries were integral, was more dependent on human than physical assets. Change was unsustainable if its worst impacts were to be borne solely by the labour force. The sustainability of its benefits required that employers and governments engaged in social dialogue with workers and their unions. Workers hoped to see social dialogue, as defined by the ILO, recognized and practised globally; strong relationships sustained through social dialogue helped overcome differences. While welcoming the EICC, the absence of worker representation in its processes was decried. There was a need to involve the International Metalworkers' Federation (IMF) to bring workers' views into the process. Workers recognized that change was now an unavoidable fact to which unions could bring a positive contribution. The alternative was to recall the words of Martin Luther King that riots were the voice of the unheard.
- 15.** The Government representative of Egypt emphasized two functions in which governments had a role in the social dialogue process. The first related to the role of moderator and guarantor of agreements to be concluded between the social partners themselves. Secondly, given the increasing incidence of retrenchments arising from outsourcing and globalization of production processes, and weak social security systems in some countries, governments had a major role in ensuring that workers affected by these developments were adequately catered for.
- 16.** The Government representative of Spain regretted the paucity of data noted in the Office report, especially with regard to India, and wondered about the reasons for this shortcoming. He observed that the report alluded predominantly to large enterprises but was mostly silent about small subcontractor enterprises and informal economy operators. He perceived a lack of jointly agreed understanding of such concepts as social dialogue, whether it was as defined by the ILO or also encompassing civil society. Both were important, but the Meeting needed to clarify this point. The comparative advantage of the ILO was its commitment to structured and organized tripartite social dialogue. It was important to recognize the indispensable role of unions to speak on behalf of workers at both the national and global levels on issues of change at the workplace. At the end of the Franco regime, some employers in his country had questioned the appropriateness of legalizing unions. All Spanish employers now agreed that allowing unions to organize was the best choice for their companies and society at large. He urged delegates to accept the concept that, in the context of this Meeting, social dialogue referred to interactions between employers' and workers' organizations.
- 17.** The Government representative of the Philippines felt that social dialogue went beyond the traditional notion of consultations, and should include a mechanism for reaching decisions that responded effectively to the needs of workers, employers and governments. Social dialogue connoted collaboration between the social partners and stakeholders, requiring openness, transparency and seriousness of governments in providing direction. In the

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Philippines, for example, social dialogue extended to the establishment of rapid response teams to examine ways in which job losses from restructuring could be anticipated, prevented and mitigated, while also explaining why restructuring was required, to help workers understand and accept the associated changes. For social dialogue to be effective, it needed to go beyond consultations, to include action programmes for implementation by all the concerned partners to support the changes.

- 18.** An Employer observer (from the Council of European Employers of the Metal, Engineering and Technology-Based Industries – CEEMET) agreed with the Government representative of Spain that social dialogue included interaction between employers’ and workers’ organizations. The term social dialogue was vague and its processes involved different layers and partners. It was, however, impossible to sharpen its definition beyond that provided by the ILO. The Employer spokesperson’s reference to the inclusion of NGOs in social dialogue related only to the voluntary EICC process. He pointed out, however, that the Office’s background report also gave the impression that it advocated such inclusion.
- 19.** An Employer member underlined that in France, where the tradition of social dialogue was more than 120 years old, the concept was understood as referring to the interactions between employers and workers at the national and enterprise levels. Under this definition, social dialogue neither included civil society nor extended to co-management, which would, otherwise, be harking back to the USSR days. Social dialogue did not also always imply a nice partnership that resulted in agreement, but could involve a struggle between the social partners. Social dialogue brought together employer and worker representatives. Their dealings were sometimes accompanied by governments, to support enterprise and worker competitiveness, and to ensure innovation that enhances economic and social welfare. While NGOs might participate in social dialogue processes, this was not a binding requirement for employers, workers and their respective organizations.
- 20.** The Government representative of Spain stated that social dialogue could not be restricted to enterprises since, in practice, worker involvement was a necessity. Governments were also often indispensable actors, especially at the national level, for instance in the reform of pension regimes and labour regulations. While the definition of social dialogue was indeed general, it was by no means vague. It was important to ensure a structured process even if the content of dialogue could itself be general. NGOs could also have, where appropriate, a role in social dialogue processes, although as observers rather than fully fledged negotiators. Whether other stakeholders, such as clients, should also have a place at the table was a different matter.
- 21.** A Worker member from the United States quoted examples from his country to illustrate that certain employers, in particular large corporations, did not easily accept engagement in social dialogue with trade unions. It was important that governments intervened to promote social dialogue, if necessary through legislation. Trade unions were often overwhelmed by the sheer strength of large corporations that engaged in union busting and refused to recognize bona fide unions. Many union officials lost their jobs because of their activities. He mentioned that legislation such as the Employee Free Choice Act was being passed by the United States, which could be vetoed by the President. He stressed the erosion of conditions of employment, with the need for both parents to work to ensure a decent standard of living. He therefore urged support for social dialogue between employers and workers.
- 22.** The Worker spokesperson hoped that this Meeting would conclude with concrete recommendations that could be taken back to the participants’ organizations. The definition and context of social dialogue should not be changed even if all stakeholders should be involved. Globalization should not result in some losers and some winners in what could become a “race to the bottom”. Hard-won improvements in conditions of

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employment should not be bargained away. He supported more social dialogue, including in multinationals and on supply chain issues. He welcomed positive engagement in global initiatives such as the EICC and GeSI by all concerned, especially the large multinational corporations. He saw a strengthened role for the ILO on the application of labour standards in the supply chain and the manufacture of electronic components. Focus should also be placed on positive examples of good practice in companies and countries.

23. The Employer spokesperson observed that the electronics sector operated efficiently within the ILO definition of social dialogue that she had quoted. She supported international initiatives such as the EICC and GeSI, but felt that they could not represent the whole of the electronics sector workforce. It was a complex sector involving diverse subsectors such as services, software development and so on. The industry was not engaged in a race to the bottom but rather a race to the top, with progress on a host of labour issues. She stressed progress on human rights and improvement of conditions of work and employment. She welcomed the opportunity to discuss relevant issues in the ILO, which she felt could further improve social dialogue and spread information on good practices.

#### Question 2 – Adherence to recognize standards throughout the supply chain

24. The Employer spokesperson remarked that in her group's previous meeting, several points had been considered to be of chief importance in relation to this question of brand-name companies or contract manufacturers ensuring adherence to recognized standards. However, the question itself was too limiting, since it did not acknowledge that there were many other players alongside brand-name companies (OEMs) and contract manufacturers (EMS providers). These included associations and initiatives as well as original design manufacturers (ODMs) that were becoming brand names. It was also important to note that, in relation to what constituted recognized standards, most codes and CSR initiatives went beyond (in some cases far beyond) the principles contained in the ILO's Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy. In many cases, principles enshrined therein were expanded and broadened (e.g. by not only eliminating child labour, but also dealing with related issues such as training of young workers). Companies needed to adhere to the law of the country in which they operated. She called upon governments to educate companies as well as to enforce the law, if necessary. Although companies often went beyond legal requirements, governments' principal role in shaping and enforcing the law was crucial. As regards the question of how adherence could be assured, different ways existed. Her group aspired to ensuring positive and constructive relationships between companies and suppliers and, to this effect, favoured measures that would facilitate and promote adherence. Other alternative means included the termination of contracts with suppliers. Companies that were considering terminations should, however, be careful not to infringe antitrust and competition laws. Thus, the main question was on how adherence could be promoted. Different processes were in place, and the GeSI and EICC initiatives demonstrated how adherence could be promoted. They represented good practice, but were not adhered to by all companies, and could thus only be provided as examples. Both initiatives recognized that education was crucial and both used supplier engagement models. In combination with contractual instruments, self-monitoring and self-assessment, these models had shown positive effects. Although self-monitoring and self-assessments were often criticized for being insufficiently reliable, companies that engaged in them started a process of continuous improvement, even if, initially, some companies were not always truthful. Practical demonstrations to suppliers on how monitoring tools needed to be used often provided companies with much-needed insights into what requirements they were expected to meet. Finally, auditing played an important role; different schemes existed, which all had advantages and disadvantages. It was, however, most important that the focus be on real and practical improvements on the factory floor. Only thus would continuous improvement be achievable. Corrective actions could be considered in case of non-compliance but, given

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the abovementioned implications, this was not always an option. Transparency was an important element – consumers needed to be able to access relevant information, so that they could form an opinion of the efforts being made and evaluate the results. Companies needed to be educated, instructed and guided, since, in her experience, manufacturers often lacked the resources and capabilities to adhere to standards. Finally, modern management techniques such as Six Sigma needed to be applied to ensure that manufacturers improved in a sustainable manner.

- 25.** The Worker spokesperson observed that his group considered that adherence to recognized standards could only be achieved by actively involving trade unions and workers' representatives. External processes such as audits and evaluation reflected a kind of tick-box mentality. They could not monitor comprehensively the everyday work in the industry, but workers' representatives were in a position to do so and that was a fundamental point. The Workers' group expressed concern about the Employers' views expressed the previous day, which avoided any reference to trade unions or workers' representatives. The Workers' group represented four out of five continents, and included very different countries, cultures, languages and approaches, but they spoke with one voice about their perception that the employers were pretending that trade unions did not exist and assuming this was a way to circumvent social dialogue. Social dialogue required involvement of workers, and it was not useful to redefine social dialogue – a key ILO principle – just to suit a debating point. The Workers' group recognized the need to address adherence to recognized standards and corporate social responsibility. International initiatives such as the EICC and GeSI were appreciated, but workers and their representatives had not been involved in their development. The Workers' group welcomed the EICC meeting to be held two days later, on 19 April 2007, where workers had been invited for the first time. The International Metalworkers' Federation, which represented the workers in the electronics industry, should be included in the EICC and GeSI initiatives. The Workers' group indicated that currently these initiatives would not meet core labour standards. Global framework agreements between employers and trade unions were on the increase, but there were none as yet in the electronics industry. The textile, clothing and footwear industry had several international framework agreements. There would be significant kudos attached to being the first to conclude a framework agreement in this sector, as this enterprise would earn important recognition.
- 26.** He stressed the ILO's responsibility for fundamental rights and principles at work, and its role in promoting social justice and internationally recognized human and labour rights. The ILO was in the best position to assist in adherence to these recognized labour standards. A commitment was made to dialogue, and the Workers' group believed that this could best be done via the ILO's Multinational Enterprises Programme. The Workers' group wished to re-emphasize the importance of safety, health and working conditions. If shortcomings in adherence to recognized standards were identified, the Workers' group wished that simply removing that company from the supply chain should be the last resort. The first option should rather be to try to change and improve the enterprise's approach to safety, health and working conditions. Workers and their representatives had significant contributions to make here.
- 27.** He argued that a key issue to be addressed was the need for more transparency in supply chains. The Workers' group understood that there was some resistance on that point, but there was good practice to be found in the textiles industry and other sectors, which could encourage more transparency in electronics industry supply chains. The Workers' group requested that the ILO enhance their development of programmes at country level and not confine their initiatives to international levels. There was the example of the Better Factories Cambodia programme, and this kind of practice should be developed and extended. Referring to the Employers' statement that developments in the industry should follow national legislation, the workers believed that this was necessary but insufficient, because some international standards set higher levels than national legislation, and should

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be adhered to by electronics industry employers. He considered that people should be judged on their deeds rather than their words. He noted that China was the country with the largest employment numbers in the electronics industry, as the ILO report had pointed out, but the situation in China was not encouraging. The Chinese Government had proposed a basic labour contract law, but strong attempts had been made to weaken that law. In this context, a divergence in approach between the American and European chambers of commerce could be observed. The European Chamber of Commerce had clarified its position in declaring its conviction that working conditions should be improved, and it supported the Chinese Government's approach. The United States Chamber of Commerce, in contrast, wanted to suggest changes to the planned law that would represent cutbacks in fundamental ILO rights. The Workers' group asked the Employers which approach they would prefer.

28. The Worker spokesperson concluded by addressing occupational safety and health and environmental issues, noting that workers' organizations received many reports of poor health and safety conditions in the processing industries. They believed that the ILO should increase its efforts to strengthen existing safety and health principles and standards. This should include improved training for labour inspectors to encourage better coverage of occupational safety and health and environmental issues in workplaces. Viable lessons had been learnt from Mexico in this regard.
29. The representative of the Government of Egypt warned that labour standards from other industrial sectors could not be transferred to the information and communications technologies (ICT) industry. The skills needed in hardware and software production were highly specialized and not suited to child labour. On the question of pay discrimination against women workers, the latter were almost exclusively employed on the assembly line where their dexterity and accuracy were highly prized, whereas engineers were employed in other processes. Since workers on the assembly line were always paid less than engineers, no case of pay discrimination could be maintained, because different occupational categories corresponded to different pay scales. While chemical hazards in the industry were a reality in the past, such hazards had since been largely eliminated. Governments were therefore focusing more on positive aspects such as vocational training and continuing education.
30. The representative of the Government of Spain declared that while respecting the views of the representative of the Government of Egypt concerning the gender division of labour, which meant that women predominated on the assembly line, such views were antiquated and the debate needed to be defined more carefully. The main issue was the respect of labour standards. Spain, for its part, supported international labour standards, adherence to which required democratic governance nurtured by social dialogue and the authority invested in democratic parliaments. He added that international labour standards must not be confused with worker standards. While labour standards were meant to protect the worker from an employer who may commit abuses, cases occurred where workers did not observe rules, as in the case of not wearing personal protective equipment. In such cases, the responsibility for worker protection lay with the employer. The distinction, however, was that applying international labour standards protected one set of workers as against another and curtailed social dumping. Trade unions had an important role to play – they could denounce lack of compliance with international labour standards. Similarly, one employer could file a complaint against another. Therefore, depending on national legislation, governments could apportion some latitude for the application of international labour standards to trade unions and NGOs, but the Private Employment Agencies Convention, 1997 (No. 181) called for the enforcement of labour inspection. International labour standards, if properly adhered to and applied, protected both workers and employers. He underlined the need to define “industrial relations”. The Employers had not supported the Employment Relationship Recommendation, 2006 (No. 198), adopted by the 95th Session of the International Labour Conference, which provided guidelines for such

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definition. An investor in a foreign country needed to know the laws governing liability. In Spain, for instance, family enterprises were not covered by national legislation governing industrial relations.

- 31.** The adviser to the representative of the Government of Switzerland questioned the suggestion by a previous speaker that a division of labour in the electronics industry along gender lines was natural, and raised the issue of a certain perception of women workers as submissive, as willing to take lower wages, not only in China but also worldwide. She asked the Employer spokesperson about her visits to sites in China, which had apparently shown the difficulties of applying international labour standards owing to time pressures in the enterprise.
- 32.** The representative of the Government of the Philippines stressed the importance of governments' responsibility for defining and promulgating national standards consistent with international labour standards. At the same time, each country needed to pinpoint national and sectoral peculiarities to ensure that enforcement of national labour standards could be facilitated. He considered that governments should advocate better understanding of the need for labour education for both workers and employers if labour standards were to be enforced. Governments should urge the social partners to be more involved in monitoring compliance with standards. Compliance, in turn, meant better industry competitiveness and growth of the sector, creating a conducive environment for job creation and dispute settlement, as well as availability of qualified employees.
- 33.** The Employer spokesperson responded to the representative of the Government of the Philippines that, while recognizing that international labour standards were conducive to better safety and health, and to a better working environment, and while they recognized their degree of responsibility, they were the only partner taking up that challenge. With 500,000 businesses in China and only 200 labour inspectors, the entire onus for applying standards fell on the employers. She therefore called on the ILO to consider different approaches and act as an enforcing agent. Her group acknowledged that it was important to respect the rule of law as well as the cultural, social and geopolitical challenges in countries where companies did business. Thus, the Employers would welcome a model based on appropriate training and ways to ensure effective enforcement of standards. Many complex factors characterized the industry, such as the predominance of female workers on the assembly line in the ICT industry and other work processes involving servers and welding. Male workers seemed to prefer the construction and automobile industries. In assessing and monitoring the application of labour standards in their businesses, the employers ensured the absence of any discriminatory practices with regard to gender diversity as required by ILO standards. With regard to the question from the Government of Switzerland on third party monitoring and participating in a joint audit, the Employers were sensitive to the time pressures and the realities businesses faced with regard to ordering and procurement. The employers worked hard to ensure that their expectations with regard to their suppliers were reasonable. They offered scope for their suppliers to respond in the negative with regard to ability to deliver on the terms prescribed. At the same time, since employers had to operate in a highly competitive environment, they worked with their suppliers to prove a business case. Excessive overtime and low pay meant high industry turnover, which meant high costs for all, but training benefited all. Her own company had set up a management system based on the philosophy of a safer factory and better worker–management relations.
- 34.** She formally disagreed with the Workers' statement made concerning "workers' representatives", declaring that with regard to adherence to standards, the employers would retain the responsibility to run companies and protect shareholders' investments. They had decided to attend this meeting expecting social dialogue, but found themselves engaged in debate. She denied that workers' representatives had been excluded from the EICC code and GeSI activities. These provided for dissemination of information at all levels of

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management decision-making. The statements that had been made by the Worker spokesperson did not reflect her company's and EICC and GeSI efforts to include workers' representatives in their decision-making processes. On the contrary, her company had gone even further than any other in the sector in that regard.

- 35.** The Employer spokesperson added that they did not acknowledge the IMF as the ultimate interlocutor for workers. For their part, the employers did strive to meet core labour standards laid down in the EICC code and by the GeSI companies. Many mechanisms were in place to ensure adherence to standards. The employers recognized many entities and organizational frameworks, which provided for safer factories and environments for investment creation. Her company, in the first tier alone, did business with 300,000 workers in their supply chain. Speaking for the group, she added that the employers did not adopt a "cut and run" approach in dealing with their suppliers. They were concerned about workers who could be affected by such an approach. They encouraged self-assessment, placed high value on continuous training, and gave their suppliers the benefit of the doubt. The Employers held an open door for any agreeable solutions to problems posed in the sector. They strove to abide by anti-trust and anti-competitive laws. However, while transparency was their key objective, the ICT industry was different from other sectors, which meant that exposing an entire supply base would be a strategic error. If exposure became a legal necessity, the industry would be prepared to move in that direction. In Cambodia, where there had been positive developments, the Government had not entirely supported them. The employers tried to learn from best practices and to involve governments in proactive ways, so that they were judged on actions rather than words. As for the question of Chinese labour law, the ILO was not the proper forum to deal with such issues. The speaker had conducted in-depth research on the topic and such a question should be discussed in detail. What was essential, initially, was strengthening labour standards. Enforcement was a second step. Reverting to her role as group spokesperson, she believed the EICC code and GeSI member companies' codes were more far-reaching than any other industry code. On training, it was necessary to acknowledge that challenges continued but the industry continued to work towards greater improvements in this area. In conclusion, the Employers' group was opposed to the statement made by the Workers' group.
- 36.** The Secretary-General of the Meeting made two clarifications. The first was that the Meeting and the ongoing debate were representative of social dialogue. More concretely, the Better Factories Cambodia programme was progressing and, in its implementation, the ILO was pleased to report that it retained the active support of the Government, with which it continued to dialogue on the subject.
- 37.** The Worker spokesperson underlined his group's interest in putting the debate on a positive footing. The issue was how to ensure adherence to recognized standards in the supply chain. He noted that labour standards were not for the benefit of workers alone, but also aimed at creating a level playing field to protect good employers from being undercut by bad ones. It was thus in the interests both of good employers and of trade unions to have standards that encourage a race to the top rather than to the bottom. His group was surprised and disappointed by the Employers' very defensive response and their reluctance to accept trade unions in the EICC process. He recalled that trade unions had come into existence more than 100 years ago, to give workers an independent voice rather than have their interests mediated by either employers or governments. Furthermore, the reason for collective bargaining was to provide a mechanism where divergent views could be reconciled. While welcoming the ideas behind the EICC and GeSI initiatives, workers wished to see them retain the best possible standards, which could only be assured through their involvement through their unions. He regretted the comments from the Employers and hoped that the debate and dialogue over the coming day and a half would encourage the employers to reconsider. If employers rejected a role for the IMF as the independent voice to represent workers' interest in the sector at the international level, then who would

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they consider to be more qualified to fulfil that role? With regard to the statement that the wording in the EICC code was almost identical to the formulation in the relevant ILO standards, workers did not consider “almost identical” to be good enough. The EICC code, for example, made no mention of promoting the right to freedom of association or to collective bargaining, both of which were fundamental ILO standards. These shortcomings were exactly the reason why trade unions wished to be involved in the development of the code, to ensure it was not just a piece of paper. Unless it addressed fundamental worker concerns, they would be forced to shout from outside. The Workers’ group agreed with the Employer’s group that the electronics industry differed from other sectors in many aspects. However, there were also many shared characteristics; supply chains were not unique to the sector and many of the issues under discussion occurred in other sectors. Since many of those sectors had developed responses to such problems, it was possible to learn from them, adapting the solutions to the electronics industry, as appropriate. Like employers, workers wanted their companies to establish long-term relationships with their suppliers. Enduring relationships facilitated debate, brought dialogue forward and encouraged the convergence of views.

- 38.** A Worker member, commenting on the self-monitoring provision in the EICC code, noted that without representation in the process, workers had no independent voice in this area. He wondered how there could be an objective assessment in such a situation.
- 39.** The Employer spokesperson stated that self-assessment was but one of about 20 tools used, and it was important not to examine it in isolation from the others. Her group did not claim that this represented a panacea. They believed, however, that it helped move the industry forward towards continuous learning and provided a good basis for dialogue, as undertaking the assessment exercise was often the first time a factory become familiar with the details of the code. She reiterated their preference for the term “worker representatives”; this formulation was the one used by the ILO in many documents.
- 40.** The Secretary-General of the Meeting wished to clarify with regard to the last point made by the Employer spokesperson. Within the ILO, with its fundamental tripartite identity, trade unions were indeed considered to be the workers’ representatives in enterprises.

### Question 3 – Lifelong learning and best practice to remain competitive

- 41.** The Employer spokesperson believed that workers had a shared and sometimes sole but strong responsibility for lifelong learning. In some cases, the decision for training was a co-decision between workers and employers. The sector was rapidly and constantly changing in techniques, required competencies and management skills. The industry was also moving to different economies. Vocational training was therefore important for the sector, and lifelong learning was extremely attractive. It was important to train for competencies rather than skills. Training should be readily accessible, while appropriate learning environments and mechanisms should be created. When there was change in the business or the economy, it was essential to be upfront with the workers. Worker representatives had a role in educating workers to help them to remain competitive. Governments, together with employers and workers, had responsibility to cooperate on training policy and implementation. Workers needed help in understanding change and in thinking differently on their changing roles. Best practices should be shared. Governments had a critical role to play in long-term issues such as the education system, skills training and the use of the taxation system to encourage training.
- 42.** An Employer member from Canada explained how, in his country, the Government encouraged workers to invest in long-term training. Tax advantages were given to workers who spent their own money on their training, and this had proved to be effective.

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43. The Employer spokesperson also quoted Mexico as allowing tax exemptions for training expenses. She saw the role of employers as a comprehensive one, including educating workers on the complexities of the industrial and business environment. Employers did not have direct control over all aspects of change. Governments were to ensure the rule of law on these issues. Both governments and employers should accept responsibility to fund or co-fund programmes to encourage workers to recognize and accept changes. She saw voluntary initiatives as being more successful. Employers backed the concept of lifelong learning, and would seek support and partners in encouraging the process.
  44. The Worker spokesperson remarked that lifelong learning and skills development should be regarded as an investment and not a cost; it was about training the workforce for future competition. In doing that, the trade unions sought to work with good employers and ensure that bad employers did not undercut the good ones. He quoted the ILO Director-General's definition of "decent work", ILO reports on human resources development and particularly Paragraphs 6.1 and 6.2 of the Human Resources Development Recommendation, 2004 (No. 195), which established responsibilities for education and training within the concept of lifelong learning. Governments had the responsibility for education, which included lifelong learning, from childhood to old age. However, he had difficulty seeing how lifelong learning could be compatible with short-term or temporary employment. Workers in those circumstances would not be able to see the advantages of long-term investment in learning and training.
  45. A Worker member from Singapore provided information on a tripartite project in his country where trade unions, employers and the Government cooperated to ensure that workers in a semi-conductor manufacturing company faced with restructuring would not lose their jobs. About 300 workers, of whom 25 per cent were mature workers, were involved in this project. The skills gap was mapped jointly by the trade unions and the employers. The training programme involved English literacy, technical familiarization and hands-on training. Understanding the need for change and the changing environment was critical in this project. It was a win-win situation, which more than offset the reskilling costs.
  46. A Worker member from Tunisia explained that, owing to the scarcity of training institutions in his country, workers usually left the country to attend training. However, since these workers were usually on fixed-term contracts, they would no longer hold a work contract upon their return. This would unfortunately result in many workers trying to stay in the countries in which they had trained, because they could not find employment in their country of origin. These serious repercussions of short-term contracts on workers' lives needed to be recognized and addressed.
  47. The Worker spokesperson added that this example demonstrated the complicated links between lifelong learning and insecure employment relationships. Returning to Recommendation No. 195, he pointed out that Paragraph 5(f) in particular was important to his group. Strengthened social dialogue and collective bargaining on international, national, regional, local, sectoral and enterprise levels was, indeed, a basic principle for systems development, programme relevance, quality and cost-effectiveness. His group welcomed the opportunity to join forces with companies to work on these issues, and reminded the Meeting that lifelong learning had implications much wider than employment issues; in fact, it concerned women and men in society as a whole. The link between poverty and lack of education was evident and needed to be reflected in education policies.
  48. The representative of the Government of the Philippines observed that remaining competitive was a challenging task, which should not only be addressed by governments. They should lead, however, in orchestrating strategies in partnership with workers and employers. The availability of quality workers required the industry's input in relation to its needs. Skills development policies, national curricula and training opportunities needed

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to be developed, to ensure that companies could employ workers with the necessary competencies. In addition to these governmental programmes, States also needed to consider supporting private training programmes. Most importantly, however, a job-matching system should be established that would ensure that workers could be matched with appropriate jobs. To assist companies in making investment decisions, a skills map was necessary; an additional boost could be given by governmental career advocacy campaigns. As an overarching strategy, governments should attempt to reduce red tape and create incentives for workers and employers to keep them competitive. Employers needed to hold enterprise training programmes to supplement state-run programmes, in cases where shortfalls existed. However, it was important to voice their requirements, so that national policies could be defined in accordance with them. Lastly, trade unions had an important role in giving advice to their members and helping them to understand issues of competitiveness, business, and changes in work and employment patterns.

49. The representative of the Government of Algeria stressed that lifelong training was extremely important, in particular in sectors that were subject to rapid changes. A partnership between his Government and IT companies had allowed academies to be set up that allowed workers to obtain sophisticated and targeted training on new technologies. Since the programme had proved to be very beneficial, he was hoping that other enterprises not yet involved, would also join.
50. The representative of the Government of Egypt summarized the discussion in the Government group meeting earlier that day. Governments had agreed that training was of great value. It was important particularly in the context of attracting foreign investment. In this context, governments would welcome the ILO playing a role in assisting in the creation of a system of certification and of training programmes, in cooperation with international organizations and multinational companies. When making investment decisions, multinational companies attached great importance to ensuring that enough certified quality workers would be available. Interesting standards included Microsoft certifications as well as the International Computer Driving Licence. India had been very successful in attracting high-tech employment, and had the highest number of certified workers. One example of workers in great demand were technical engineers, who would assist in quality control for hardware components; their existence was a requirement to allow production jobs to be created. If the ILO were to work on certification programmes, multinational enterprises that were interested in outsourcing would benefit, as would countries that would like to receive their business.
51. The Employer spokesperson explained that the Employers' group had discussed the Human Resources Development Recommendation, 2004 (No. 195), in their group meeting. They acknowledged that it was a very well-articulated and conceived instrument, which addressed a majority of issues and responsibilities. However, in relation to Paragraph 5(f), wider dialogue was required. The Employers' position on Recommendation No. 195 was summed up in the record of recent discussions in the Governing Body in March 2007 (paragraphs 83 and 84 of GB.298/11), in which the Employers' group had very clearly explained how important the concept of "flexicurity" was in this regard, and had demonstrated positive examples of ICT companies. Another important document that merited being given attention was the WEM-EMF<sup>2</sup> Ad-Hoc Working Group's report *Skills shortages in the metal industry* (January 2003). In particular, Chapter III.2 on "Motivation – For training, lifelong learning ..." was highly relevant to the discussion. Finally,

<sup>2</sup> WEM was the acronym of the former Western European Metal Trades Employers' Organization. It was renamed the Council of European Employers of the Metal, Engineering and Technology-Based Industries (CEEMET) in 2004. EMF is the European Metalworkers' Federation. The document is available at <http://www.ceemet.eu/positiondocs/FINAL%20DOCUMENT%20.doc>.

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experiences from Mexico should be considered. After a very successful period of growth of the Mexican IT industry, the relocation of IT production to Asian countries faced the country with a considerable challenge, which it addressed by retraining workers for the services industries. Now that the industry was moving back to Mexico (due to time-to-market issues), reskilling was once again under way.

- 52.** An Employer member from Mexico added that the national policy had targeted specific sectors, in order to respond most effectively to the situation encountered. It had focused on the specific challenges in each sector, fostered cooperation between workers, employers and academia on a sectoral level, and was thus able to achieve good results. The rapid changes in the industry, which had been characterized by vertical supply channels, was now addressed within a network. In order to control this network, which was far more complex and difficult to control, sector-specific training was crucial. In particular the involvement of the workers in this respect had made this programme succeed.
- 53.** The Employer spokesperson indicated that companies also continued to require assistance in relation to health and safety training. While training was often provided, it had been difficult to achieve sustainable results. Awareness was often a problem, in particular in relation to the use of personal protective equipment (PPE). In order to better motivate workers, trade unions could be of great help in advocating the use of PPE. In relation to the statement by the Government of Egypt, she agreed that training was of primordial importance and that governments and trade unions had a role to play. The IT sector was dynamic and had created a large number of jobs in countries such as Viet Nam within very little time. Especially in relation to social monitoring, there was an apparent lack of trained and certified employees that could take up these tasks. It was in this context that the ILO could play a constructive role to facilitate certification and qualification so that a bigger pool of social monitors could be created.
- 54.** The Worker spokesperson suggested that the lack of adequate use of PPE in certain companies could stem from the fact that trade unions had not been sufficiently involved in their selection. In cases where PPE was not well accepted within the workforce, it was often true that the equipment was unsuitable or did not fit all workers. These problems could only be avoided if workers were involved in these decisions, so that the right equipment would be chosen. As to Paragraph 5(f) of Recommendation No. 195, he considered that the instrument provided a very comprehensive approach to a crucial issue, and thanked the ILO for including the topic in the Meeting's agenda.
- 55.** An Employer member from France stressed that lifelong learning was a fundamental issue for workers and businesses. It was a shared responsibility and required shared investment: employers would usually pay for training costs, whereas workers would contribute some of their own free time. In many cases, however, workers were neither willing to wear PPE, nor to participate in training. It was therefore important to create incentives. One way of making training more attractive had shown very positive results in France – workers had been given the chance to obtain certification that would be branch- and job-specific, but whose value would not be limited to a single company. Skills thus certified allowed workers to have portable qualifications, if they needed to change their job to move to another enterprise.

## **Consideration and adoption of the draft conclusions by the Meeting**

- 56.** The Working Party on Conclusions submitted its draft conclusions to the Meeting at the latter's fifth sitting.

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**57.** The Meeting unanimously adopted the draft conclusions, after having agreed to a number of drafting changes.

Geneva, April 2007.

Mr S. Nakajima,  
Chairperson.

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## **Conclusions on the production of electronic components for the IT industries: Changing labour force requirements in a global economy**

The Tripartite Meeting on the Production of Electronic Components for the IT Industries: Changing Labour Force Requirements in a Global Economy,

Having met in Geneva from 16 to 18 April 2007,

Adopts this eighteenth day of April 2007 the following conclusions:

1. The information technology (IT) sector has been among the most dynamic and innovative in the globalized economy, creating millions of jobs and wealth worldwide. The rapid change experienced in the sector – due to globalization, technological and product innovation, productivity gains, price fluctuations, evolution in supply chains and skill requirements – is influencing global growth, competitiveness, investment decisions and regulatory mechanisms, employment and conditions of work in and around the IT industries.
2. The effect of change has been mixed for firms and workers, but the present background report and Meeting organized by the ILO offer opportunities to articulate solutions to problems identified by the tripartite constituents at various levels – international, national, and enterprise – through social dialogue.
3. Among issues to be carefully considered in addressing challenges for a healthy and dynamic sector capable of maintaining a high growth profile are the extent to which workers' voices are heard in the decision-making process on change, and the content and implementation of voluntary employer initiatives on industrial sustainability, codes of conduct and corporate social responsibility (CSR), taking into account that management has the final responsibility to develop and sustain the enterprise.

### **Recent developments and social dialogue**

4. Stakeholder engagement should reflect the reality of the industry, including – and as appropriate to the issue – a wide range of IT industry stakeholders and their interests – large, medium and small enterprises, their shareholders, workers' representatives,<sup>1</sup> customers and suppliers and, as appropriate, non-governmental organizations (NGOs).

<sup>1</sup> Throughout this text, when the term “workers’ representatives” is used, it refers to Article 3 of the Workers’ Representatives Convention, 1971 (No. 135), which reads as follows: “For the purpose of this Convention the term ‘workers’ representatives’ means persons who are recognized as such under national law or practice, whether they are: (a) trade union representatives, namely, representatives designated or elected by trade unions or by the members of such unions; or (b) elected representatives, namely, representatives who are freely elected by the workers of the undertaking in accordance with provisions of national laws or regulations or of collective agreements and whose functions do not include activities which are recognized as the exclusive prerogative of trade unions in the country concerned.”

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5. The tripartite constituents re-emphasize the importance of and their commitment to social dialogue as defined by the ILO.<sup>2</sup> Social dialogue exists in a climate where the core principles of freedom of association and collective bargaining as set out in the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-Up, 1998 are fully respected. The core aspect of social dialogue, especially on terms and conditions of employment, rests on negotiation between employers' and workers' representatives.
  6. Timeliness, industrial competitiveness, sustainable and continued employment and employability, and timing should be considered, among other issues, in the social dialogue process. The social partners are encouraged to share best practices and lessons learned, in order to strengthen social dialogue.
  7. Capacity building for meaningful social dialogue is crucial. Governments, employers' and workers' organizations and the Office all have a role to play in building capacity among their constituents and through tripartite or bipartite mechanisms
  8. Governments have particular roles to play in the social dialogue process, notably to help establish legal and/or institutional frameworks for social dialogue, act as moderator and/or guarantor of agreements concluded between the social partners, and assist in the provision of compensatory training and welfare adjustments for enterprises and workers affected by change.

### **Adherence to recognized standards throughout supply chains**

9. Long-term relationships between customers and suppliers are challenging in a fast-paced and highly competitive IT industry. In order to embark on long-term relationships, it is paramount that suppliers can rely on a productive and motivated workforce. Therefore, companies are interested in retaining such a workforce and benefiting from the resulting improvements to competitiveness, as are workers who strive to benefit from long-term employment relationships and good working conditions.
10. The Meeting considers that due to the global nature of the industry, the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy<sup>3</sup> and the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-Up, 1998, as well as the instruments that underpin them, are particularly relevant for the sector. Respect for these instruments can help to create an environment that will foster the Decent Work Agenda, in conjunction with the ILO programme to provide companies with expert advice on the realization of international standards. Governments have a specific role to play in translating ratified international instruments into national law. National laws are the

<sup>2</sup> The ILO broadly defines social dialogue to include all forms of information exchange, consultation, negotiation and collective bargaining between representatives of governments, employers and workers, and between the social partners themselves, on all issues of common interest.

<sup>3</sup> In particular, paragraph 20 of the Declaration is relevant. It reads: "To promote employment in developing countries, in the context of an expanding world economy, multinational enterprises, wherever practicable, should give consideration to the conclusion of contracts with national enterprises for the manufacture of parts and equipment, to the use of local raw materials and to the progressive promotion of the local processing of raw materials. Such arrangements should not be used by multinational enterprises to avoid the responsibilities embodied in the principles of this Declaration."

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legal basis for working conditions as well as regulations and collective bargaining agreements, where applicable. Without prejudice to the obligation of governments to ensure compliance with Conventions they have ratified, in countries in which the fundamental ILO core Conventions are not complied with, all parties should refer to them for guidance in their social policy.

11. In addition, the Meeting recognizes the importance of occupational safety and health standards and the need for them to be implemented to mitigate risks and create safe workplaces, throughout the sector.
12. The enforcement of the law is the exclusive responsibility of the government. However, due to the globalized nature of the industry, in connection with the fact that legal systems differ in the degree they offer protection for workers' rights, CSR voluntary activities (such as the Global e-Sustainability Initiative and the Electronic Industry Code of Conduct) as well as International Framework Agreements are examples of positive collaboration. These initiatives promote adherence to laws and regulations using contractual agreements, assessments, auditing, corrective action (which could include the termination of contracts as a last resort) and reporting mechanisms, as well as training and education. Although different points of view exist on how and to what extent workers and their representatives are currently involved in these activities, the Meeting agrees that their involvement is of primary importance.
13. The Meeting also notes the efforts made to involve stakeholders and suggests that these could be continued and expanded.
14. The Meeting notes as a very positive development current voluntary efforts being made towards transparency of supply chains.

### **Lifelong learning to remain competitive**

15. As a guiding principle, the Meeting recognizes the ILO Human Resources Development Recommendation, 2004 (No. 195), that calls on governments, employers and workers to renew their commitment to lifelong learning.<sup>4</sup> The Meeting also recognizes that long-term employment can facilitate lifelong learning.
16. Lifelong learning is a shared responsibility and each of the tripartite constituents has a different and important role to play. It should be seen as an investment, it needs to be attractive, accessible, incentives are essential and the acquired skills need to be certified. If implemented on time, it can increase employee adaptability and avoid retrenchment through redeployment, helping to maintain the competitiveness of the industry.
17. The Meeting recognizes that remaining competitive in such a rapidly changing industry is a challenging task and that it is more important to train for long-term competencies than specific skills. Skills development policies and curricula and training programmes need to

<sup>4</sup> Paragraph 6 of Recommendation No. 195 was particularly relevant. "(1) Members should establish, maintain and improve a coordinated education and training system within the concept of lifelong learning, taking into account the primary responsibility of government for education and pre-employment training and for training the unemployed, as well as recognizing the role of the social partners in further training, in particular the vital role of employers in providing work experience opportunities. (2) Education and pre-employment training include compulsory basic education incorporating basic knowledge, literacy and numeracy skills and the appropriate use of information and communication technology."

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be developed. The Meeting has encouraged the participants to develop better comprehension, promote partnership and open novel avenues of cooperation.

18. Lifelong learning is also fundamental to continuously update training to deal with occupational safety and health risks and nurture a preventative safety culture.

### **Priority areas for ILO action**

19. The ILO should continue to expand its efforts in the framework of Decent Work Country Programmes to improve working conditions in the sector by making use of social dialogue and fostering respect of the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy and the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-Up, 1998.
20. The ILO should further investigate industry-specific occupational safety and health risks and continue to promote occupational health and safety standards relevant to the IT sector.
21. The Office should continue to provide technical assistance to member States in regard to labour inspection, so that they can improve their effectiveness and efficiency and make use of specific labour inspection training tools or other ILO guidance relevant to the sector.
22. The ILO should identify and promote best practices on improving working conditions, occupational safety and health as well as lifelong learning. It should encourage enterprises to share information on these issues with each other as well as with their suppliers and contractors.

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Part 2

**Other proceedings**



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## **Presentation on SECTOR's One Stop Window, the EPZ database and the SECTORSource database**

*Presenters:* Mr Bill Ratteree, Sectoral Activities Branch  
Mr Ralph Doggett, Hagen Resources International (Geneva)

### **SECTOR's One Stop Window – A portal web site**

In his presentation, Mr Ratteree reviewed the One Stop Window (OSW) of Sector. He stressed its importance for keeping constituents informed of forthcoming sectoral meetings and ongoing programmes. He indicated the drop-down menu that provides easy access to all industries, to cross-sectoral themes (violence and stress in the workplace, HIV/AIDS, export processing zones (EPZs), etc.) and to recent publications. There is also a capability of providing constituents with discussion forums should they wish to make use of them, i.e. in the context of experts preparing to adopt a code of practice at an upcoming meeting. A "What's new" section allows users to be kept informed of the latest developments related to all sectors. Most recently mentioned sectors included shipping; ports; fisheries; inland waterways; progress with ratification of the Maritime Labour Convention; seafarers' identity documents and the proposed fishing Convention; education (HIV/AIDS workplace policies, World Teachers' Day and CEART); transportation (HIV/AIDS guidelines); textiles, clothing, leather and footwear (Multi-fibre Agreement (MFA) meeting outcomes); and the schedule of sectoral meetings. The web site also exists in French and Spanish, and efforts are made to maintain updates in all three languages.

### **SECTOR database on EPZs and the InFocus Initiative on EPZs**

Mr Ratteree next presented the EPZ database on export processing zones which gathers together various ILO documents and contains up to date information on the number of zones and the levels of employment inside these zones. The EPZ database also provides links to other sites and easy reference to ILO Committee on Freedom of Association cases. The database can be accessed directly ([www.ilo.org/epz](http://www.ilo.org/epz)) or through the OSW. The database has been widely quoted as a major source of information on EPZs. It is expected that the database can contribute to the knowledge base needed to develop the ILO InFocus Initiative contained in the current programme and budget.

### **SECTORSource: A data retrieval system**

For the third presentation, Mr Ralph M. Doggett, of Hagen Resources International, presented SECTORSource. He explained that the goal of this unique database is to increase the ability of specialists to improve the quality of statistical information and the ease with which this data could be accessed. SECTOR – in response to a number of resolutions of tripartite meetings – had initiated the development of the statistical database on a pilot basis.

Mr Doggett then explained that when SECTORSource is fully operational it will be accessed through SECTOR's OSW. It will have interactive capabilities to access and display labour market and other data from a variety of sources, covering a range of data categories. The database draws information from several major primary disseminators. No

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adjustments are made, other than in the way it is organized and uniformly displayed. The uniqueness of the *SECTORSource* approach lies in its ability to retrieve data instantly from several databases (without having to visit each site individually) and to focus on individual industries in specific economic sectors in a uniform and consistent manner.

At the end of his presentation, Mr Doggett indicated that for the moment access to *SECTORSource* is reserved to a small number of users who are testing the system. It is hoped soon to convert it to an Oracle format to be accessible to ILO staff on the Intranet and to interested constituents who could be issued a password or CD-ROM.

## Discussion

The Government representative of the Philippines asked the Members of the ILO about the process of updating the database. The Office answered that each institutional source has its own update. ILO would put information on the web site after having received. The OECD database has not been updated since 2005. The most recent data go back to 2003. The EUROSTAT database is updated every year but sometimes later than foreseen. The database of UNIDO is accessible only with an annual subscription. The data of WTO and UNCTAD go back to 2004.

The Government representative of the Islamic Republic of Iran indicated that timely updates were important. He raised a concern in connection with the non-harmonization of the definitions in connection with underemployment or unemployment. He asked if efforts were made to harmonize these differences in particular when one drew the information from about six different disseminators of information. The Office answered that this question is raised each year, but that unfortunately the definition of underemployment or unemployment does not exist at the sectoral level. The ILO did not modify the information presented. All these definitions are different from one source of information to another and can be different from one country to another.

The Government representative of Algeria asked whether the Office was able to fill in any of the missing gaps in the databases. He also asked how long it would take to disseminate this information and which type of system was used to operate it. He was told that the current system functions with Microsoft as the database with Windows XP 2000 Professional. In fact web pages are in ASP which incorporates standards starting from the same computer. The periodicity and the frequency would be annual. But in each industrial sector, the periodicity can be quarterly and even semi-annual. This information was integrated in a Microsoft format.

The Government representative of Algeria asked for details relating to the update of the portal web site. The Office answered that this depends on the type of information being disseminated. A report for a meeting would normally be published two months in advance. For other information, the update can take more time.

The Government representative of the Islamic Republic of Iran indicated that they have a project to install Internet networks in the schools and all the areas of the country. The problem which he posed concerned factory inspectors when they go to collect information. The inspectors can manage to collect and to disseminate information, but with neither computers nor Internet access, it is difficult for them to make this information available. He requested technical assistance from the Office to set up and maintain a database. The Office clarified that this Meeting was not dealing with Internet servers, nor the development of software. The Office recommended that he address his request to other donors.

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The Government representative of the Philippines indicated that these were good projects and hoped that more and more people would start using the databases. He added that it was necessary for more member States to know about them. Mr Ratteree indicated that the Office appreciated the remarks and comments by the participants. He realized that Internet accessibility was not available to everyone in Africa and Asia. One of the alternatives which he proposed would be to publish the statistics, as well as information in sectoral matters on CD-ROM, which could be distributed. This would, however, require additional resources.



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## Closing speeches

The Employer spokesperson congratulated the Meeting for coming to conclude the Meeting. She expressed her profound appreciation to the ILO for organizing this important Meeting and also for its superb administrative and secretariat work. The Meeting had been a successful exercise in social dialogue. She noted that the Meeting was merely the first step of the long journey to implement the conclusions.

On behalf of the Worker spokesperson, who had left the Meeting shortly before the closing, the Worker Vice-Chairperson thanked the ILO for organizing the Meeting, which benefited the promotion of social dialogue in the IT industry. He hoped that the good relationship created with the Employers' group throughout the Meeting would continue in the future.

The representative of the Government of Switzerland thanked all participants for their spirit of solidarity, in reaching an agreement at the Meeting, despite the likelihood of reaching a consensus seeming extremely low.

The Secretary-General congratulated the Meeting for constructive outcomes. She was confident that the Meeting's conclusions would contribute to promoting good relations in the IT industry between workers, employers and the representatives of the Government. She admired the hard work of all the participants to adopt a set of conclusions which would serve as common ground for continued ILO work to promote social dialogue in the IT industry.

The Chairperson congratulated the Meeting on accomplishing its mission of deepening understanding about this complex and rapidly changing industry. He commended the efforts made with various codes of conduct and the involvement of a wide range of stakeholders. Numerous references were made with respect to the ILO Declaration on Fundamental Principles and Rights at Work, the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy and to occupational safety and health standards. Finally, the Meeting highlighted lifelong learning as being especially important in this constantly changing industry. Their efforts bore fruit by adopting a set of conclusions with which all participants should be satisfied. He would take the Meeting outcomes for adoption at the Governing Body as the first step for implementation. He declared the Meeting closed.



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**Lista de participantes**



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