

Sixth item on the agenda: A recurrent discussion on the strategic objective of social dialogue and tripartism, under the follow-up to the ILO Declaration on Social Justice for a Fair Globalization, 2008

Reports of the Recurrent Discussion Committee: Social dialogue and tripartism ¹

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¹ The resolution and conclusions submitted by the Committee for adoption by the Conference are published in *Provisional Record* No. 6A.

Summary of proceedings

1. The Recurrent Discussion Committee: Social dialogue and tripartism, established by the International Labour Conference at its first sitting on 28 May 2018, was originally composed of 170 members (71 Government members, 23 Employer members and 76 Worker members). To achieve equality of strength, each Government member entitled to vote was allotted 1,748 votes, each Employer member 5,396 votes and each Worker member 1,633 votes. The composition of the Committee was modified three times during the session and the number of votes attributed to each member adjusted accordingly.¹

2. The Committee elected its Officers as follows:

Chairperson: Mr T. Bevers (Government member, Belgium) at its first sitting

Vice-Chairpersons: Ms D. Rudelli (Employer member, France) and Mr P. Dimitrov (Worker member, Bulgaria) at its first sitting

Reporter: Ms W.K. Nxumalo-Magagula (Government member, Eswatini, formerly known as Swaziland) at its fourth sitting

3. At its fifth sitting the Committee appointed a Drafting Group to prepare and submit a draft outcome document for its review. It was composed as follows:

Government members: Mr M.M. Loum (Senegal), Ms L. Tinyani (South Africa), Mr R. Shepard (United States), Mr W. Sobers (Barbados), Ms C. Hughes (Australia), Ms I.A. Putri (Indonesia), Mr N. Salchev (Bulgaria), Ms C. Olde Olthof (Netherlands)

Employer members: Ms D. Rudelli (France), Ms R. Hornung-Draus (Germany), Mr T. Mackall (United States), Mr E.O. García Méndez (Mexico), Ms T. Cohen (South Africa), Mr T. Parkhouse (Namibia), Mr N.S. Thwala (Eswatini), Mr P.A. Pambudhi (Indonesia)

Worker members: Mr P. Dimitrov (Bulgaria), Mr C. Serroyen (Belgium), Mr. M.M. Norddahl (Iceland), Mr G. Zucotti (Argentina), Mr. K. Ross (United States), Mr E. Nadome (Kenya), Ms A. Maksimovic (Australia), Mr S. Zalmaa (Mongolia)

¹ The modifications were as follows:

- (a) 29 May: 202 members (90 Government members with 2,407 votes each, 29 Employer members with 7,470 votes each and 83 Worker members with 2,610 votes each);
- (b) 30 May: 213 members (96 Government members with 319 votes each, 29 Employer members with 1,056 votes each and 88 Worker members with 348 votes each);
- (c) 5 June: 123 members (99 Government members with 16 votes each, 8 Employer members with 198 votes each and 16 Worker members with 99 votes each).

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4. The Committee had before it Report VI, entitled *Social dialogue and tripartism*, prepared by the International Labour Office (hereinafter the Office report) for consideration under the sixth item on the agenda of the 107th Session of the International Labour Conference: “A recurrent discussion on the strategic objective of social dialogue and tripartism, under the follow-up to the ILO Declaration on Social Justice for a Fair Globalization, 2008”.
 5. The Committee held seven sittings.
 6. In his opening remarks, the Chairperson noted that social dialogue was both an objective in itself and a means to achieve the other objectives that the constituents had set for the ILO. As the ILO’s paradigm of good governance, social dialogue should be a key component not only for creating and distributing wealth but also for bearing the costs associated with economic activity in an efficient, equitable, gender-neutral and environmentally friendly way, and hence was an important complement to the 2030 Agenda for Sustainable Development (hereinafter 2030 Agenda). Historically, social dialogue had proven to be remarkably useful and resilient in helping countries navigate periods of progress and of economic uncertainty. In a period of change, social dialogue should be adjusted to current needs, global evolutions and diverse expectations and realities around the world. The objectives of the current discussion were not only to achieve consensus on a fresh mandate for the Organization but also to reach a common understanding on how the ILO’s 100 year-old mandate for social justice could be carried forward in conditions that were radically different from those in which the Organization had been founded in 1919.
 7. The Committee had before it the Office report for consideration. Three points for discussion were proposed: the challenges and the opportunities related to strengthening social dialogue; how social dialogue could become more inclusive and address current and future challenges; and how ILO action on social dialogue could be improved.
 8. The Worker Vice-Chairperson said that the best way to promote social justice and reduce inequality was through coordinated collective bargaining. Studies indicated that collective bargaining was associated with higher wages, greater security for workers and lower inequality in both industrialized and developing countries. Thus, centralized, sectoral and multi-employer collective bargaining, as well as innovative, legally binding extension mechanisms, were the most efficient and inclusive tools to promote equality and social justice. The ILO and its constituents had to put freedom of association and collective bargaining at the centre of their efforts to promote social dialogue in order to fight inequality effectively. The Centenary celebrations in 2019 required a clear and renewed political commitment to social dialogue and tripartism based on full respect for the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), and undertake a follow-up of the recommendations of the supervisory mechanisms. As the custodian of indicator 8.8.2 under the Sustainable Development Goals (SDGs), the ILO needed to deliver research and statistics on freedom of association and collective bargaining and on social dialogue to set a baseline and measure progress, and to produce a flagship report on collective bargaining, inequality and the impact of policies. The reform of the UN Development System (UN reform) and the SDGs provided an opportunity to mainstream the ILO’s labour standards, supervisory mechanism and tripartism within the United Nations system. Moreover, the ILO had to prioritize the promotion of social dialogue, tripartism, freedom of association and collective bargaining, and this had to be reflected in the budgetary allocation, which was not sufficient. Conditionality of work on ratification and effective implementation of core labour standards should also be extended to trade agreements and credit schemes of international financial institutions (IFIs) and cooperation with regional organizations. The ILO should ensure that the macroeconomic policies promoted by other institutions focused on measures for inclusive growth, full employment and decent work through formal partnerships, such as the Global Deal.

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9. In terms of specific challenges, the Worker Vice-Chairperson referred to non-standard forms of employment, where collective bargaining should be promoted and labour law applied to cover such workers. Considering that the gig economy and digitization of production and services represented a particular challenge, the Workers' group proposed to hold a tripartite meeting of experts to explore gaps in labour standards and make recommendations.
 10. Globally binding regulatory frameworks for global supply chains could ensure that all businesses respected human and labour rights throughout supply chains. The Workers' group supported the negotiations for a broader Convention covering labour rights and the respect of the principles of social dialogue and collective bargaining at the UN level and called on the Office to engage in the process.
 11. Increasing reliance on digitally mediated production and services required high levels of cybersecurity to protect systems and avoid disruption. For increasing numbers of workers, the "total surveillance workplace" was a reality, with continuous and intrusive monitoring which sometimes extended beyond the workplace into private lives, leading to overwork, stress and abuses against trade union activists. The Workers' group supported the UNI Global Union's call for the establishment of a global convention on the ethical use, development and deployment of artificial intelligence, algorithms and big data, and thus called for research and guidance by the Office in this area followed by an experts' meeting to investigate the need for and scope of possible future standard setting in the ILO to feed into the global debate on a broader convention.
 12. The Employer Vice-Chairperson said that social dialogue and tripartism were part of the DNA of the ILO and were at the core of a number of international labour standards, and a central element of ILO research, capacity-building and knowledge-sharing programmes. The focus of this Committee should be on the specific needs and circumstances of constituents in each country and should be rooted in practice, tackling issues such as the future of work and the technological revolution, the 2030 Agenda, and the UN reform. The discussions should remain rooted in reality and the conclusions should not offer an over-simplified, one-size-fits-all, top-down response, but should have a proactive purpose in shaping the ILO's future activities, which should be impactful, cost-effective, and focused on constituents' real needs and situations on the ground.
 13. The realities and state of play of social dialogue and its processes at national and regional levels were described in the Office report, but information on the impact or outcomes of social dialogue practices was missing. Social dialogue was presented mainly as an end in itself rather than a process. The Employers' group did not share the view, as was suggested in the Office report, that collective bargaining was a better form of dialogue than, for example, consultation or workplace cooperation, or that collective bargaining agreements signed at national or sectoral levels were somehow superior to those signed at company level. There was no hierarchy of social dialogue forms and company-level agreements could be useful to adapt working conditions to the specific needs of workers, and there were many concrete examples of that.
 14. Rather than promoting a specific form of social dialogue, the Office should build the capacity of social partner organizations to expand their membership, to engage in dialogue and shape social dialogue in line with their specific needs and expectations.
 15. Social dialogue, including collective bargaining, was not a panacea to avoid restructuring, and economic and social downturns. Well-functioning institutions, appropriate policies to underpin economic growth and productivity improvements and improved labour market performance had to complement all types of social dialogue.

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16. Social dialogue also included employers as a fundamental group and not only workers as implied in the Office report. The effects of social dialogue on economic performance of enterprises were not mentioned. Policy discussions tended to focus on legal and moral cases for responsible business conduct; however, the “business case” was also important but was often overlooked and misunderstood.
 17. The Employers’ group suggested that there could be value in engaging other actors such as non-governmental organizations (NGOs) on a case-by-case basis. However, there was a difference between social partners with a stake in the business and NGOs not bound by the same interests.
 18. More than 60 per cent of the world’s employed population – 2 billion people, mainly in developing countries – were in the informal economy. They lacked social protection, rights at work and decent work conditions. The question raised was how to address such a deeply rooted challenge which shaped many social problems.
 19. The flexibility of social dialogue was its strength. Social dialogue demonstrated its potential as an instrument for democratic governance and participation, a driver for economic stability, and a tool for maintaining or encouraging peaceful workplace relations. Encompassing a mix of processes and activities – from information sharing and consultations, to negotiations leading to agreements, to simply dialogue – allowed governments, employers and workers to agree on a format that suited their specific circumstances, historical context and level of development, and needs and strengths of the actors involved in it.
 20. Social dialogue should be free, independent and autonomous, and also conducted in a responsible manner.
 21. Employers had struggled to understand the medium- and long-term strategy behind the ILO’s action on social dialogue, which currently resembled a mix of unconnected and short-term outputs with less focus on impact.
 22. The Government member of the Netherlands spoke on behalf of the European Union (EU) and its Member States, and the European Free Trade Association (EFTA) country Norway, member of the European Economic Area. The Government members of the former Yugoslav Republic of Macedonia, Montenegro, Serbia, Bosnia and Herzegovina and Georgia aligned themselves with the statement. She noted that social dialogue and tripartism were embedded in the ILO through its values, structures and standards. Social dialogue was likewise embedded in the values, governance and laws of the EU and its Member States. That was reaffirmed through the New Start for Social Dialogue launched in 2015 and the European Pillar of Social Rights.
 23. Social dialogue was crucial for a well-functioning social market economy and was a significant component of EU employment and social policy-making. It was key to the promotion of social justice and for implementing all ILO standards and actions. Despite some ratifications of Conventions Nos 87 and 98 recorded since the previous recurrent discussion on social dialogue in 2013, more than 30 ILO member States had not yet ratified them. Universal ratification and implementation of the ILO fundamental Conventions and the related Protocol were essential, and the ILO should continue its efforts to support this.
 24. There were five key areas for discussion: first, the case for social dialogue and its role in promoting sustainable development, fighting inequalities and managing change; second, the importance of the ILO Declaration on Fundamental Principles and Rights at Work, 1998 (1998 Declaration) and the ratification and implementation of ILO Conventions Nos 87 and 98; third, how the actors and mechanisms of social dialogue could seize the opportunities

and respond to the challenges of a changing world of work to implement the Decent Work Agenda, contribute to the ILO Future of Work Centenary Initiative and achieve the SDGs; fourth, the topics and levels of social dialogue including the workplace and cross-border levels, the links between them and collective bargaining coverage; and fifth, the orientations and means for a future plan of action on social dialogue, including capacity building of labour administrations and workers' and employers' organizations, standards-related activities, and a stronger role for social dialogue in sustainable trade and in other contexts.

25. The Government member of Eswatini, speaking on behalf of the Africa group, noted that social dialogue and tripartism faced a number of challenges, such as the changing nature of work and employment relationships, the weakening of labour market institutions and the increase in informal employment. Yet, as the cornerstone of the ILO, social dialogue and tripartism needed to be strengthened, mainstreamed, made inclusive, adapted and kept at the centre of all its programmes and activities. The conclusions should provide relevant and practical solutions and strategies, allowing social dialogue to be adaptive and flexible to the ever-changing labour relations landscape. They should also address social dialogue at cross-border and national levels, how to strengthen it at different levels, and the importance of strengthening labour administration systems, among other issues.
26. The Government member of India noted new developments such as the technological revolution, the emergence of new forms of employment and increasing informalization which required social dialogue and tripartism to be enhanced. But the basic character of tripartism should remain intact as a tripartite-plus arrangement would run the risk of losing its focus on core labour issues. Rather, workers' and employers' organizations should be encouraged to take on board the views of civil society organizations and other actors. Bipartite social dialogue was important for productivity-related issues such as wage setting. The ILO should focus on building the capacity of the tripartite constituents. In a changing world of work, constituents needed to adapt and to enhance their presence and outreach.
27. The Government member of Australia, speaking on behalf of the Government group, said that, in the context of a changing world of work, cooperation between governments, employers and workers was more important than ever. Such tripartite cooperation should be translated into practice both during this International Labour Conference and the Governing Body deliberations. Each party should respect differences of opinion and work cooperatively together in order to reach consensus.
28. The Government member of the United States said that each country had distinct capabilities and challenges that could be addressed by an appropriate form of social dialogue. There was no one-size-fits-all model given diverse national circumstances and approaches. Nonetheless, all countries could establish some form of social dialogue, as one of several tools to help protect labour rights, increase wages and improve working conditions while also promoting productive, sustainable and profitable enterprises. She hoped for the adoption of concise conclusions providing concrete guidance on how the ILO could best use the means at its disposal to advance social dialogue, in line with its programme and budget and strategic plan.
29. The Government member of Nepal said that social dialogue was the point of departure for setting and promoting labour standards and fundamental principles and rights at work, as well as a vehicle for achieving the SDGs. Social dialogue was a democratic way of dealing with the complex social issues in the 2030 Agenda, and a means to promote ownership, participation, inclusiveness, legitimacy and social stability.
30. The Government member of Turkey noted that challenges such as growing income inequality, the changing nature of work and increasing informality challenged social dialogue; furthermore, migration, the refugee crisis and other trends were also having

profound impacts on the world of work. Under those circumstances, governments bore the responsibility of supporting social dialogue and tripartism for good governance. He appreciated the ILO Future of Work Centenary Initiative, and believed that the ILO's promotion of social dialogue at country level should adopt a multifaceted approach, given its multi-layered nature.

- 31.** The Government member of Australia recognized that the discussion represented a prime opportunity for the ILO constituents to demonstrate that social dialogue and tripartism were as relevant today as at the time of the ILO's establishment. Social dialogue was essential to the resolution of the challenges highlighted in the Office report, but many countries faced structural and political obstacles to inclusive and productive social dialogue. She hoped to learn about practical and innovative ways to build capacity and create the necessary conditions for genuine social dialogue, including addressing the under-representation of women in national social dialogue institutions. She commended the ILO Future of Work Centenary Initiative, including its national dialogue processes which underscored the value of social dialogue.
- 32.** The Government member of China said that in recent years the world of work had witnessed rapid transformations. It was therefore important to revisit social dialogue and tripartism in order to help shape the ILO's future direction. She outlined her country's experience in establishing a national tripartite mechanism to coordinate labour relations at five different levels. Her Government would continue to build harmonious labour relations and to engage in social dialogue.
- 33.** The Government member of Canada stated that fruitful social dialogue took time and should be continuous. There must be mechanisms to renew the dialogue, nurture it and keep it relevant. Flexibility should also be a central element as there was no single approach for all. Social dialogue helped the parties to better understand their respective points of view and interests, and build trust and respect to agree on the key issues or sometimes disagree. Everyone had an important role to play in social dialogue. It was based on strong and independent workers' and employers' organizations with technical capabilities and access to the information they needed to carry out their activities. Through legislation and policies, governments should create a climate in which workers' and employers' organizations could engage freely in their activities without fear of reprisal, and protect freedom of association and the right to bargain collectively.
- 34.** The Government member of Ethiopia stated that social dialogue and tripartism could bring better and more inclusive growth, and stable development at different levels, which would benefit everyone. Ethiopia had ratified ILO Conventions relevant to social dialogue, and the Labour Relations Advisory Board advised the Minister on policies and legislations pertaining to labour relations, working conditions, and safety and health of workers. Despite the efforts made, trade union density and the membership of both employers' and workers' organizations were relatively low in the last decade.
- 35.** The Government member of Colombia described her country's commitment to social dialogue and the fundamental principles and rights at work. The Permanent Commission for the Coordination of Salaries and Labour Policies had contributed to the resolution of labour conflicts at the national level and improved labour relations. The road to consensus was not an easy task but the rapprochement between the social partners and the Government was a fundamental condition for peace, trust and social transformation. Social dialogue and collectively agreed labour laws enabled sustainable enterprises, guaranteed workers' rights and contributed to the development of a thriving society. Initiatives such as the Global Deal strengthened social dialogue by bringing together different actors to strengthen cooperation and conflict resolution. ILO action should include training, campaigns, promotional activities and cooperation for development, as well as the establishment of alliances and the

exchange of best practices on social dialogue to build trust and contribute to conflict prevention.

- 36.** The Government member of Belgium noted her country’s nearly 100-year tradition of social dialogue. Times of crisis and current developments in the world of work were challenging the tools of social dialogue, yet constructive social dialogue remained key to sustainable social and economic progress. Fully representative organizations of employers and workers who freely formulated their own strategies were indispensable. Belgium supported ILO efforts to promote universal ratification of the fundamental conventions, including Conventions Nos 87 and 98, as well as other social dialogue Conventions and Recommendations. Collective bargaining, in particular at the sectoral level, achieved win–win solutions and ensured a fairer distribution of wages and social security. The role of public authorities was to develop a legal framework and a climate conducive to social dialogue and to act as a facilitator. A uniform model of social dialogue did not exist because the process must be defined by the partners themselves.
- 37.** The Government member of Sweden believed it was more important than ever to improve social dialogue in all parts of the world. The multi-stakeholder partnership “The Global Deal: Together for Decent Work and Inclusive Growth” would strengthen social dialogue as well as the employers’ organizations and trade unions. The potential of social dialogue to promote gender equality, stimulate productivity, and effectively deal with the challenges of technological change and the future of work needed more attention. The Global Deal, which currently had over 90 partners and a large interest from companies, would increase the knowledge base, provide a platform to share experiences and good practice, and increase awareness of the benefits of social dialogue. Before the launch of the Global Deal, trade unions and employers’ organizations at both the international and national levels had been consulted on the initiative.
- 38.** The Government member of the Philippines stated that his country had ratified several ILO Conventions concerning social dialogue. Tripartite industrial peace councils and regional wage boards addressed social security, national health, conciliation and mediation, and arbitration processes. That notwithstanding, there were still many challenges and opportunities related to the strengthening of social dialogue.
- 39.** The Government member of Japan described the tripartite Labour Policy Council, which discussed important issues about labour policies in Japan. Responding to the mention in the Office report of great disagreements among tripartite partners in the Council, he emphasized that Draft Bills included breakthrough content as a result of tripartite consultations, and that the Bill had been successfully submitted to the Diet. However, trade union density had declined and work should continue to maintain sound labour-management relations. Member States should ratify Convention No. 87, and the Office should collect and share good examples.
- 40.** The Government member of France stated that social dialogue was a core value of France and must be placed at the heart of the response to the current changes and challenges to achieve the 2030 Agenda. Initiatives such as the Global Deal ought to be welcomed. The Office’s plan of action should be concise and contain guidelines on the role of the ILO on cross-border social dialogue, which could be a lever of action for the Organization at the dawn of its second century. In particular, the universal ratification of Conventions Nos 87 and 98 should be promoted. Social dialogue would make a positive contribution to the achievement of the SDGs and the UN reform.
- 41.** The Government member of Senegal shared with delegates the advances made at the national level, particularly with regard to the implementation of SDG 8. Progress had been made in the areas of social dialogue and tripartism (the holding of social conferences and the

achievements of the High Council for Labour Relations), collective bargaining in the private and public sectors (the negotiation of collective agreements and the signing of agreements in the public sector), and the representativeness of trade unions (the holding of a general election and a sectoral election for representative bodies). Other social developments had taken place, including the increase of the retirement age, the improvement of pension levels and the reform of the compulsory health insurance system.

42. The representative of the International Association of Economic and Social Councils and Similar Institutions (AICESIS) stated that economic and social councils and similar institutions promoted social dialogue and analysed its current state. The AICESIS had more than 60 councils as members, with balanced territorial representativeness concerning how social dialogue institutions operated. Social dialogue had an essential role in overcoming difficulties in the labour market, which included youth unemployment, the unemployment of older people, the unemployment of people with disabilities, gender discrimination, and undeclared work. Representatives of civil society, the general economy and organized civil society existed in a large number of councils, and some now addressed environmental protection and other matters of global interest such as the digital economy. The exchange of good practices and experiences allowed for useful information on the functioning of institutions.
43. The representative of StreetNet International stated that her organization represented a highly vulnerable category of workers who faced many serious challenges. Workers in the informal economy needed to be recognized in order to enable them to negotiate collectively with counterparts such as local government authorities. Their inclusion in social dialogue was necessary to achieve inclusive and socially sustainable growth and other important aims. Innovative approaches existed in that respect. She urged the Committee members to work towards the inclusion of informal economy workers in social dialogue, and to embrace a tripartite-plus system.
44. The representative of the International Transport Workers' Federation (ITF) supported the Workers' group, emphasizing the importance of freedom of association and the right to collective bargaining. Referencing various challenges in his sector, such as the misclassification of on-demand drivers as independent contractors and the below-minimum wages of many transport network company drivers, he urged the ILO to organize a tripartite meeting to address those issues. The ITF sought to secure the representation of informal transport workers in social dialogue, with the ultimate objective of their conversion into formal economy workers. Successful examples of a transport supply chain agreement in Australia and of partnerships with the Governments of Qatar and the United Arab Emirates to protect transport workers were cited. Developments in some other countries, such as the passage of national laws and regulations restricting, among other things, transport workers' right to strike and a decrease in sectoral and national-level collective bargaining, were a source of concern to his Federation. Regarding employment status, he believed that the introduction of an intermediate category between employee and independent contractor would not ensure full labour protection, especially in the case of disguised employment relationships. Finally, he indicated that a letter of support from the ITF to the Global Deal would soon be delivered.
45. The representative of Public Services International (PSI) said that his federation regretted the unilateral pay cut applied to the staff of the organizations of the United Nations system. The ILO's workers should be able to avail themselves of fundamental trade union and workers' rights such as collective bargaining. Social dialogue concretized respect for trade union rights. ILO member States should remove all obstacles to social dialogue, and explicitly defend the right of public sector workers to bargain collectively alongside their right to organize. The low level of ratification of the Labour Relations (Public Service) Convention, 1978 (No. 151), reflected the inadequate concern by many governments for the

ability of public sector workers to engage in social dialogue. Some positive developments were mentioned, including examples of instituting social dialogue involving informal economy workers, including in the formal sector. The rights to organize and bargain collectively were necessary for genuine social dialogue to occur within tripartite and, with respect to workers in the public services, bipartite frameworks. The changing world of work required those rights to be upheld by ILO member States, to ensure greater social justice and the achievement of inclusive, sustainable development.

46. The representative of the Confederation of Latin American and Caribbean Public Workers said that tripartism and collective bargaining were important for the Ibero-American Confederation of Labour Inspectors, an organization which he also represented. In some countries, labour inspection was privatized and labour inspectors could only monitor occupational safety and health (OSH), to the benefit of enterprises. On the other hand, strong and independent labour inspectors, as called for by relevant Conventions, monitored collective agreements and protected workers' rights, underscoring the need to regularize those rights in settings where formal employment was lacking.
47. The representative of the Trade Union of Labour Inspectors of Brazil said that the Government of Brazil had recently approved labour legislation that had resulted in an increase in informality and precarious forms of employment. He requested ILO support to ensure adequate numbers of labour inspectors and to guarantee their independence.
48. The Employer Vice-Chairperson said that the process and forms of social dialogue should be defined by the social partners themselves. All forms of social dialogue were important, and dialogue at all levels from national to company should be promoted. Her group looked forward to the elaboration of a concise action plan.
49. The Worker Vice-Chairperson expressed satisfaction that the Committee had agreed to build on the conclusions of the recurrent discussion on social dialogue at the 102nd Session of the International Labour Conference (2013), and that some governments had called for the universal ratification of Conventions Nos 87 and 98. On the question of tackling informality, tripartism within the ILO should not be called into question. The issue of tripartite-plus dialogue required very careful examination; the Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204), had set out clear guidance in that respect. He reiterated that social dialogue was beneficial not only for workers but also for employers and governments.
50. The Government representative of Brazil, exercising his right of reply, said that the previous year his Government had adopted a regulation, following extensive consultation with the public prosecution service, to combat all forms of work analogous to slavery. A normative instrument enacted in January 2018 further strengthened the legal framework for combating those worst forms of labour. The Ministry of Labour was seeking authorization for a new examination for the admission of labour inspectors, in order to alleviate staff shortages. Brazil's labour legislation dated back to 1943 and needed to be updated in order to address the requirements of the economy in the twenty-first century; however, the labour rights enshrined in article 7 of the Constitution were fully preserved.

Discussion point 1

51. The Employer Vice-Chairperson began by stating that social dialogue was enabled by specific institutional and legal frameworks, which found their basis in the historical and political context in which a country had developed, as well as its economic condition. Social dialogue was hindered if trade unions and employers' organizations could not organize or represent their members, if there was a lack of an enabling environment, in situations where

dialogue was prevented or its outcomes were ignored by the Government. At the same time, social dialogue helped to prevent bigger societal issues such as conflict and social unrest, it could improve democratic governance, and it promoted resilience in times of transition and economic shock.

- 52.** The spokesperson went on to explain that peak-level tripartite dialogue was mostly undertaken within national economic and social councils or similar institutions. Those institutions were very well placed to establish or revise such policies when changes occurred or were needed, such as the tripartite pact on social policy signed in the Netherlands in 2013 and the tripartite competitiveness pact signed in Finland in 2016. Social dialogue was enabled by frameworks which were rooted in and respected the historical and political environment. Although over 80 per cent of ILO member States had national social dialogue institutions in place, their effective functioning depended on their level of preparedness, financial support, representation rate, and capacity to present and deliver concrete outcomes that reflected each national context.
- 53.** The basis of social dialogue was not only the presence of trade unions and employers' organizations but equally importantly the fact that their members had free choice to become affiliated with those organizations, in line with Article 2 of Convention No. 87. Those principles should be applied in each country. Bipartite social dialogue had proven effective in fostering information exchange and the negotiation of collective agreements on topics such as employment, health and safety, organization of work, wage and salary agreements, working conditions, pension schemes and training. Bipartite discussions without government interference also built trust and helped to develop tailored approaches to respond to concrete challenges at sectoral or enterprise level. In France, for example, the 2017 labour market reform gave workers greater opportunities to negotiate collective agreements within small and medium-sized enterprises (SMEs).
- 54.** Cross-border social dialogue occurred at the global level through intergovernmental and multilateral processes – most notably through the ILO itself. It also took place at the regional level through regional integration initiatives, bilateral and multilateral agreements, multi-stakeholder initiatives, and bilateral framework agreements between companies and global unions. Bilateral international framework agreements (IFAs) were limited to a small number of companies, the vast majority of which were headquartered in the EU.
- 55.** Regional social dialogue in the EU gave the opportunity for groups of countries to discuss topics of common interest such as youth employment and demographic change in Europe, which had led to the signature of a framework of action on youth employment (2013) and an agreement on active ageing (2017).
- 56.** No one form of social dialogue was better than another. Despite the ILO's promotion of centralized peak-level or sectoral dialogue, the research of the Organisation for Economic Co-operation and Development (OECD) on collective bargaining for good labour market performance, published in March 2018, had found that wages were higher for workers covered by firm-level bargaining than workers not covered by collective bargaining, while wages of workers covered by sector-level bargaining were similar to those of uncovered workers, on average across OECD countries, suggesting positive benefits of decentralized bargaining. Workplace cooperation helped SMEs to experience social dialogue and could help improve workplace conditions and enable non-unionized workers to access information that was relevant to them. The capacity of the parties involved in social dialogue was important in order to deliver on social and economic objectives.
- 57.** Undue government interference and unilateral government decisions posed challenges to social dialogue processes. For example, in Romania, the Government had passed a law that fundamentally changed the system of social security coverage with no prior consultation

with the social partners and, in Greece, the Government had not enabled true dialogue or favoured any in-depth exchange between social partners, during the economic crisis, on matters related to the labour market regulation, even if the situation was now improving. The business case for social dialogue was not always evident, such as in Cambodia where companies faced difficulties in entering into negotiations with up to 17 trade unions in a single plant, all of them with different requests. Other challenges included growing informality, reduced strength of social partners' representation around the world with a significant decline of trade union membership, and the tendency to promote "tripartism plus" as the future form of social dialogue without forethought for the undue representation of parties with vested interests. Broader underlying difficulties such as a country's weak economy or its outdated labour codes also tended to hamper the implementation and enforcement of new or revised labour laws or policies. For instance, in Belgium, the lack of regulation on dispute resolution affected trust among the social partners and trade unions' lack of legal personality meant that they could not be held accountable for the lack of respect for signed collective agreements.

- 58.** Practical challenges to the effective functioning of social dialogue processes included: overlapping forms of social dialogue which created duplication and confusion; and the restricted time available for social dialogue processes. Furthermore, social dialogue was not always based on evidence and relevant data, nor was representation at a sufficiently senior level to be authoritative; and social dialogue decisions in the public sector sometimes bound the private sector parties even though they had not been consulted in a representative process.
- 59.** The UN reform process did not fully appreciate the ILO tripartite structure, which could lead to important repercussions on social dialogue institutions. Similarly, the UN broadly did not understand the variety of established and legitimate business voices, including employers' organizations, with whom to engage.
- 60.** While employers were fully committed to social dialogue, they were particularly concerned about the Global Deal, which, in their view, jeopardized the very nature of social dialogue due to the lack of consultation with employers' organizations at the national and international levels and the lack of employer engagement in its development. Employers did not understand the added value of the Global Deal, which created duplication with other existing processes, notably on reporting, such as the UN Global Compact. Employers were also concerned about its undue focus on IFAs.
- 61.** Dispute prevention and resolution mechanisms were a speedy, unbureaucratic, inexpensive and confidential manner of resolving labour disputes which could provide an alternative to formal judicial proceedings. Crucial was the inclusion of social partners in the set-up and running of those mechanisms such as in Spain where the Servicio Interconfederal de Mediación y Arbitraje (SIMA) had proven highly effective.
- 62.** Challenges and opportunities related to strengthening social dialogue were not the same in all countries, sectors and situations. The conclusions of the Committee ought to be relevant to all 187 member States of the Organization. Social dialogue required the respect, promotion and realization of fundamental rights for workers and employers; adequate resources and an enabling environment to conduct social dialogue and ensure outcomes were implemented; a strengthened culture of consultation on labour policies with social partners; the independence of their organizations; increased efforts by both social partners to strengthen their representativeness and cohesiveness; and increased efforts by both to engage in constructive and responsible dialogue, looking for solutions to promote sustainable enterprises, decent work and social peace.
- 63.** The Worker Vice-Chairperson said that issues related to trust between the social partners were needed to feed the Committee discussions. Major challenges remained for workers'

access to basic rights. Focusing on solutions, the precondition for social dialogue was the existence of an enabling environment where human and labour rights were protected, starting with freedom of association and the right to collective bargaining for all workers in all sectors and types of employment, which were fundamental principles and rights at work which had to be respected by all member States, irrespective of their level of development. Governments had an obligation to foster an enabling environment for collective bargaining and social dialogue, a responsibility clearly established in international labour standards.

- 64.** Referring to what did not work, labour market reforms which had effectively weakened social dialogue mechanisms were mentioned, such as decentralized bargaining, allowing companies to deviate from collective agreements reached at higher levels, increasing representativeness thresholds, retrenching workers' social protection entitlements and coverage, and increasing inequality.
- 65.** An enabling environment for social dialogue and collective bargaining required support from a coordinated national system of labour administration. Labour market institutions remained underfunded or had faced recent budgetary cuts following pressure on public spending and could not be effective due to gaps in coverage and scope. In addition, sound industrial relations in the public sector, including the right to strike, did not only improve the working conditions of workers in the country, but also promoted quality public services. When supported by governments, tripartism could effectively work in countries with low trade union density.
- 66.** Centralized and coordinated bargaining led to higher coverage and lower wage inequality. Multi-employer collective agreements tended to apply more broadly, including to non-standard workers, temporary or agency workers, and workers in SMEs. Effective sectoral and national collective bargaining in South Africa, Malaysia, Brazil, Uruguay and Senegal were cited.
- 67.** Collective bargaining was also an important tool in improving the incomes of women, minorities and youth. Countries with higher collective bargaining coverage had narrower gender pay gaps. The ILO's *World Employment and Social Outlook – Trends 2018* found a positive association between countries with more cohesive and coordinated industrial relations and wage-bargaining institutions, and better overall labour and social indicators. Low wage growth reduced aggregate demand and had a detrimental impact on job creation, productivity and overall economic growth. Issues of productivity, economic performance, wages and work quality should be on the bargaining agenda.
- 68.** Industrial relations, including collective bargaining, contributed to absorbing shocks and preserving employment, improved firm performance and productivity gains, managing conflict for fair and stable workplaces and societies, facilitating adjustment to and recovery from an economic crisis, helping improve the design of training systems and the retention of skills, creating an enabling environment for sustainable enterprises and offsetting risks in supply chains.
- 69.** National policies could extend collective bargaining coverage for fairer wages by promoting legally binding agreements and agreements at sectoral or national level, and by promoting extension mechanisms, to cover all workers. Collective bargaining was an important response to decent work deficits of many types of non-standard forms of employment. Important examples existed where collective agreements covered temporary workers, agency workers – freelancers for example – and the extension to domestic workers in Argentina and Uruguay. This was reaffirmed by the ILO supervisory bodies which welcomed the reforms undertaken by countries such as Ireland to open collective bargaining to certain categories of self-employed workers or to facilitate the capacity of unions to bargain collectively in sectors with a high degree of non-standard forms of employment.

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70. As indicated in international labour standards, workplace cooperation should be complementary to collective bargaining, with a clear distinction between the two. Successful practices of sound industrial relations were witnessed in many developing countries and emerging economies, such as South Africa and Brazil, where social dialogue played an important role in establishing minimum wage policies.
 71. Social dialogue proved to be particularly helpful in preventing or addressing crises and generating resilience, such as in Tunisia, but also in Brazil and South Africa, where trade unions played a significant role in the transition to democracy, integration in the global economy and the strengthening of labour standards.
 72. At national level, the vast majority of countries had created tripartite social dialogue bodies, while various negotiated social pacts aimed, among other things, to enhance stability and peace, facilitate the integration of refugees in the labour market and deal with issues related to the future of work, including exploring new mechanisms such as the use of information technology and virtual communities for organizing and representing the self-employed, independent contractors and gig or platform economy workers.
 73. Initiatives of cross-border social dialogue were particularly helpful, for example, within economic integration communities in bilateral trade and investment agreements or in the framework of the global operations of multinational enterprises (MNEs).
 74. The International Bargaining Forum negotiations included both central negotiations and local negotiations which allowed for development of core principles which could then be incorporated into specific local arrangements. That unique approach to pay negotiations was the only example of international collective bargaining. The Joint Maritime Commission (JMC) was a bipartite standing body that provided advice to the Governing Body on maritime questions including standard setting for the shipping industry. Among the JMC's specific attributes was the updating of the minimum basic wage figure for able seafarers. That was the only statutory international wage-fixing mechanism.
 75. The ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (revised MNE Declaration) gave effect to the need to support dialogues involving MNEs and the representatives of the workers affected, in particular trade unions, on the application of the principles of the MNE Declaration. Among numerous voluntary initiatives, IFAs negotiated between MNEs and global union federations were the most sophisticated cross-border social dialogue tools to date. IFAs should be further promoted, strengthened and expanded in scope. Innovative practices were observed in expanding the substance of agreements, for instance, to wages and working conditions.
 76. While social dialogue needed to adapt, be flexible, agile and innovative to address the challenges of the contemporary and future world of work, the fundamental and enabling rights and principles were freedom of association and collective bargaining. An independent voice for workers and employers and negotiated agreements made social dialogue effective and binding, driving change to make globalization work for all.
 77. The Government member of the Netherlands, speaking on behalf of the EU and its Member States, as well as Georgia, Montenegro and Serbia, and the EFTA country Norway, member of the European Economic Area, stressed the importance of creating an enabling legal and institutional framework for social dialogue, supporting strong and representative social partners and promoting social dialogue at different levels, including at the workplace and cross-border levels. Collective agreements at appropriate levels and degrees of coverage were central tools to set wages, working conditions and other labour-related aspects of benefit to workers and employers. Institutionalized dialogue between social partners and governments at national level, in line with the Tripartite Consultation (International Labour

Standards) Convention, 1976 (No. 144), was key in policy-making. Capacity building for the social partners was essential and positive results of ILO social dialogue interventions were noticeable.

- 78.** Tripartite and bipartite dialogue also took place at the European level, including in European Works Councils. Transnational company agreements, including IFAs, were useful tools to promote decent work and manage change in multinational companies and global supply chains. Social partners may also play a role in resolving disputes collectively or individually. However, individual dispute resolution could not replace a right to call on the judiciary nor contravene legislation.
- 79.** The Government member of Eswatini, speaking on behalf of the Africa group, recalled that people should have a voice in decision-making processes affecting them. The complexity of global supply chains required new spaces for cross-border social dialogue. Challenges regarding social dialogue included: the focus on dispute resolution rather than dispute prevention; ineffective communication between workers and employers; low unionization rates; a lack of data on the impact of social dialogue structures; the absence of policies to facilitate collective bargaining and social dialogue in the informal economy; increasing non-standard forms of employment; employer actions against unions; proliferation of trade unions and negative competition within the labour movement; no clear criteria for determining and recognizing the most representative organization of workers and employers; and lack of representativeness or inclusiveness of minority interest groups. The priority and funding of ministries responsible for labour issues were low and many member States needed to build the capacity of all social dialogue participants.
- 80.** The Government member of Denmark stressed that social dialogue was a decisive factor for a sound and peaceful labour market and sustainable development. Denmark had strong and responsible workers' and employers' organizations that regulated wage and core working conditions. Tripartite agreements had been concluded on issues such as the labour market integration of refugees.
- 81.** The Government member of Switzerland provided examples of social dialogue at national and cantonal levels. Conciliation services were provided free of charge; collective agreements defined pay in certain sectors and provided protection from unfair competition; and the social partners monitored foreign companies to ensure compliance with working conditions and minimum wages.
- 82.** The Government member of Indonesia noted that bipartite cooperation could identify challenges in companies at an early stage. The Government supported enhancing the capacities of workers' and employers' organizations. Social dialogue could include other key actors, such as academics and professionals, and could involve the use of technology.
- 83.** The Government member of Norway noted that 30 ILO member States had not yet ratified Conventions Nos 87 and 98 and that many others had challenges in implementation. Collective bargaining had secured decent working conditions and minimized wage differences while maintaining a competitive industry. Social dialogue was also used to address other issues, such as labour market integration of refugees. Social dialogue and tripartism were a permanent process that was based on trust. States could learn from each other in order to create their own successful models.
- 84.** The Government member of Canada noted the changing nature of the world of work, including lower unionization rates and new technologies. Social dialogue had an important preventive role. At the federal level, the Government provided joint training sessions on grievances and mediation, customized workshops on team dynamics and communication, and public workshops on interest-based negotiation and labour relations.

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- 85.** The Government member of the Philippines stated that the Tripartism Act (2013) institutionalized tripartite mechanisms at the national, regional and local levels and defined criteria for determining the most representative organizations. Concerning non-standard forms of employment and the regularization of workers, the tripartite partners jointly agreed on a list of activities, set out in an Executive Order, which could be contracted out and jointly carrying out inspections of establishments, with an expected 300,000 workers to be regularized in 2018.
 - 86.** The Government member of Malaysia said that social dialogue had a key role to play in reviewing minimum wage orders in his country, including through extensive consultations led by the National Wages Consultative Technical Committee. The most recent 2016 review of the minimum wage had also been based on nationwide public consultations with industry representatives, local trade unions and NGOs.
 - 87.** The Government member of Australia stated that the challenges the country faced could not be solved by the Government alone. Hence, the social partners were formally and informally consulted on a range of issues relating to the world of work. For example, the social partners could provide submissions to matters before an independent workplace relations tribunal which in turn also consulted them about possible ways to improve its own procedures. Cross-border social dialogue had positive effects, particularly in times of crisis or responding to new challenges. Following Australia's national dialogue on the future of work, which had taken place as part of the ILO Future of Work Centenary Initiative, improvements were made, including holding an additional session of the tripartite International Labour Affairs Committee each year. The SDGs provided an excellent opportunity for tripartite action on issues of global importance, particularly Goal 8 and targeted initiatives such as the Equal Pay International Coalition and Alliance 8.7.
 - 88.** The Government member of Mexico highlighted his country's efforts to strengthen bipartite and tripartite social dialogue, including collective bargaining. Effective social dialogue as a means for social peace could be witnessed in its bipartite form at the enterprise level, through mixed committees of employers and workers established at the workplace level. Many tripartite commissions and institutions also existed, which he listed. Workplace cooperation and collective bargaining were fundamental to increase competitiveness, formalization and productivity. Social dialogue was also fundamental to successfully navigating economic, technological and labour market changes and developing strategies in response.
 - 89.** The Government member of India affirmed her country's commitment to meaningful social dialogue in line with Convention No. 144. India had a well-established mechanism for tripartite consultation at various levels – establishment, industry, sectoral and national. The biggest challenges lay in the large informal economy and in proliferating non-standard forms of employment in India, which were not included in existing social dialogue mechanisms. Those mechanisms needed to be expanded and strengthened to include informal, gig and platform economy workers and employers. The increasing importance of cross-border social dialogue was also recognized.
 - 90.** The Government member of Niger noted that his country had ratified ILO Conventions Nos 87 and 98 and that social dialogue bodies had been put in place. He discussed the significant challenges to social dialogue in the context of globalization and the internationalization of production, leading to increased inequality and social exclusion. The large informal economy and the lack of resources for labour inspectorates were other key challenges. Technical capacity building of the social dialogue actors and better access to relevant information were noted as possible solutions to produce a more effective social dialogue.

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91. The Government member of Japan noted two key challenges in his country: the declining rate of trade union affiliation and the lack of clarity on the role of worker representatives in non-unionized companies. He would welcome the sharing of other countries' experience on those matters.
 92. The Government member of Egypt noted that social dialogue was essential for taking the best possible decisions for the protection of worker and employer interests. A lack of understanding between the various parties, an absence of strong social partners, the lack of a national legal framework and political will were cited as key challenges. In 2014 and under Decree 1027, a national tripartite social dialogue council had been created. An awareness campaign on social dialogue had been launched by the Ministry of Labour in 2017 and, with the support of the social partners, was being rolled out in all provinces.
 93. The Worker Vice-Chairperson appreciated Governments' support for capacity building and representative social partners as enabling measures for efficient and effective social dialogue and collective bargaining. Briefly addressing the issue of representativeness, democracies had been under attack from different sources over recent decades. The deregulation agenda and austerity measures had weakened the bargaining power of trade unions, and their density and collective bargaining coverage were diminishing. Since the fall of the Berlin Wall, social dialogue had come to be viewed as a general notion rather than a specific tool for the fair distribution of wealth. Regarding how to respond to the proliferation of trade unions in Myanmar, the only solution would be to organize at the sectoral level and use sectoral collective bargaining. Many examples of that were available, coming not only from Europe, but also from Latin America, Africa and Asia.
 94. The Employer Vice-Chairperson underlined the differences between countries and sectors in the challenges and opportunities for social dialogue. Tackling the implementation gap between law and practice required addressing the underlying economic and social factors in a given country and focusing efforts to support growth, employment, and dynamic markets backed by strong social dialogue, which was not limited to collective bargaining.
 95. In order to respect the global diversity of social dialogue, it was important not to allow the debate to become Eurocentric. She summarized six main factors essential to strengthening social dialogue: respect of the fundamental principles and rights at work; adequate resources and an enabling environment for social dialogue and implementation of its outcomes; a strengthened culture of consultation with the social partners; independent workers' and employers' organizations with no interference by public authorities; increased efforts to strengthen representativeness of the social partners; and increased social partner capacity to engage in effective social dialogue.
 96. The Chairperson concluded the discussion by summarizing the necessary elements to strengthen social dialogue. The foundation of social dialogue was free social partners with the capacity to carry out their functions, as well as the existence of various institutions for social dialogue. Key preconditions were freedom of association, an appropriate legal framework and respect for the outcomes of social dialogue. He stated that there should be strong, well-organized, cohesive, responsible social partners, and that social dialogue should be inclusive to all types of workers and employers, which included those engaged in new sectors such as gig and platform economies. Trust among social partners and by governments was also very important, although that was an intangible issue. He also said that social dialogue was universal, but noted that different forms, both tripartite and bipartite, existed in different countries for different historical and political reasons. The precise form should be defined with social partners. Important elements in that process would be the quality of outcomes of social dialogue, the resilience, adaptability and manageability of different social dialogue systems. Regarding the levels of social dialogue, he stated that there was no agreement on the best level, but the complementarity of the different levels was recognized.

In relation to cross-border and transnational social dialogue, challenges highlighted included the difficulties of bringing social partners with different cultures of social dialogue together, and issues in the enforcement of dialogue outcomes. The ILO should strengthen the outcomes of cross-border social dialogue. In relation to dispute resolution, both individual and collective systems should be complementary to the justice system, and there should be no interference from public authorities.

Discussion point 2

97. The Worker Vice-Chairperson stated that the changes driven by technology, demography, globalization and climate change could not be used to justify the precariousness of the workforce, but rather should be addressed so as to reverse inequalities. Freedom of association and collective bargaining should be placed at the core of the ILO's future work in order to make progress through social dialogue. Pressures in global supply chains led to lower wages and unsafe conditions in supplier companies. The UN Guiding Principles on Business and Human Rights, the OECD Guidelines for Multinational Enterprises and the MNE Declaration could mitigate the negative impacts on decent work and pave the way to better regulation. Cross-border social dialogue and collective bargaining were essential to give effect to the respect and remedy framework.
98. Regarding workers in non-standard forms of employment and informal economy workers, Recommendation No. 204 provided useful guidance on developing representation mechanisms for informal workers, and the Collective Agreements Recommendation, 1951 (No. 91), on extending collective agreements to all workers. The Tripartite Meeting of Experts on Non-Standard Forms of Employment (2015) had called on the ILO to make efforts to enhance the ability of workers in non-standard forms of employment to negotiate with employers. Good examples existed of collective agreement extension mechanisms to protect unorganized and vulnerable workers and also to level the playing field for employers.
99. Collective bargaining should be centre stage in efforts to address technological transformations in the world of work that increasingly demanded negotiated outcomes and policy solutions, including for vulnerable workers in the gig and platform economies. Such workers were often excluded from the legal protections afforded to workers in employment relationships. He cited the examples of organizing gig and platform workers in the United Kingdom and other positive experiences in Australia, United States, Switzerland, Argentina, Brazil, Colombia, Indonesia and South Africa. Trade unions in Europe had addressed the organization of on-demand and platform workers, and were developing strategies to establish sectoral bargaining mechanisms. The California Supreme Court had introduced a presumption of an employment relationship, placing the burden of proof for the contrary on the company. There was a need for more research on how collective bargaining could ensure decent work for unorganized vulnerable workers and to map good and bad practices. He called for a meeting of experts on decent work for platform and gig economy workers.
100. Drastic changes were needed to produce real solutions to climate change. Workers were committed to participate actively in a new deal based on the just transition framework to manage the transition to a low-carbon economy.
101. Turning to demographic change, social dumping, forced labour and poor working conditions were rampant among migrant workers. Social partners must be consulted on migration policies and the ILO should engage with the Global Compacts on Migration and on Refugees to ensure full respect for the principles of social dialogue and tripartism. Population ageing was another important trend, and the policies of the IFIs and the Troika had negative impacts on workers, for instance through unilateral reforms of pension systems. The ILO should

promote tripartite consultations on labour and pension reforms and ensure that the IFIs' policies were in line with decent work.

- 102.** He noted several violations of trade union rights, observing that the representativeness of trade unions could only be discussed in the context of the “enabling” environment for union rights. The increase in non-standard forms of employment undermined the capacity of unions to organize. The ILO needed to provide assistance to member States to strengthen tripartite social dialogue institutions as effective mechanisms for discussions on social and economic issues in the world of work.
- 103.** The Employer Vice-Chairperson said that the changes that were occurring simultaneously and at an increasing pace in the world of work provided many potential opportunities but at the same time posed considerable challenges to society, with implications not only for social dialogue and the social partners, but also for the wider governance of the labour market. The pace of change directly affected the business community. As the average lifespan of a company was shrinking rapidly, businesses had to be more agile, innovative and responsive. Customers' expectations were growing and changing rapidly, and restructuring was becoming more common. Workplace flexibility, both in terms of working time and location, was the most salient characteristic of the so-called “new world of work”. The definition of the workplace had been expanded to encompass anywhere that individuals performed their duties. Skills and education were increasingly important in the context of, and should be adapted to, rapid digitization and technological change. The new world of work required modernized social protection systems. Increasingly frequently, people were changing jobs, moving from being an employee to being self-employed (or vice versa), and/or combining employment with a side business or other pursuits, such as studying or family responsibilities. All that required modernized, viable and sustainable social protection schemes with portable rights and global recognition. Appropriate safety nets were also needed to ensure a smooth job-to-job transition.
- 104.** One example of positive dialogue at national level on the changes in the world of work was afforded by South Africa, where the National Economic Development and Labour Advisory Council (NEDLAC) had hosted a national dialogue on the future of work, supported by research conducted by ILO-funded experts. Research and data were key in that area.
- 105.** Established industrial relations systems and social dialogue models were facing a number of challenges in the changing world of work. There was a major question regarding the representativeness and legitimacy of social partners. Trade union membership had decreased dramatically over the past 30 years. Employers' organizations showed more stability, but both social partners needed to reach out more effectively to potential members. They should also increase their capacity to proactively adapt their offer and priorities to the changing realities and needs of their members. The question at stake was the relevance, effectiveness, legitimacy and inclusiveness of social dialogue. The type of workers and companies that the social partners represented was also an important consideration, as was the large and, in some cases, growing situation of informality.
- 106.** Employers had serious concerns about tripartism plus. The inclusion of other actors, such as NGOs, should not be to the detriment of social dialogue. They were also concerned about moves to encourage the ILO to promote IFAs, for a number of reasons. IFAs were grounded in the European context; what worked in the EU might not work well in other regions. There were many other tools that performed the same functions as IFAs, including corporate social responsibility (CSR) policies, supplier codes of conduct, and dispute prevention and resolution systems. IFAs represented a predominantly top-down approach, with global unions seeking to conclude IFAs with global companies; they mostly operated outside of national social dialogue systems and thus did not involve national employers' and workers' organizations.

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- 107.** The changing nature of work had led to a discussion in some countries about whether people who were self-employed should be treated as employees and/or allowed to negotiate collectively. Employers did not consider the genuinely self-employed to be similar to employees in an employment relationship; as such, they were explicitly not included in the scope of application of Convention No. 98. Moreover, in many countries, the inclusion of the self-employed could lead to contradictions with competition law, in that self-employed service providers could be deemed to be creating a cartel to set prices in the market.
 - 108.** Employers' organizations were taking a number of steps to attract new members and retain existing ones, such as: stronger advocacy activities; increased visibility in the media; increased efforts to attract SMEs and/or MNEs as members; creating different types of membership with different services on offer; and providing new or better training.
 - 109.** The Government representative of the Netherlands, speaking on behalf of the EU and its Member States, and the EFTA country Norway, member of the European Economic Area, said that globalization and technological change provided opportunities and posed challenges to the level and structure of employment, had an impact on employment relations, and raised questions in areas such as social insurance and labour taxation, job quality and required skills. By promoting better working conditions, social dialogue had the potential to reduce staff turnover, foster the retention of skills, and strengthen the incentives of workers and enterprises to invest in human capital. In many countries, the social partners were involved in the identification of skills needs, the design of education and training curricula, and the design and administration of training measures.
 - 110.** Social dialogue needed to respond to new forms of work and include the growing population of persons working in non-standard forms of employment. That could include, where appropriate and consistent with individual States' customs and practices, extending the coverage of collective agreements to those groups which often fell outside the bargaining system. That was notably addressed in the European Pillar of Social Rights, proclaimed in 2017. Social dialogue could also be an effective instrument to promote gender equality. Examples included national, sectoral and company-level agreements in EU countries, as well as European social dialogue outcomes on the gender pay gap and the work–life balance.
 - 111.** There were many further examples in the EU where bipartite social dialogue had effectively addressed the challenges of economic, social and technological change and seized the related opportunities. Joint declarations on the impact of digitization had been adopted in a number of sectors; collective agreements helped to anticipate structural change and manage transitions; and a tripartite European partnership for integration had been signed in December 2017. Social dialogue was also essential in the area of social protection, in particular to address the challenge of demographic change.
 - 112.** Responding to the challenge of growing international integration, MNEs with more than 1,000 workers in the EU had the right to establish European Works Councils, while in enterprises adopting the statute of a European company or resulting from a cross-border merger, mechanisms were also established for workers' information and consultation at European level, as well as for board-level participation of employees. A growing number of transnational company agreements had also been reached, including IFAs. EU countries recognized their responsibility to promote a transformative agenda for sustainable development, including through support to social dialogue and tripartism.
 - 113.** The Government member of Eswatini, speaking on behalf of the Africa group, summarized how social dialogue could help to address the challenges of technology, demography, climate change, environmental risks and the continued globalization of production, by: ensuring that social partners realized that the new way of seeing the world of work had arrived; addressing the issue of workers' privacy; addressing the urgent need for research

and knowledge; introducing innovative entrepreneurship programmes to re-skill workers and employers in the context of emerging technologies; and reviewing labour legislations in line with the evolving world of work. Referring to global supply chains, MNEs disproportionately affected the fluid movement of labour across international borders, and they must be identified as a crucial stakeholder in order to ensure their involvement and cooperation in new forms of work. Programmes to support high-level accountability and quality service delivery, usage of IT and e-platforms, and innovative funding models would have to be promoted to increase the membership of workers' and employers' organizations. Workers in the informal sector and non-traditional social partners had to be included in social dialogue arrangements and legal frameworks enabling inclusiveness and representativeness had to be considered. Decentralization of social dialogue had to be prioritized and legislated for.

- 114.** The Government member of Iraq questioned a number of commonly used terms in the Committee, such as “inclusive” and “most representative trade unions”. It would be important to recognize that NGOs and other non-traditional social actors were gaining importance, as the prevalence of trade unions was decreasing. He asked whether the Committee would in fact not be well advised to broaden the dialogue to “include” other actors and whether the exclusion of less representative organizations ignored the rights of workers represented by such organizations. In response to the Employers' group's concern that unilateral decisions were at times taken by governments, he mentioned the case of setting the minimum wage, in which his Government played a mediating role.
- 115.** The Government member of India mentioned that her country had a large informal sector particularly in the agricultural and general rural sectors and the national set-up included an institutionalized mechanism for capacity building of unorganized workers and smaller trade unions associated with those workers. In light of the increasing role of technology in the world of work, it would be imperative to position skills and employability at the centre of social dialogue. That would be particularly important at the firm level as workers whose skills were not adjusted faced the risk of redundancy. She cautioned the ILO against any deviation from the traditional tripartite set-up. Rather than implementing tripartite plus social dialogue, workers' and employers' organizations ought to be encouraged to absorb the views of other relevant actors.
- 116.** The Government member of Niger focused on the issue of inclusion and emphasized that inclusive social dialogue was crucial for good governance. He advocated for tripartism plus, adding that the changes in societal needs affected the very mechanism of social dialogue, in particular social actors who found themselves on the fringes, such as home workers, NGOs and microbusinesses. The promotion of social dialogue with those groups of social actors would be important as their activities would be likely to grow.
- 117.** The Government member of the Philippines cited a few initiatives taken by his Government that highlighted the importance of social dialogue. The Workers' Organization Development Programme (WODP) aimed to strengthen workers' organizations, including women workers' organizations, by consolidating their capacities as independent and active partners in national development. With the aim of increasing enterprise-level inspection, trade unions and their members were empowered to conduct inspections. As of 2017, 149 social partners had been trained on labour laws and social legislation, of which 128 had been issued with the authority to inspect. In order to increase the membership of employers' and workers' organizations, a legislative measure had been filed in Congress that lowered the minimum membership requirements for registration of trade unions, granted cooperative member workers the right to self-organization and to form or join labour organizations of their choice.
- 118.** The Government member of Mexico believed that social dialogue was essential for establishing the framework for cooperation between governments, employers and workers,

as well as educational institutions, with a view to developing innovative and integrated policies responding to new paradigms and changing needs. The Secretaría del Trabajo y Previsión Social (STPS) programme had been developed to improve and update older workers' skills and implemented the strategy promoting the establishment of specialized centres to identify the skills for persons with disabilities. The programme allowed over 173,000 persons (127,000 older persons and over 47,000 persons with disabilities) to find a job between January 2016 and February 2017. It also supported the transition of workers towards the formal economy, leading to reduced informality from 60 per cent to 56.8 per cent between 2013 and 2017, the lowest figure since 2005.

- 119.** Transversal cooperation between ministries should be fostered to promote new economic activities, support workers during the transition towards new types of jobs, and ensure the quality of employment in a digital economy. Closing skills gaps was essential, such as in the area of information and communication technologies, science, engineering and mathematics, so that the online platform Programa de capacitación a distancia para trabajadores (PROCADIST) contributed to updating workers' skills, training over 100,000 workers between January 2013 and March 2017. Legal frameworks had been developed to include flexible working-hours schemes while protecting labour rights including minimum wage and OSH. The labour law reform adopted in 2012 aimed at recognizing and regulating outsourcing, temporary employment, teleworking and other flexible working arrangements to protect the workers' rights.
- 120.** The Government member of Switzerland saw the need to establish framework conditions promoting decent work and enabling the transition to a green economy. The ILO should contribute to that effort. Global warming and the consequences of consumption showed the need for coordination and solidarity between States. Various crises required the social partners to be ready to respond with specific expertise. The ILO needed to respond quickly to changes in the labour market, especially those related to new technologies, and should ensure coherence between the Green and Future of Work Initiatives.
- 121.** The Government member of Papua New Guinea highlighted the many challenges his country faced as a small Pacific island economy. Climate change and tectonic activity had severe impacts on the lives of families and workers, and there had been several recent unprecedented natural disasters. He appreciated the ILO's assistance but there was also a need for coordinated, quick responses by employers, workers and governments. Responsibility for addressing the consequences of natural disasters did not lie with one party alone, but was shared, requiring a harmonized, tripartite approach to the rescue, repatriation and rehabilitation of both expatriate and national workers. He noted the absence of strong unions to deal with MNEs in countries such as his and requested the ILO's support to strengthen national policy with respect to ensuring ethical business practice in cases of natural disaster.
- 122.** The Government member of Denmark said that societies, industries and workers had to be increasingly agile to ensure economic and social sustainability and inclusiveness in the face of technological change. The Danish Disruption Council, comprising trade unions, employers' organizations, entrepreneurs, youth, government and others, examined major themes and challenges related to the future of work, bringing different perspectives, ideas and visions together to build common solutions. She referred also to a collective agreement signed between a cleaning services digital platform (Hilfr) and the United Federation of Danish Workers, guaranteeing its workers the same rights as other workers in the Danish labour market.
- 123.** The Government member of the United States noted that the single greatest challenge was to equip tomorrow's workers with the skills needed in a world where a mastery of technology would be crucial. Developing effective skills programmes required interaction between the

tripartite partners. In the United States, dialogue between the tripartite partners at regional and local levels allowed the matching of jobs and skills, supported by rights education programmes. Social dialogue would play a crucial role in helping individuals, enterprises and countries stay competitive in the future. He emphasized that employers' and workers' organizations were free and independent institutions and that governments should not have a role in constructing or obstructing the formation of those freely associated bodies.

- 124.** The Government member of Egypt said that bipartite or multipartite social dialogue could contribute to enhanced policy frameworks to tackle technological, demographic and climate change. The Government should be an active participant in dialogue as well as provide administrative and technical support for it. Investment in tripartite social dialogue, with the full participation of employers' and workers' organizations, was everyone's concern as it led to beneficial results. The Government needed to provide support in relation to the gig economy, allowing all three constituents to review the relevant policies and strategies. A new law adopted in 2017 had allowed an increase in the participation of workers' organizations, enabling all the partners to participate equally in social dialogue.
- 125.** The Government member of the Russian Federation indicated that the role and format of tripartism at national level were especially important in finding solutions, given current changes in forms of employment, new models for business and the effects of labour migration. However, that should not undermine bipartite negotiation at sectoral and enterprise levels, which allowed for flexibility, particularly in determining wages and working conditions in accordance with sectoral specificities. Legislation was needed to resolve some challenges and the earlier the government was made aware of a problem, the better. He cited the example of temporary agency work in his country where national level tripartite consultations had led to the decision that such workers should receive a wage no less than that of other workers in the enterprise, regardless of the sector. The effectiveness of social dialogue increased with higher membership of workers' and employers' organizations. He outlined a national mechanism, established in the Ministry of Labour, to allow for appeals for the extension of negotiated sectoral collective agreements.
- 126.** The Government member of Kenya said that social dialogue was a reliable tool to tackle challenges such as widening income inequality, changes in employment relationships and reduced public expenditure. A strong labour administration system was needed, underpinning social dialogue at enterprise, sectoral and national levels. In order to implement labour legislation and respect ratified international Conventions, the Government employed 50 labour and OSH inspectors. A law to regulate the employment of Kenyan workers abroad had been adopted, focusing in particular on the operations of private recruitment agencies. Bilateral labour agreements with destination countries included provisions to protect vulnerable workers and on minimum wages. His country had registered 20 new trade unions in the past two years, covering new and emerging sectors. However, the multiplication of unions should not be encouraged, as that might be an obstacle to effective social dialogue.
- 127.** The Government member of Mali said that there was a need to take into account platform workers, and that governments had to formulate laws to address the impacts of technological change. Social policies needed to integrate new forms of employment into collective bargaining. Social partners' skills needed to be strengthened in order to increase their membership. His country had undertaken a thorough review of collective bargaining agreements since 2005 for all sectors. Negotiations at the enterprise level had led to the conclusion of collective agreements, including on wages.
- 128.** The Government member of Senegal said that recent changes in the world of work, in particular in relation to MNE operations, needed to be better regulated. To that end, his country had already carried out awareness-raising activities for over 200 national

stakeholders on the revised MNE Declaration and had appointed four national focal points. Elections on union representation had enhanced the efficiency of social dialogue frameworks and had reduced union fragmentation. Furthermore, in order to support and assist unions, subsidies were granted to the most representative union confederations; dedicated union staff were provided for public sector unions for education and training; and trade union dues were increased twofold. Making social dialogue more inclusive required the creation of forums for discussion between the most representative organizations and others in order for all concerns to be handled appropriately in social dialogue frameworks. While the Government was committed to traditional tripartism, in certain cases other civil society actors, such as associations of retired persons or of parents of school children, might be involved.

- 129.** The Employer Vice-Chairperson stressed that if the social partners did not succeed in shaping the future of work, that could mean the end of industrial relations. Reducing the digital divide, increasing access to high speed internet and IT literacy should be considered top priorities. Modern and viable social protection schemes with portable rights and global recognition and safety nets were needed to ensure a smooth job-to-job transition. Skills development and education reforms had to be adapted to labour market realities. Data collection, transparency and traceability posed serious challenges, but were also useful for safety and health monitoring purposes, simplified regulation and reduction of the informal sector.
- 130.** The Worker Vice-Chairperson shared the view presented by the EU that collective bargaining needed to include freelancers, gig workers and the self-employed, indicating that he would like to see that point covered in the outcome of the Committee. With regard to the suggestion by some governments on including new partners in social dialogue processes, traditional partners were preferred as the ILO's Constitution required it, not because there was any kind of fear. NGO voices would continue to be heard through different channels and fora, but in the ILO through the most representative employers' and workers' organizations. The Workers' group thus endorsed tripartism, but not tripartism plus.
- 131.** He noted the deep concerns in some countries regarding the lack of respect for the autonomy of social partners and collective agreements. Therefore, it was important to create an enabling environment and put in place legal frameworks to guarantee workers' and employers' right to bargain freely. Governments could nonetheless invest in capacity building of the social partners. There were cases of unacceptable interference by the IFIs in social dialogue at the national level on labour law reforms, which had encouraged the decentralization of collective bargaining in European countries. In response to the Employer Vice-Chairperson's citation from an OECD study on wages and collective bargaining, the same study had also noted that countries with coordinated bargaining outperformed those without it. Self-employed workers should not be denied their right to collective bargaining. In several countries, workers were pushed to accept self-employment or their employment status was disguised in industries such as textiles, domestic service, transport, marketing and the public sector. Bogus self-employment had led to many labour conflicts in Argentina, Chile, Mexico and the United States. A few good examples existed of countries which had guaranteed the right to collective bargaining to the self-employed. IFAs were grounded in the context of mature industrial relations. They were concluded between global unions and MNEs, and complemented by collective agreements. IFAs promoted cross-border social dialogue and decent work, through the application of core labour standards. On the contrary, codes of conduct and CSR were often shaped by outside consultants, developed unilaterally and designed primarily to mitigate companies' reputational risk.
- 132.** In summarizing point 2 of the discussion, the Chairperson noted that the world was changing at a rapid pace, and economies had to adapt to important evolutions. The future of work was creating both challenges and opportunities for the labour markets such as globalization, technological change that could lead to a digital divide, and demographic and climate

changes, and social dialogue should be used as an instrument to manage those changes. The place of work had become more complicated, which presented challenges and opportunities; he therefore cautioned against some new forms of work organization and new forms of employment, while others should be encouraged. Together with the rapid restructuring of jobs, that called for more inclusiveness and diversity.

- 133.** Social dialogue had to address a broader range of issues compared to the past, such as informality, crowd working and work migration. Social dialogue outreach had to expand to new groups of workers and employers, to be then absorbed and channelled into existing workers' and employers' organizations, and IT tools were instrumental in the process. Cross-border social dialogue was needed, albeit there was no agreement on which form of it was best suited. Social protection, social safety nets, taxation and anti-trust laws might need to be adapted, and policies on skills anticipation and management needed to be reinforced. Social partners had to play a key role in shaping those policies.
- 134.** He also referred to the issue of data collection on new forms of employment. He noted a need for complementarity in handling social dialogue at all levels and warned against changing the level of collective bargaining without adequate consultation with the social partners.

Discussion point 3

- 135.** The Worker Vice-Chairperson elaborated the workers' five top priorities. Foremost, the ILO should make a clear and renewed political commitment to social dialogue and tripartism based on full respect for Conventions Nos 87 and 98. Actions should include: an unprecedented campaign for universal ratification; a major boost in assistance to member States to overcome obstacles to ratification and effective implementation; capacity building for ILO constituents to promote the right to organize and bargain collectively; research and statistics on freedom of association and collective bargaining; the launch of indicator 8.8.2 under the SDGs; production of a flagship report on freedom of association, collective bargaining and inequality on the occasion of the ILO Centenary; and making technical cooperation in the ILO, in the UN and in partnerships with the IFIs conditional on the ratification and implementation of Conventions Nos 87 and 98. Particular attention should be paid to workers in non-standard forms of employment and in the informal economy. Decent Work Country Programmes (DWCPs) should include ratification targets on core, governance and technical Conventions and should follow-up more systematically on the recommendations of the supervisory bodies; and workers' organizations should be more involved in the design, implementation and evaluation of DWCPs and United Nations Development Assistance Frameworks (UNDAFs).
- 136.** The ILO should promote policy coherence on freedom of association, collective bargaining and social dialogue in its partnerships with other international organizations and in the UN reform process; it should also increase its efforts, including resource mobilization, around SDG target 8.8. Within the 2030 Agenda and the UN reform process, the ILO should guarantee the adequate involvement of the social partners at national level in the identification of priorities, implementation and evaluation. Clear resource commitments to support these efforts should be made within the ILO and governments should also provide resources and political support.
- 137.** The Workers' group stressed the importance of cross-border collective bargaining to give effect to the due diligence required from MNEs in the framework of the United Nations Guiding Principles on Business and Human Rights (UNGPs) and the revised MNE Declaration. In light of the upcoming expert meeting on cross-border social dialogue, it was important that the topics highlighted by the constituents shape the agenda, including

innovative practices of transnational collective bargaining, with particular attention to IFAs. Binding due diligence mechanisms at the national level should be promoted.

- 138.** The group called for two tripartite expert meetings: first, on how workers in the gig economy and platform work could access decent work through collective bargaining, and to identify possible gaps in standards; and second, on the prevention and resolution of individual and collective labour disputes and access to labour justice, focusing on practical modalities for company-level grievance mechanisms. The Office should undertake research to generate guidance on privacy and data security in the workplace, possibly to be followed by a tripartite meeting of experts.
- 139.** The Employer Vice-Chairperson mentioned a number of useful ILO activities such as: a continued focus on developing constituents' capacity for social dialogue, based on their respective needs and adapted to their realities. Within that framework, DWCPs needed to be developed in consultation with the social partners. The ILO, with the active participation of the Bureau for Employers' Activities of the ILO (ACT/EMP) and the Bureau for Workers' Activities (ACTRAV), should continue to: improve the capacities of constituents to undertake research in the field in order to find good solutions to local problems; promote a functional relationship between employers and workers at the enterprise level; and ensure early and continued involvement of the social partners in policy development thus ensuring a bottom-up approach, building a sense of ownership among local actors and encouraging mutual trust. The ILO should continue to support member States in strengthening national-level social dialogue institutions and processes for the development of social policies and labour laws. ACT/EMP and ACTRAV should be provided with the necessary resources to support constituents effectively.
- 140.** Employers welcomed the sectoral meetings organized within the ILO Sectoral Activities Programme and called for stronger engagement, including through better coordination with ACT/EMP and ACTRAV.
- 141.** The Employers' group noted the need to mainstream social dialogue across the ILO's fragmented approach to promoting social dialogue so as to coordinate efforts and use resources responsibly. ACT/EMP and ACTRAV should be involved in all social dialogue activities of the Office. Those activities should continue to receive sufficient funding from all sources including the regular budget, supplementary account and development cooperation. The Office should continue proactive advocacy among other international organizations, national cooperation agencies and multi-stakeholder initiatives so that they would engage more consistently with the social partners. It should strengthen its research, technical assistance and training on workplace cooperation, which received insufficient attention relative to other forms of social dialogue. The Office tended to favour certain processes over others, for example, distinguishing collective bargaining from social dialogue as if they were separate, and equating "decentralization" with "erosion" of collective bargaining. All forms of social dialogue were relevant, with no hierarchy among them; no preference should be given to one form over another; and there was no one-size-fits-all model. Additional research was needed on the business case for social dialogue, based on solid evidence and data, written in clear and understandable language directed to enterprises of all kinds. A cost-benefit analysis of the technical assistance offered by the Office was also needed to allow the constituents – and the wider general public – to assess its impact.
- 142.** Finally, she elaborated on several concerns. First, the Office must make a stronger case for social dialogue and tripartism with Governments in other parts of the UN system so as to ensure that the UN reform process did not result in the social partners being overlooked in future UN activities. Second, the Office's engagement and communication on the Global Deal had never been discussed properly within the ILO Governing Body and had received no formal endorsement by its constituents, raising questions about the Office's protracted

engagement in that initiative despite the employers' expressed concerns. The ILO support for the Global Deal was thus a breach of social dialogue and tripartism and the Office had no mandate to continue. Third, the increasing number of players in the multilateral arena affected policy coherence within countries and between multilateral processes. The SDGs offered an opportunity to articulate the value and impact of social dialogue. The ILO should promote the meaningful involvement of the social partners in the G20 discussions, which typically touched upon workplace-related topics. Equally, the Office should encourage G20 Governments to involve the social partners in the implementation of priorities at the national level.

143. The Government member of the Netherlands, speaking on behalf of the EU and its Member States, the former Yugoslav Republic of Macedonia, Montenegro, Serbia, Albania, Bosnia and Herzegovina, Norway and Georgia, called for strengthening knowledge of the impact of social dialogue on issues such as sustainable development, equality, competitiveness and the business case; and to improve dissemination. The ILO should also address dimensions of social dialogue which had so far been insufficiently documented, including: workplace cooperation, cross-border social dialogue, multi-stakeholder partnerships, SMEs, emerging sectors, occupations and new forms of work and the informal economy. Building effective labour dispute resolution systems was a work in progress for many ILO member States and called for social dialogue to set up effective mechanisms in order to ensure credibility and neutrality. Capacity building – for labour administrations, workers' and employers' organizations, international organizations, multinational companies, NGOs and trade and development cooperation actors, among others – was key to promoting understanding and respect for social dialogue. The International Training Centre of the ILO in Turin should continue to play an important role in that regard. The ILO should continue to promote universal ratification of Conventions Nos 87 and 98; and should integrate other relevant instruments such as Convention No. 144, and the Workers' Representatives Convention, 1971 (No. 135), in ILO activities. Social dialogue must also be part of DWCPs, development cooperation activities and other ILO activities. Efforts needed to be made to liaise with other UN agencies and international organizations to promote the role of social partners and social dialogue, particularly in view of the growing importance of UNDAFs in the UN reform and the need for coherence towards the achievement of the SDGs. Partnerships of different kinds should be fostered to widen the impact of ILO activities, including the Global Deal.

144. The Government member of Eswatini, speaking on behalf of the Africa group, appreciated that the ILO had prioritized ratification and implementation of Convention No. 144. That renewed commitment presented an opportunity for Africa and the entire ILO membership to strengthen social dialogue and tripartism in their respective member States and possibly provide a platform to entrench that important aspect of labour governance across the globe. Member States within the Africa group were at different levels of ratification and domestication of Conventions Nos 87 and 98, but it was encouraging that most were making visible strides towards strengthening social dialogue structures. The Africa group would continue to encourage member States to speed up ratification and domestication of those Conventions, as well as share experiences at both bilateral and multilateral levels through established regional blocs. The role of the ILO should include: continue to promote awareness and build capacity on social dialogue, with more events hosted in Africa through the existing regional blocs; establish labour research units in all member States in order to improve the existing database on labour market issues; assess the state of national social dialogue frameworks in each of the member States and provide appropriate technical support; build capacity of the governments and social partners on social dialogue, international labour standards and national labour law; and continue to promote ratification of Convention No. 144 and the Collective Bargaining Convention, 1981 (No. 154). The ILO should also: consider developing a specific standard that would address issues relevant to social dialogue and tripartism; develop a monitoring and evaluation system to regularly track the impact and effectiveness of social dialogue and tripartism practices in member States;

and establish a forum for regular discussion with international development agencies such as the World Trade Organization, the International Monetary Fund, the World Bank and other organizations.

- 145.** The Government member of the United States called for continued data collection and dissemination, evidence-based research and cutting-edge policy advice on social dialogue and tripartism; continued examination of social dialogue models to address skills development, the organization of work in the gig economy and the impact of technology; and continued training of labour inspectorates. The ILO should identify ways to address implementation gaps, given that effective implementation was necessary for the protection of the fundamental principles and rights at work, and the ILO supervisory bodies should play a key role in that regard. It should develop strategic partnerships and leverage those strengths in other international organizations and countries, where possible, to promote its objectives and continue active involvement in bilateral and multilateral spaces.
- 146.** The Government member of Sweden cited numerous times where her Government had consulted with employers and workers concerning the Global Deal. It was a partnership which complemented the ILO's work and required no additional reporting as partners merely committed to share good practices.
- 147.** The Government member of the Philippines thanked the ILO for the support provided to strengthening the collaboration between his Government and the social partners. While the country had faced challenges around social dialogue and tripartism, those also contributed to the strengthening of labour-management cooperation; and continued technical assistance was needed, particularly on the future of work and how to prepare for the changes to come. The ILO should reiterate its call for the universal ratification of the fundamental Conventions and provide technical assistance to ensure compliance in both law and practice; and offer programmes and projects to its tripartite partners that would provide a complete understanding of the value and importance of social dialogue and tripartism.
- 148.** The Government member of India called for continued technical assistance to ratify and implement the relevant international labour standards. The ILO should strengthen traditional tripartism, incorporating the views of other actors such as civil society. The speaker cautioned the ILO in its promotion of the UN agenda and asked to follow the Organization's mandate, using its own social dialogue and tripartism mechanisms. Cross-border social dialogue was an important mechanism in dealing with MNEs but must not undermine the sovereignty of member States. The ILO should also strengthen the capacity of trade unions to harness new technological tools and platforms to reach out to informal workers and those in non-standard forms of employment; and intensify its research on the gig and platform economies.
- 149.** The Government member of Canada called on the ILO to continue to target its resources on strengthening the capacities of developing countries in the area of social dialogue. Through the DWCPs, the ILO should continue to promote the full participation of the social partners in social dialogue and support governments in establishing appropriate legal and institutional frameworks. Steps to improve women's participation in social dialogue should continue to be an integral part of the ILO's efforts. The Organization should continue to offer training and technical expertise, especially with regard to best practices in collective bargaining and dispute resolution. It should promote coherent policies through the exchange of information, and provide governments and international institutions with guidance on how to incorporate social dialogue in their activities. The ILO should fill knowledge gaps by collecting relevant data and widely disseminating evidence-based research findings. Specific sectors and areas to be targeted included workers in precarious employment and cross-border social dialogue, the latter with a view to promoting decent work in global supply chains.

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- 150.** The Government member of Australia encouraged the Office to continue directing its resources in support of social dialogue to those member States with capacity and resourcing constraints and to improve the exchange of labour market information. Her Government looked forward to seeing how research on the impact of labour law in alleviating poverty, as well as on the legal regulation of employment relationships in selected jurisdictions, would be translated into practical, operational resources. The Office should leverage the lessons from ILO initiatives, including its flagship programmes, where the programme design had resulted in successful social dialogue outcomes. The ILO and social partners should ensure that its next action plan prioritized practical and effective measures for ensuring visibility and fair representation of women in social dialogue, at both national and international levels. The ILO should do more to promote the benefits of gender balance in tripartite bodies and increase understanding of why that issue was so critical for the ILO's Decent Work Agenda. Women must be able to participate equally from the grassroots level right through to the ILO, the highest level of social dialogue.
- 151.** The Government member of Turkey said that the social dialogue framework should be customized by taking national circumstances and local industrial relations traditions into consideration. Consultation, cooperation and support were the most important elements in the formulation, implementation and monitoring of effective, inclusive and broad-based social dialogue.
- 152.** The Government member of China said that her Government had recently amended legislation to take account of technological developments. Tripartism had underpinned the reform of labour legislation. New economic sectors were being created, with new characteristics and needs to regularize employment, on which advanced research needed to be carried out. Capacities in collective bargaining should be strengthened. With regard to cross-border social dialogue, both companies and workers needed to increase their capacity, as they shared mutual interests. In April 2017, the Ministry of Human Resources and Social Security had signed a Memorandum of Understanding with the ILO Country Office in Beijing to promote tripartism, and national officials had made study visits to learn from other countries' experience in that regard. She expressed appreciation for the support received from the ILO.
- 153.** The Government member of Mexico called for better funding of public education and training systems. Investment should be channelled into capacity-building and technical and vocational training programmes. Workers needed basic, advanced or specialized digital skills appropriate to their jobs. Social dialogue was essential to derive benefit from technological advances and to secure workers' well-being. In the digital age, agreements on working time and on protection against adverse repercussions in terms of workers' health, safety and decent wages must be part of employment contracts. Trade unions and employers were an integral part of the process of contributing to inclusive economies in the future. Institutional structures and labour policies accordingly needed to be modernized.
- 154.** The Employer Vice-Chairperson said that the Office should continue to focus on impactful capacity-building efforts for social partners, with the full involvement of ACT/EMP and ACTRAV. It should provide technical assistance and policy advice to assist in the establishment of an enabling environment for social dialogue and promote universal ratification of Conventions Nos 87, 98 and 144. The constituents should be provided with the outcomes of the 2013 action plan, and in particular the findings of research on individual labour dispute resolution systems in non-OECD countries, the guiding principles on effective handling of individual labour complaints, and the results of research on the socio-economic outcomes of different collective bargaining systems.
- 155.** With regard to standard setting, no single ILO instrument established consistent and comprehensive principles for labour dispute resolution systems. More research needed to be

done on that aspect, and it was premature to consider any developments for an ILO instrument in that area. She looked forward to the results of the review of the relevant Recommendations, which was included in the programme of work of the Standards Review Mechanism. The impact of knowledge-sharing platforms on this topic should be assessed, as should the potential for their transferability to other regions. The ITC–ILO programme on conciliation and mediation and on building effective labour dispute prevention and resolution systems should be scaled up.

- 156.** Points that the Employers’ group would like to see included in the Committee’s conclusions included: recognition that there was no one-size-fits-all model of social dialogue; provision of support for evidence-based social dialogue; recognition of the need for more research on the business case for social dialogue; and recognition of the ILO’s role in promoting social dialogue and the role of the social partners among other relevant UN institutions. Clear note should be taken of employers’ concerns about the Global Deal, and resources should not be allocated to its promotion until the social partners and ILO constituents had been fully involved and a decision taken in the ILO Governing Body. Lastly, in response to the Worker Vice-Chairperson’s statement, the Employers’ group was resolutely against any moves towards an ILO Convention on supply chains.
- 157.** The Worker Vice-Chairperson said that he was pleased to hear Government members calling for more ratification of the ILO’s core Conventions, for more resources to be channelled into capacity-building activities, and for more research to be conducted on decent work in the gig economy and on cross-border social dialogue. His group endorsed the need to provide both ACT/EMP and ACTRAV with the necessary resources, to organize more sectoral meetings and activities, and to secure more funding from all sources for the ILO’s work on social dialogue. The new commitment to social dialogue would be expressed through the campaign for universal ratification of Conventions Nos 87 and 98.
- 158.** The Chairperson concluded with a brief summary of the discussion. In the domain of, broadly speaking, knowledge generation, there were clear calls for: initiatives to promote social dialogue, make the business case for it and assess its impact; an in-depth analysis of freedom of association and collective bargaining; more expertise on the gig and platform economies, also on privacy and data security in the workplace; workplace cooperation; labour disputes; cross-border social dialogue, obviously also linked to the expert meeting that would take place the following year; and more research in the field and by ACT/EMP and ACTRAV. In the domain of promotion and support, clearly for many a priority was to promote the ratification and implementation by as many member States as possible of Conventions Nos 87 and 98, and Nos 144 and 154 were also mentioned; promotion of social dialogue at enterprise level and to better explain to enterprises what was the added value of social dialogue; and promotion of social dialogue at national level. Clear calls were made for initiatives to: enhance capacity of all the actors in the tripartite system, including governments; enhance representativeness and inclusiveness; and promote dispute resolution and access to labour justice. Bipartite support for more sectoral meetings, calls for more exchange of best practices, and the call for more attention to gender equality in social dialogue were also well noted.
- 159.** Efficiency and evaluation of actions were required so that the ILO would make a difference. Mainstreaming of social dialogue throughout all ILO actions, in particular the DWCPs, should involve the social partners. ACT/EMP and ACTRAV should be supported. Sufficient funding was needed.
- 160.** The place of social dialogue/tripartism in the UN reform in general, and in the UNDAFs in particular, was clearly a concern shared by many; and the link with the SDGs was something many people thought merited clear attention. In addition, the case for social dialogue and tripartism should be made even more strongly in the interaction between the ILO and other

international organizations. And there was also the call to support regional initiatives such as the ones in Africa – for instance the Southern African Development Community (SADC) and those in the Francophone part of the continent.

161. The Committee members shared many of the aims but differed on the means. Probably the best example of that was the Global Deal, where all seemed to share most of the aims behind that initiative but differed strongly on the governance, and it was regrettable that, despite efforts, no sufficiently strong constituency for it had been built.

Closing statements

162. The Worker Vice-Chairperson observed in his closing statement the overall agreement among Committee members on the role of social dialogue and tripartism in the process of the UN reform, in which tripartism, standards and the ILO supervisory mechanisms ought to prevail. The proposals put forward by the Workers' group were ambitious, but consistent with earlier recurrent discussions and agreed conclusions. The evaluation of the Declaration on Social Justice for a Fair Globalization, 2008, had shown that fundamental major challenges remained in the ratification and implementation of relevant Conventions. He invited all Committee members to analyse any unfulfilled promises on delivery, as member States' failure to reduce inequality would demonstrate a clear lack of political will to push the Organization to fulfil its constitutional mandate. One of the cornerstones of the Philadelphia Declaration was that labour ought not to be regarded as a commodity; however, the commodification of labour could be seen in almost any labour market. He denounced emerging business models which combined twenty-first century technology with nineteenth century labour practices. Recognizing the trend of growing inequality, his group proposed working toward a just transition framework, in which workers had a say in policies which affected them. In preparation for the ILO's Centenary, his group called for renewed political commitment and hoped that the Committee's debates based on common and solid ground would be reflected in the conclusions.

163. The Employer Vice-Chairperson stated that the Committee's discussions had provided the opportunity for all, including the Office, to better understand members' diverse realities and needs, which would allow the ILO to adapt its priorities and actions accordingly. She reiterated the position regarding the diversity of social dialogue forms and processes and rejected the notions of a hierarchy and of a one-size-fits-all model of social dialogue. She encouraged both workers' and employers' organizations alike to recognize the importance of maintaining strong, autonomous and representative social partner organizations, to reflect what was on offer to their respective constituents and to adapt accordingly. To that effect, a bottom-up approach was needed to reflect the realities of how social dialogue could be strengthened on the ground.

Discussion of the draft resolution and conclusions

164. The Chairperson introduced the paper containing the draft conclusions of the Committee, which reflected the intense deliberations of the drafting group, whose work had clearly demonstrated the commitment of all its members to tripartite social dialogue.
165. The Government member of Ireland exercised her right to reply on issues raised by the Employer and Worker Vice-Chairpersons related to the introduction of an exemption for certain categories of self-employed workers from competition legislation with regard to collective bargaining. The Competition (Amendment) Act 2017 was a targeted measure, with the concepts "false self-employed workers" and "fully dependent self-employed

workers” applying only to competition law. Only three categories of self-employed persons (freelance journalists, voice-over artists and musicians) were granted an automatic exemption, and they had been the subject of a tripartite agreement. The legislation provided that trade unions could apply for an exemption for other classes of self-employed workers, but to date no applications had been made.

166. The Chairperson informed the Committee that 35 amendments to the draft conclusions had been received.

Guiding principles and context

167. The Government member of Eswatini, speaking on behalf of the Africa group, introduced an amendment to insert the words “as a means to achieve social and economic progress,” in the second sentence of the first paragraph, after the words “Social dialogue,” and to delete the third sentence “It is a means to achieve social and economic progress”.
168. The amendment was not supported by either the Worker Vice-Chairperson or the Employer Vice-Chairperson and was rejected.
169. The Employer Vice-Chairperson introduced an amendment in the second paragraph, line 2, to insert the words “by the governments” before the words “for the autonomy”. The Worker Vice-Chairperson and the Government member of the Netherlands, speaking on behalf of the EU and its Member States, supported the amendment. The Africa group did not support the amendment, considering that governments, as equal social partners, were to be granted the same level of trust as employers and workers.
170. The amendment was adopted as proposed.
171. The Employer Vice-Chairperson withdrew an amendment to delete the word “however,” in paragraph 3, line 4.
172. The Government member of Eswatini, speaking on behalf of the Africa group, explained that the amendment proposed by his group had not been well captured. The amendment to paragraph 8, second sentence, was intended to acknowledge the challenges to social dialogue posed by the exclusion of minorities. The original amendment was therefore subamended to insert the words “and the need to accommodate minority interests and vulnerable groups” after the words “gender inequalities”. The Government member of Senegal pointed out a discrepancy in translation of another term in the same paragraph.
173. The Worker Vice-Chairperson proposed a subamendment to read “the need to accommodate the interests of vulnerable groups”. The Africa group, the Employers’ group and the EU and its Member States supported the amendment as subamended. The Employer Vice-Chairperson suggested deletion of “and” before “economic”.
174. The amendment was adopted as subamended.
175. The Employer Vice-Chairperson introduced an amendment to move footnote 2 in paragraph 8, from line 11 to line 6, after the words “in forced labour”. The Workers’ group and the Africa group supported the amendment.
176. The amendment was adopted as proposed.

Framework for action

Point 1

177. The Government member of Eswatini, speaking on behalf of the Africa group, introduced an amendment to replace “full” with “effective” before the word “implementation”. With the support of the Employers’ and the Workers’ groups, the amendment was adopted as proposed.

Point 3

178. The Government member of Canada proposed, in clause (a), to insert the words “strive to” before “ensure”, as this would reflect the reality of governments which were not always fully able to realize their aspirations due to resource limitations.
179. The Worker Vice-Chairperson recalled that the first and most important goal of the Workers’ group had been to establish a clear and renewed political commitment to social dialogue, supported by adequate resource allocations by governments and the Office. He did not support the amendment.
180. The Employer Vice-Chairperson similarly considered that the amendment weakened the conclusions and did not support it.
181. The Government member of the United States and the Africa group supported the amendment as proposed by Canada, as it reflected the difficult reality of resource constraints.
182. The amendment was rejected.
183. The Government member of Senegal, speaking on behalf of the Africa group, proposed an amendment to replace “agreed” with “achieved” before “outcomes of social dialogue” in clause (i). With no support from the Workers’ and the Employers’ groups, the amendment was withdrawn.
184. The Government member of the Netherlands, speaking on behalf of the EU and the industrialized market economy countries (IMEC), introduced an amendment to add the words “as appropriate;” at the end of clause (i), in order to reflect the fact that collective agreements should be concluded and respected, but did not involve governments.
185. The Employer Vice-Chairperson suggested a subamendment to replace “as appropriate” with “where applicable”.
186. The Worker Vice-Chairperson proposed a subamendment to retain “as appropriate”, but to insert it instead after “implemented”, as had been suggested by the Employers’ group.
187. The Government member of the Netherlands, speaking on behalf of the EU and IMEC, agreed to the subamendment, with the addition of commas “, as appropriate;”, a proposal that was also supported by the Government member of the United States and the Africa group.
188. The amendment was adopted as subamended.
189. The Employers’ group withdrew its first proposed amendment to clause (j).

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190. The Employer Vice-Chairperson proposed a subamendment to the Employers' group's second amendment to clause (j). She proposed to delete the words "mutually acceptable and voluntary" before the words "dispute prevention and resolution mechanisms".
 191. The Worker Vice-Chairperson supported the amendment as subamended by the Employers' group. The Government member of Eswatini, speaking on behalf of the Africa group, supported the subamendment.
 192. The amendment was adopted as subamended.
 193. The Employer Vice-Chairperson withdrew the third proposed amendment to clause (j).
 194. The Government member of the United States, speaking also on behalf of Australia, Canada, Japan and Switzerland, introduced an amendment to clause (k), to replace "ensure" with "support". He explained that innovative approaches could not ensure the exercise of freedom of association but could support it.
 195. The Employer Vice-Chairperson understood the concern expressed by the governments but preferred to retain the original text, which was the fruit of a long discussion. She did not support the amendment.
 196. The Worker Vice-Chairperson agreed that the text had been the result of a difficult compromise reached during the drafting group's work, and was in line with the 2013 conclusions. He did not support the amendment.
 197. The Government member of Eswatini, speaking on behalf of the Africa group, supported the amendment.
 198. The amendment was rejected as there was no majority in favour of it.
 199. The Worker Vice-Chairperson introduced an amendment to clause (k) to insert the word "those", so that the last part of the clause would read "and that those workers are able to enjoy the protection afforded to them ...". He believed that would make the meaning of the clause clearer.
 200. The Employer Vice-Chairperson, the Africa group and the EU all supported the amendment.
 201. The amendment was adopted as proposed.
 202. The Government member of the United States, speaking on behalf of IMEC, introduced an amendment to clause (k). He stated that use of the word "laws", without further qualification of the term, was ambiguous and unclear. He proposed to insert the word "applicable" before "laws" to make the meaning more specific.
 203. The Employer Vice-Chairperson and the Worker Vice-Chairperson supported the amendment, as did the Government member of the Netherlands, speaking on behalf of the EU.
 204. The Government member of Ghana proposed a subamendment to replace "applicable laws and national circumstances" with "applicable national laws and circumstances". The subamendment was not seconded and fell.
 205. The amendment was adopted as proposed.

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- 206.** The Government member of the Netherlands, speaking on behalf of the EU and its Member States, as well as a number of other member States, introduced an amendment to add the words “and non-discrimination” after “gender equality” in clause (p), in order to incorporate action against all forms of discrimination, not only that related to gender.
- 207.** The Employer Vice-Chairperson, the Worker Vice-Chairperson and the Government member of Eswatini, speaking on behalf of the Africa group, supported the amendment.
- 208.** The amendment was adopted as proposed.
- 209.** The Worker Vice-Chairperson introduced a subamendment to the amendment proposed by his group, whereby the end of clause (p) would read “... participation and engagement of women and youth in social dialogue;”.
- 210.** The Employer Vice-Chairperson and the Government members of Switzerland, of the Netherlands, speaking on behalf of the EU and its Member States, of Turkey and of the United States, all supported the subamendment.
- 211.** The amendment was adopted as subamended.
- 212.** At the proposal of the Employer Vice-Chairperson, the phrase was modified to read “... increased participation and engagement ...”.

Point 5

- 213.** The Worker Vice-Chairperson introduced an amendment in the second line of clause (a) to replace “the workers” with “according to national practice, representatives of membership-based representative organizations of workers”. That formulation was in line with Recommendation No. 204. He accordingly also proposed that the words “in line with Recommendation No. 204” be inserted at the end of the clause.
- 214.** The Employer Vice-Chairperson supported both of the amendments.
- 215.** The Government member of France suggested that the French translation be corrected.
- 216.** The amendments were adopted as proposed.
- 217.** The Worker Vice-Chairperson introduced an amendment to replace “less represented” with “less included” in clause (b).
- 218.** The Employer Vice-Chairperson supported the amendment.
- 219.** The Government member of Argentina proposed a subamendment to read “... never included and less included ...”. The subamendment was not seconded and fell.
- 220.** The Government member of Senegal suggested that the French translation of the amendment should be corrected to read “associés”.
- 221.** The amendment was adopted as proposed.
- 222.** The Government member of Turkey introduced an amendment to add a new clause after clause (h), to read “actively cooperate with national and international institutions whose agendas are relevant to social dialogue;”.

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223. The Employer Vice-Chairperson noted that those aspects were covered in other parts of the conclusions. The Worker Vice-Chairperson pointed out that cooperation with relevant partners was mentioned in both the chapeau to point 5 and in point 8.
 224. The amendment was rejected as there was no majority in favour of it.
 225. The Government member of Eswatini, speaking on behalf of the Africa group, introduced an amendment to clause (i) to insert “, migrant workers, minority interests”, after the word “women” and before “and other underrepresented groups”.
 226. The Worker Vice-Chairperson opposed the amendment, in order to preserve the focus on women, but he appreciated the sentiment and suggested placing the proposal elsewhere if appropriate.
 227. The Employer Vice-Chairperson said that the clause “other under-represented groups” was inserted specifically to avoid including a long list of individual groups and so she preferred to retain that more general formulation.
 228. The Government member of Eswatini withdrew the amendment.
 229. The Employer Vice-Chairperson introduced two related amendments, the first being to insert “The Office should” at the start of clause (l), before the word “pursue”. The existing clause (l) would be moved to become the final sentence of point 5.
 230. The second amendment proposed by the Employers’ group was to move the current clause (m) under point 5 to become a new clause (f) under point 6. Those amendments were intended to cluster together related points and to distinguish between the roles of the constituents and the Office.
 231. The Worker Vice-Chairperson supported both amendments.
 232. Both amendments were adopted as proposed.

Point 6

233. The Government member of Switzerland, speaking also on behalf of Australia, Canada, Japan, Norway and the United States, introduced an amendment to replace “yearly” with “periodic” in clause (a). The publication of a flagship report on social dialogue and tripartism on a yearly basis would be too frequent, lessening its value; it would not allow enough time to ensure high-quality data collection; and it would impose a high financial cost and administrative burden on the Office and constituents.
234. Neither the Employer Vice-Chairperson nor the Worker Vice-Chairperson supported the amendment.
235. The Government member of Canada stressed that the merit of the report itself was not being called into question, merely its frequency with the attendant resource implications. The Government member of Australia shared the same concerns regarding resource and administrative obligations. The Government member of the United States and the Government member of Turkey also supported the amendment.
236. The Worker Vice-Chairperson maintained his group’s position but sympathized with the concerns about resource implications and the need for high-quality research. He mentioned that the Governing Body should decide on budget allocations. He suggested that the first

report might be published in 2020 or even 2021, in order to be accommodated in the ILO Programme and Budget for 2020–21.

- 237.** The Employer Vice-Chairperson also maintained her opposition to the amendment.
- 238.** The amendment was rejected.
- 239.** The Employer Vice-Chairperson introduced an amendment to clause (a), suggesting to insert “the role and impact of:” after “research on”; that would allow deletion of “the role (and impact) of” in subsequent sub-clauses (i) through (iv).
- 240.** The amendment was adopted.
- 241.** The Employer Vice-Chairperson introduced an amendment to sub-clause (a)(ii) to insert “as well as the economic performance and competitiveness of business” after “economic development”. The first bullet of sub-clause (a)(iii) would thus be covered by (a)(ii) and could therefore be deleted.
- 242.** The Worker Vice-Chairperson noted that the business case had been put forward by the Employers’ group as a priority issue for them, and that he supported the Employers’ proposal. He proposed to make sub-clause (iii) into a single sentence.
- 243.** The Government member of Switzerland suggested, in sub-clause (ii), to change the wording to “the link between social dialogue and economic performance and competitiveness”.
- 244.** The Chairperson drew attention to the need for a secondment from another government as the proposal was to be considered as a subamendment.
- 245.** The Employer Vice-Chairperson proposed to insert the word “on” (before “economic performance and competitiveness of business”).
- 246.** The amendment was adopted as subamended.
- 247.** The Worker Vice-Chairperson introduced an amendment to clause (e), to delete the word “technical” before “meeting”.
- 248.** The amendment was supported by the Employers’ group.
- 249.** The Government member of the United States and the Africa group requested the Office to clarify the difference between a tripartite expert meeting and tripartite technical meeting. The representative of the Secretary-General explained that the issue would be under consideration by the Governing Body at its October–November 2018 session. However, the term “tripartite meeting” was not specific and encompassed both expert and technical meetings.
- 250.** The amendment was adopted as proposed.
- 251.** The Worker Vice-Chairperson proposed a second, linked amendment to clause (e), to insert “put on the agenda of the October–November 2019 session of the Governing Body” after “International Labour Conference”. The Employers’ group endorsed the amendment.
- 252.** The Office raised an issue of technical concern, explaining that it might not be necessary or appropriate to request the inclusion of an item on the agenda of the Governing Body, given that the Governing Body would consider an action plan, based on the conclusions of the

Committee, at its October–November 2018 session and there were defined procedures for setting the agenda of the Governing Body.

- 253.** The Chairperson, following advice from the Office, further proposed that the text should be amended to read “for the October–November 2019 session of the Governing Body to decide”, with no reference to its agenda.
- 254.** The amendment was adopted as subamended.
- 255.** The Workers’ group withdrew its third amendment to clause (e).

Point 7

- 256.** The Government member of Senegal, speaking on behalf of the Africa group, introduced an amendment to the second bullet of point 7, to replace “and 98” with “, 98 and 144”, so as to include Convention No. 144, which was the specific governance convention on social dialogue.
- 257.** The Worker Vice-Chairperson and the Employer Vice-Chairperson supported the amendment. The Government members of Canada and of the Netherlands, speaking on behalf of the EU and its Member States, also supported it.
- 258.** The amendment was adopted as proposed.
- 259.** The Employer Vice-Chairperson introduced an amendment to the third bullet under point 7, to insert the words “in close collaboration with constituents”, after “collective bargaining” and before “during the ILO Centenary”.
- 260.** The Workers’ group supported the amendment.
- 261.** The Government member of Switzerland, speaking on behalf of Australia, Japan, United States and Turkey, introduced a subamendment, to insert “in cooperation with the Committee on Freedom of Association (CFA), the Committee of Experts on the Application of Conventions and Recommendations (CEACR), and the tripartite Committee on the Application of Standards (CAS)” at the end of the third bullet under point 7, after the words “ILO Centenary”. All expertise needed to be gathered together in support of such a high-level event. While supporting the idea behind the amendment proposed by the Employers’ group, she thought there was a need to specify more clearly what form the “collaboration” should take.
- 262.** The Worker Vice-Chairperson and the Employer Vice-Chairperson supported the amendment as subamended by the Government member of Switzerland.
- 263.** The representative of the Secretary-General requested further clarification. As the CFA, the CEACR and the CAS did not meet at the same time, the Office would face practical difficulties with securing their involvement in preparation of the event.
- 264.** The Government member of the United States suggested that representatives of the supervisory bodies, at the very core of the ILO’s work on freedom of association and collective bargaining, needed to be involved in such a high-level event; arrangements might be made to invite past or current members to participate in it.
- 265.** As a way to include more precise wording, the Employer Vice-Chairperson suggested to insert “with representatives from”, followed by the names of the supervisory bodies. The Government member of Switzerland endorsed the proposal.

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266. The Worker Vice-Chairperson proposed a further subamendment to insert “with active participation of representatives from”.
267. The Government member of Eswatini, speaking on behalf of the Africa group, did not support the subamendment proposed by the Workers’ group. The Government member of the United States supported the wording proposed by the Employers’ group and that proposed by the Workers’ group.
268. The amendment was adopted as subamended. Consequently, the Government members’ amendment to point 7, bullet 3, fell.

Point 8

269. The Government member of Australia, speaking also on behalf of Canada, Switzerland, Turkey and the United States, introduced an amendment to clause (e), to replace “Goal 10 on Reduced Inequalities and Goal 16 on Peace, Justice and Strong Institutions;” with “and other relevant SDGs;”. Placing specific emphasis on certain SDGs risked minimizing the importance of social dialogue in achieving the other Goals.
270. The amendment was endorsed by the Employers’ and Workers’ groups. It was adopted as proposed.
271. The Employer Vice-Chairperson submitted an amendment to clause (g), to insert the words “together with its constituents” after the word “engage”.
272. The amendment was supported by the Workers’ group. The Government member of the United States proposed a subamendment to replace “together with its constituents” with “taking into account the views of its constituents”, as the ILO had to speak with one coherent voice, that of its Director-General.
273. The Government member of Eswatini, speaking on behalf of the Africa group, supported the amendment of the Employers’ group. The Government member of Australia seconded the subamendment introduced by the Government member of the United States.
274. With a view to reaching consensus, the Workers’ and the Employers’ groups both endorsed the subamendment of the Government member of the United States.
275. The amendment was adopted as subamended.
276. The conclusions, as amended, and the text of draft resolution were adopted by the Committee.

Closing remarks

277. The Employer Vice-Chairperson thanked all those who had participated in the recurrent discussion for reaching a sound and satisfying decision on such an important topic. She noted the ups and downs of the previous few days but observed that, through constructive dialogue and commitment, consensus had been reached. Her group had listened to the diverse realities and needs of the constituents with regard to social dialogue and tripartism, as well as the many challenges and opportunities; and had reflected upon future ILO actions to better suit those needs. The conclusions presented a framework for action that made concrete proposals for member States and the Office, with the support of the constituents. The compromises reached through the discussion adequately reflected the changed world of today and

contributed to the shared goal of strengthening social dialogue both within and outside the ILO. Good conclusions were especially important since the role and impact of social dialogue faced increasing challenges, for reasons elaborated during the discussion. Looking ahead to the next discussion in four years' time, she sincerely hoped that by then the Committee's conclusions would have been implemented and would have delivered their intended impact.

- 278.** The Worker Vice-Chairperson said that his group had been consistent throughout the discussion in focusing on their five key priorities, as declared at the outset. He had expressed his disappointment at the draft conclusions prepared by the Office, which he believed did not fully reflect the Committee's general discussion or the Office report. While the work of the drafting group had started out in a somewhat conflictual manner, that had been deemed necessary in order to redress a perceived imbalance between the employers' and workers' perspectives in the conclusions. Consensus had been reached on the importance of addressing new challenges, such as those created by technological, demographic and climate changes, as well as by migration. That had helped the group to move forwards on difficult issues such as cross-border social dialogue, new or non-standard forms of employment and workplace cooperation; the conclusions thus reflected the priorities and aspirations of all parties. He appreciated the space that governments had provided for the social partners to practice bipartite social dialogue. He expressed his sincere thanks to everyone involved in the Committee's work, and especially for the skilful work of the Chairperson; he hoped that all national governments, employers' and workers' organizations would benefit from implementation of the Committee's conclusions.
- 279.** The Government member of the Netherlands, speaking on behalf of the EU and its Member States, as well as the former Yugoslav Republic of Macedonia, Montenegro, Serbia, Albania, Bosnia and Herzegovina, Norway and Georgia, thanked the Chairperson and Vice-Chairpersons, as well as the Office for its assistance. A consensual, action-oriented outcome document had been agreed upon. The conclusions built upon the conclusions of the 2013 Recurrent Discussion on Social Dialogue, which still remained valid. Social dialogue was crucial for a well-functioning social market economy, the promotion of sustainable development, the fight against inequalities and discrimination and the promotion of social justice. The conclusions provided for measures to strengthen capacity, research and partnerships, and drew particular attention to social dialogue's role in promoting gender equality and non-discrimination, skills development and the anticipation and management of change. She welcomed the references to how social dialogue could address changes in the world of work, which would contribute to the ILO Centenary deliberations on the future of work. A flagship report on social dialogue would enhance the visibility and profile of the ILO; the Governing Body would, however, need to carefully consider the modalities to make that possible.
- 280.** The Government member of the United States warmly thanked everyone involved in the Committee. He noted the spirit of social dialogue that had prevailed throughout and welcomed the distinction drawn between tripartite and bipartite social dialogue, which was at times blurred in ILO documents. He stressed the importance of the autonomy of employers' and workers' organizations. The business and labour cases for social dialogue had been made clear, but still needed to be proven to a wider public. ILO conclusions in general tended to be aspirational, which was the case with those of the Committee. Effective implementation was extremely challenging and the Committee should have focused more on implementation than on reaffirming the importance of social dialogue. The United States was very concerned about the budgetary implications of the Committee's conclusions, which included a long "wish list". Given limited budgets, choices would have to be made by the Governing Body.

281. The Government member of Eswatini, speaking on behalf of the Africa group, appreciated the constructive, although not always easy, work of the Committee, which had been a learning experience for her group. She noted the respect shown by Committee members to each other, always taking into consideration the views of the social partners. She thanked everyone for having given Africa a voice in the discussions, and the social partners for their active participation. While some of the issues raised in the conclusions were manageable, others would take time to address.

282. In closing, the Chairperson thanked the Committee for its hard work and perseverance. It had been an honour for him and his country, Belgium, to have acted as Chairperson. The work accomplished by the Committee had exceeded expectations and its conclusions signalled a strong commitment by the tripartite constituents to promote and realize social dialogue and tripartism in the fast-changing world of work. He thanked the Vice-Chairpersons and the Employers' and Workers' groups, the regional groups and individual governments for their commitment to building consensus, that paved the way to a positive outcome. He thanked the Secretariat of the Committee for all its support. The fact that the Committee had "practised what it preached" by having a successful tripartite social dialogue was, in itself, a noteworthy achievement.

Geneva, 7 June 2018

(Signed) T. Bevers
Chairperson

D. Rudelli
Employer Vice-Chairperson

P. Dimitrov
Worker Vice-Chairperson

W.K. Nxumalo-Magagula
Reporter

Appendix

Fate of amendments to draft resolution and conclusions

1. The following amendments were adopted:
D37, D38, D6, D19, D12, D16, D25, D39, D21, D34, D30, D29, D22, D3, D13
2. The following amendments were adopted, as subamended:
D8, D15, D31, D20, D28, D17, D27, D26
3. The following amendments were rejected:
D10, D14, D11, D5, D23
4. The following amendment fell:
D24
5. The following amendments were withdrawn:
D36, D4, D33, D32, D9, D18