



Tenth European Regional Meeting

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Concept note

Special plenary debate 3

Governance of work

Aim

This session is invited to discuss the opportunities for and challenges to the governance of work in view of the changing world of work. The debate could consider the means to provide effective representation, voice and social dialogue to all segments of the labour market, including how to address the governance of work by new and emerging forms of organization of work and production.

Context

Traditional frameworks for regulating work such as social dialogue, labour market institutions and norms, including labour legislation and international labour standards, labour administration and inspection systems are increasingly being challenged by developments in the global economy and transformations in the world of work, including through new and emerging forms of organizing work and production. The shift away from the traditional standard employment relationship – based on continuous, regular and full-time employment with a single identifiable employer – towards more diverse and flexible forms of employment arrangements are having significant and rapid impacts on the world of work. Indeed, the emergence of a multiplicity of employment arrangements and work relations is redesigning the landscape of labour markets across the region.

Changes in the organization of work and production challenge the governance structures in the workplace at the enterprise, sectoral, national and international levels. There has been a trend in recent times towards reforms of labour markets in many countries where the economic and employment effects of labour market regulation have been the subject of significant contention, with heated debates on whether there is a trade-off between employment and labour protection.

The traditional governance frameworks are well-suited to the employment relationship and have served us well for many decades. Yet there is a growing recognition that a large number of workers, including the self-employed and those in more flexible work arrangements and the informal economy, often have limited coverage or indeed find themselves either outside or explicitly excluded from participating in such frameworks. These workers can experience significant challenges in exercising their fundamental rights to organize and bargain collectively on their working conditions, or may even be denied

these rights, while their ability to enjoy protections under labour legislation or collective agreements as well as social protection benefits can be undermined.

For a large majority in the region, the regulation of work occurs through these governance institutions, in the various forms they take. Nevertheless, for those workers who do benefit from such coverage and the protections afforded to them, the capacities and institutional resources in terms of adequacy, scope, compliance and enforcement vary widely across member States. Strategies and policies are needed to help ensure fundamental principles and rights at work, labour laws and occupational safety and health standards are respected, promoted and realized.

Effective and inclusive social dialogue is crucial to ensuring that policies addressing the economic, social and environmental challenges of the future, both at the national and international level are part of a coherent and participatory policy framework. Strong, democratic, independent and representative organizations that enjoy mutual trust and respect is the cornerstone of effective social dialogue and labour market regulation.

However, in some countries low membership of workers' organizations has led to concerns over representative legitimacy, while the segmentation of the labour market, where many workers are without representation, presents considerable challenges for the organization of workers and their capacity to participate in social dialogue. Likewise, building strong and effective employers' organizations that represent the interests of their members and which embrace new forms of enterprise is important. At the same time, in some countries other stakeholders from civil society are increasingly vying to participate within these structures. This has raised many questions on how to ensure comprehensive strategies and approaches are developed so that all employers and workers are represented and have access to effective, credible, inclusive and participatory social dialogue.

These debates call for an open discussion on the existing norms and institutions and could consider whether new or different forms of regulation are needed to ensure that all employers and workers are included and that the future governance of work is fit for purpose.

Potential questions for consideration

- What institutional arrangements and other actions would be necessary in order to ensure that social dialogue in all its forms, including collective bargaining, can contribute to fair solutions for both employers and workers? Which actions should and can be taken by governments as a key facilitator in ensuring that the necessary preconditions exist for social dialogue and a sound industrial relations environment?
- What measures should be taken so that labour administrations can take advantage of digitization and other technological developments?
- What are different ways of sustaining an encompassing membership base for social partners? How can the social partners take advantage of technological innovations to increase awareness and reach out to their current and potential new members?
- How can international labour standards play a role in shaping the regulation of work and of employment relationships? Is the current legislative framework sufficient to ensure that all the segments of the labour market can exercise the rights they are entitled to?