



SECOND ITEM ON THE AGENDA

**Options for the Eighth Survey on the effect given to the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy**

1. This paper, submitted at the request of the Officers of the Subcommittee, contains in its appendix suggestions for possible questions to be included in the questionnaire that would serve as the basis for the eighth full-scale survey on the effect given to the MNE Declaration. It takes into account the observations on the Seventh Survey by members of the Subcommittee in March 2001 and the discussion of the survey process and contents in November 2002.<sup>1</sup>
2. *The Subcommittee may wish to recommend to the Governing Body that it request the Office to prepare a draft questionnaire for the Eighth Survey on the effect given to the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, for approval during its 288th Session (November 2003).*

Geneva, 30 January 2003.

*Point for decision:* Paragraph 2.

<sup>1</sup> GB.280/13 and GB.285/12.

## Appendix

### Part 1: General questions

#### ***Background, aim and general policies***

1. Have the government, employers' and workers' organizations in your country reviewed the reports of the seventh survey? If so, has this review influenced national policy with respect to MNE operations?
2. Does your government differentiate in the collection of information on labour and employment practices between MNEs and national enterprises? If so, please attach or provide references of the latest relevant publications (including web sites). If not, do you consider that the labour and employment practices of MNEs merit special attention given the importance of MNEs in the national and global economy; do any plans exist to collect differentiated information?
3. Is information on the labour and employment practices of all types of enterprises in your country readily available? If so, please attach or provide references of the latest relevant publications (including web sites).
4. In the period 2000-03, have any new laws, policies or measures been adopted by your government that specifically concern the operations of MNEs? If so, please provide details.
5. Have you had consultations with other governments in order to promote good social practice by MNEs, as recommended in paragraph 12 of the MNE Declaration? If so, please provide details.
6. What do you consider has been the overall impact of MNE operations in your country in the following areas?
 

National economy:	Positive	Negative	Mixed	No impact
Living standards:	Positive	Negative	Mixed	No impact
Employment:	Positive	Negative	Mixed	No impact
Working conditions:	Positive	Negative	Mixed	No impact
Respect for fundamental rights and principles at work:	Positive	Negative	Mixed	No impact
7. Have MNE operations in your country led to a concentration of economic power in one or more sectors? If so, please provide details.
8. Does your government consult with enterprises, individually or as a group, on development issues and priorities? If so, do MNEs participate actively in this process? Please provide details, indicating in particular whether this has led to the actual involvement of MNEs in development activities. Please also indicate whether such consultations have involved employers' and/or workers' organizations and whether the consultations have been encouraged by MNE home countries and/or international development agencies.

#### ***Employment***

9. Are you aware of any specific initiatives by MNEs in the period 2000-03 to provide secure and stable employment and to cooperate with government and workers' organizations in combating unemployment? If so, please provide details.
10. Does the government's foreign direct investment policy and regulations pay special attention to employment issues? If so, please provide details.
11. When considering changes in operations that may have major employment effects, do MNEs in your country generally consult with the government and/or workers' organizations? If so, please provide details.

## **Training**

12. In addition to training their own workers and managers, do MNEs make any contribution to human resources development and vocational training in your country, in particular in terms of strengthening training policies and delivery systems at the national, sectoral and enterprise levels, including through active participation in any tripartite bodies concerned? If so, please provide details.

## **Conditions of work and life (including safety and health)**

13. Please indicate your (dis)agreement with the observations below. Your reply concerns MNE operations in your country in general. If it is difficult to generalize, please provide any specific information that you consider relevant.

Agree    Disagree

MNEs generally:

Comply with national legislation and regulations

Provide wages, benefits, conditions of work comparable to those offered by the best domestic employers

Apply occupational safety and health standards exceeding those required by law

Benefit lower income groups and less developed areas

Engage in collective bargaining on wages, safety and health issues and working conditions in general

## **Industrial relations**

14. Are there any limitations on the ability of workers in MNEs, or their representatives, to exercise fully the right to freedom of association and collective bargaining (e.g. labour law exceptions in special economic zones, limited scope for local bargaining since MNE representatives have to refer most matters to headquarters, lack of trade union facilities, relevant information on overall company performance not provided by local MNE affiliate)? If so, please provide details.
15. Do any of the incentives offered to MNEs to attract them to invest in your country limit in any way the fundamental rights and principles at work? If so, please provide details.
16. Are you aware of any efforts by your own or by other governments to encourage MNEs to develop and improve industrial relations policies and practices and bring them into conformity with the principles of the MNE Declaration? If so, please provide details.
17. Are you aware of any MNEs that have considered or are considering to transfer their activities to another country in order to be able to avoid respecting one or more of the fundamental rights and principles at work? If so, please provide details.
18. In the period 2000-03 have there been any particular industrial relations problems specific to MNEs operating in your country? If so, please provide details.

## **Consultation with the representative employers' and workers' organizations concerning this report**

### **Governments**

- 19a Is this is a joint reply? If so, please indicate the employers' and workers' organizations that participated in preparing this reply. If not, please indicate the employers' and workers' organizations to which copies of this reply were sent.

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## ***Employers' and workers' organizations***

19b Is this an individual reply by an employers' or workers' organization? If so, please indicate to which relevant government authority and other employers' or workers' organizations copies have been sent.

## ***Promotion of the observance of the MNE Declaration***

20. In the period 2000-03, have any activities been undertaken in your country to promote the MNE Declaration? If so, please provide details.

## **Disputes concerning interpretation of the provisions of the Declaration**

21. Have any disputes arisen in your country as a result of different interpretations by the parties concerned of any of the paragraphs of the MNE Declaration? If so please provide details, in particular on the ways in which these were resolved.

## **Part 2: Detailed questions on employment**

Please provide a copy, summary or reference of any study undertaken in your country in the period 2000-03 that analyses the impact of MNEs on employment in respect of one or more of the following issues:

- number of jobs created or lost;
- employment conditions (including respect for fundamental rights and principles);
- introduction of new technologies;
- sectoral aspects, in particular forward and backward linkages with domestic enterprises (suppliers and distributors); and
- occupational development, promotion and advancement of nationals.

Are you aware of any particular labour or social problems caused by the purchase of, or participation in, public enterprises by MNEs as a result of privatization or deregulation processes? If so, please provide details.

Please provide any information you may have specific to export processing zones, special economic zones, offshore production installations and greenfield investments and the observance (or lack of observance) of the recommendations contained in paragraphs 17, 20, 25 and 26 of the MNE Declaration.