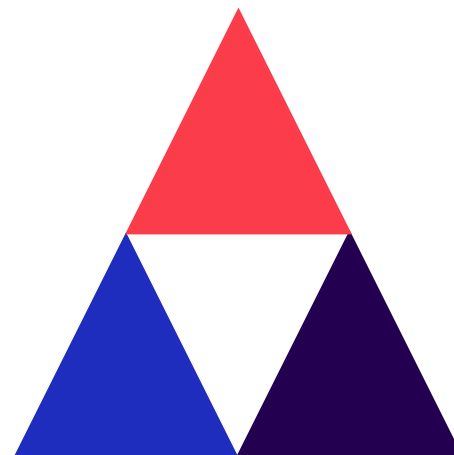


Table I – Main provisions of international labour standards related to access to labour justice

**ANNEX I – Report for the Tripartite Technical Meeting on Access to Labour Justice for All
(Geneva, 17-21 February 2025)**



The following table provides the full text of the provisions of international labour standards (ILS) related to access to labour justice referred to in **Section 3.3.3.** of the Report ('Foundational elements of access to labour justice emerging from ILO standards'). Additional ILS provisions are also added. The list of provisions is not exhaustive.

Foundational elements of access to labour justice	Relevant instruments	Full text of relevant provisions
Rule of law Good governance	Employment and Decent Work for Peace and Resilience Recommendation, 2017 (No. 205) , Preamble and para. 23 (c).	Preamble: "(...) Emphasizing the need to ensure respect for all human rights and the rule of law, including respect for fundamental principles and rights at work and for international labour standards, in particular those rights and principles relevant to employment and decent work (...)." Paragraph 23: "In recovering from crisis situations, Members should, in consultation with the most representative employers' and workers' organizations: (...) (c) establish, re-establish or reinforce, as necessary, the system of labour administration, including labour inspection and other competent institutions (...)."
	Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204) , Preamble and para 23.	Preamble: "(...) Recognizing that the high incidence of the informal economy in all its aspects is a major challenge for the rights of workers, including the fundamental principles and rights at work, and for social protection, decent working conditions, inclusive development and the rule of law (...) Acknowledging that informality has multiple causes, including governance and structural issues, and that public policies can speed up the process of transition to the formal economy, in a context of social dialogue(...)." Paragraph 23: "Members should reduce, where appropriate, the barriers to the transition to the formal economy and take measures to promote anti-corruption efforts and good governance."
	Job Creation in Small and Medium-Sized Enterprises Recommendation, 1998 (No. 189) , para. 10 (4) (a).	Paragraph 10 (4) (a): "(...) Members should consider: (...) (4) designing and implementing, with full involvement of the organizations of employers and workers concerned, awareness campaigns to promote: (a) respect for the rule of law and workers' rights, better working conditions, higher productivity and improved quality of goods and services; (...)."

Access to judicial and non-judicial avenues, including specialized and traditional processes The role of the judiciary	Violence and Harassment Convention, 2019 (No. 190), Article 10 (b).	Article 10 Each Member shall take appropriate measures to: (...) (b) ensure easy access to appropriate and effective remedies and safe, fair and effective reporting and dispute resolution mechanisms and procedures in cases of violence and harassment in the world of work, such as: (i) complaint and investigation procedures, as well as, where appropriate, dispute resolution mechanisms at the workplace level; (ii) dispute resolution mechanisms external to the workplace; (iii) courts or tribunals; (iv) protection against victimization of or retaliation against complainants, victims, witnesses and whistle-blowers; and (v) legal, social, medical and administrative support measures for complainants and victims;
	Domestic Workers Convention, 2011 (No. 189), Article 16.	Article 16 Each Member shall take measures to ensure, in accordance with national laws, regulations and practice, that all domestic workers, either by themselves or through a representative, have effective access to courts, tribunals or other dispute resolution mechanisms under conditions that are not less favourable than those available to workers generally.

	Maritime Labour Convention, 2006 (MLC, 2006)	Article 5 2. Each Member shall effectively exercise its jurisdiction and control over ships that fly its flag by establishing a system for ensuring compliance with the requirements of this Convention, including regular inspections, reporting, monitoring and legal proceedings under the applicable laws. Standard A5.1.4 – Inspection and enforcement 8. Any action taken pursuant to paragraph 7(c) of this Standard shall be subject to any right of appeal to a judicial or administrative authority. Standard A5.1.5 – On-board complaint procedures 2. Each Member shall ensure that, in its laws or regulations, appropriate on board complaint procedures are in place to meet the requirements of Regulation 5.1.5. Such procedures shall seek to resolve complaints at the lowest level possible. However, in all cases, seafarers shall have a right to complain directly to the master and, where they consider it necessary, to appropriate external authorities. (...) Guideline B2.2.3 – Minimum wages 3. The competent authority should ensure: (...) (b) that any seafarers who have been paid at a rate lower than the minimum wage are enabled to recover, by an inexpensive and expeditious judicial or other procedure, the amount by which they have been underpaid.
	Indigenous and Tribal Peoples Convention, 1989 (No. 169), Article 8 (2)	Article 8 2. These peoples shall have the right to retain their own customs and institutions, where these are not incompatible with fundamental rights defined by the national legal system and with internationally recognised human rights. Procedures shall be established, whenever necessary, to resolve conflicts which may arise in the application of this principle.
	Labour Relations (Public Service) Convention, 1978 (No. 151), Article 8.	Article 8 The settlement of disputes arising in connection with the determination of terms and conditions of employment shall be sought, as may be appropriate to national conditions, through negotiation between the parties or through independent and

		impartial machinery, such as mediation, conciliation and arbitration, established in such a manner as to ensure the confidence of the parties involved.
	Employment Relationship Recommendation, 2006 (No. 198) , para. 14.	Paragraph 14. The settlement of disputes concerning the existence and terms of an employment relationship should be a matter for industrial or other tribunals or arbitration authorities to which workers and employers have effective access in accordance with national law and practice.
	Special Youth Schemes Recommendation, 1970 (No. 136) , para. 10.	Paragraph 10. There should be formal procedures for appeal by participants against decisions concerning their recruitment, their admission or their conditions of service, as well as informal grievance procedures to deal with minor complaints.
	Examination of Grievances Recommendation, 1967 (No. 130) , para. 17.	Paragraph 17. Where all efforts to settle the grievance within the undertaking have failed, there should be a possibility, account being taken of the nature of the grievance, for final settlement of such grievance through one or more of the following procedures: (a) procedures provided for by collective agreement, such as joint examination of the case by the employers' and workers' organisations concerned or voluntary arbitration by a person or persons designated with the agreement of the employer and worker concerned or their respective organisations; (b) conciliation or arbitration by the competent public authorities; (c) recourse to a labour court or other judicial authority; (d) any other procedure which may be appropriate under national conditions.

	Voluntary Conciliation and Arbitration Recommendation, 1951 (No. 92), paras. 1-6.	Paragraph 1. Voluntary conciliation machinery, appropriate to national conditions, should be made available to assist in the prevention and settlement of industrial disputes between employers and workers. Paragraph 2. Where voluntary conciliation machinery is constituted on a joint basis, it should include equal representation of employers and workers. Paragraph 3. (1) The procedure should be free of charge and expeditious; such time limits for the proceedings as may be prescribed by national laws or regulations should be fixed in advance and kept to a minimum. (2) Provision should be made to enable the procedure to be set in motion, either on the initiative of any of the parties to the dispute or ex officio by the voluntary conciliation authority. Paragraph 4. If a dispute has been submitted to conciliation procedure with the consent of all the parties concerned, the latter should be encouraged to abstain from strikes and lockouts while conciliation is in progress. Paragraph 5. All agreements which the parties may reach during conciliation procedure or as a result thereof should be drawn up in writing and be regarded as equivalent to agreements concluded in the usual manner. Paragraph 6. If a dispute has been submitted to arbitration for final settlement with the consent of all parties concerned, the latter should be encouraged to abstain from strikes and lockouts while the arbitration is in progress and to accept the arbitration award.
	Medical Care Recommendation, 1944 (No. 69), paras. 112-114.	Paragraph 112. Beneficiaries or members of the medical or allied professions who have submitted complaints to the arbitration body referred to in Paragraph 63 should have a right of appeal from the decisions of such body to an independent tribunal. Paragraph 113. Members of the medical and allied professions against whom disciplinary measures have been taken (...) should have a right of appeal from the decisions of such body to an independent tribunal. Paragraph 114. Where the supervisory (...) takes no disciplinary action on a matter referred to it by the arbitration body, in accordance with Paragraph 65, the interested parties should have a right of appeal to an independent tribunal.

Freedom of association and the effective recognition of the right to collective bargaining The role of the social partners and labour administrations Social dialogue	Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) Fundamental Convention	<i>Full text</i>
	Right to Organise and Collective Bargaining Convention, 1949 (No. 98) Fundamental Convention	<i>Full text</i>
	Labour Inspection Convention, 1947 (No. 81) , Article 3 (1) (c) and (2). Governance Convention	Article 3 1. The functions of the system of labour inspection shall be: (c) to bring to the notice of the competent authority defects or abuses not specifically covered by existing legal provisions. 2. Any further duties which may be entrusted to labour inspectors shall not be such as to interfere with the effective discharge of their primary duties or to prejudice in any way the authority and impartiality which are necessary to inspectors in their relations with employers and workers.
	Labour Relations (Public Service) Convention, 1978 (No. 151) , Article 8.	Article 8 The settlement of disputes arising in connection with the determination of terms and conditions of employment shall be sought, as may be appropriate to national conditions, through negotiation between the parties or through independent and impartial machinery, such as mediation, conciliation and arbitration, established in such a manner as to ensure the confidence of the parties involved.
	Collective Bargaining Convention, 1981 (No. 154) , Article 5 (2) (e).	Article 5 2. The aims of the measures referred to in paragraph 1 of this Article shall be the following: (...) (e) bodies and procedures for the settlement of labour disputes should be so conceived as to contribute to the promotion of collective bargaining.

	Workers' Representatives Convention, 1971 (No. 135)	<i>Full text</i>
	Forced Labour (Supplementary Measures) Recommendation, 2014 (No. 203) , para 1 (b)	Paragraph 1. Members should establish or strengthen, as necessary, in consultation with employers' and workers' organizations as well as other groups concerned: (...) (b) competent authorities such as the labour inspectorates, the judiciary and national bodies or other institutional mechanisms that are concerned with forced or compulsory labour, to ensure the development, coordination, implementation, monitoring and evaluation of the national policies and plans of action.
	Employment Relationship Recommendation, 2006 (No. 198) , paras 4 (g) and 18.	Paragraph 4. National policy should at least include measures to: (...) (g) provide for appropriate and adequate training in relevant international labour standards, comparative and case law for the judiciary, arbitrators, mediators, labour inspectors, and other persons responsible for dealing with the resolution of disputes and enforcement of national employment laws and standards. Paragraph 18. As part of the national policy, Members should promote the role of collective bargaining and social dialogue as a means, among others, of finding solutions to questions related to the scope of the employment relationship at the national level.
	Labour Administration Recommendation, 1978 (No. 158) , para. 10.	Paragraph 10. The competent bodies within the system of labour administration should be in a position to provide, in agreement with the employers' and workers' organisations concerned, conciliation and mediation facilities, appropriate to national conditions, in case of collective disputes.
	Workers' Representatives Recommendation, 1971 (No. 143)	<i>Full text</i>
	Examination of Grievances Recommendation, 1967 (No. 130) , para. 17 (a).	Paragraph 17. Where all efforts to settle the grievance within the undertaking have failed, there should be a possibility, account being taken of the nature of the grievance, for final settlement of such grievance through one or more of the following procedures: (a) procedures provided for by collective agreement, such as joint examination of the case by the employers' and workers' organisations concerned or voluntary arbitration by a person or persons designated with the agreement of the employer and worker concerned or their respective organisations;

	Communications within the Undertaking Recommendation, 1967 (No. 129) , para. 2 (1).	Paragraph 2. (1) Employers and their organisations as well as workers and their organisations should, in their common interest, recognise the importance of a climate of mutual understanding and confidence within undertakings that is favourable both to the efficiency of the undertaking and to the aspirations of the workers.
	Co-operation at the Level of the Undertaking Recommendation, 1952 (No. 94) , para. 1.	Paragraph 1. Appropriate steps should be taken to promote consultation and co-operation between employers and workers at the level of the undertaking on matters of mutual concern not within the scope of collective bargaining machinery, or not normally dealt with by other machinery concerned with the determination of terms and conditions of employment.
	Voluntary Conciliation and Arbitration Recommendation, 1951 (No. 92) , para. 2.	Paragraph 2. Where voluntary conciliation machinery is constituted on a joint basis, it should include equal representation of employers and workers.
	Labour Inspection Recommendation, 1947 (No. 81) , para. 8.	Paragraph 8. The functions of labour inspectors should not include that of acting as conciliator or arbitrator in proceedings concerning labour disputes.

Prevention based on alternative dispute resolution (ADR) and workplace cooperation	Worst Forms of Child Labour Convention, 1999 (No. 182) , Article 7 (2) Fundamental Convention	Article 7 (...) 2. Each Member shall, taking into account the importance of education in eliminating child labour, take effective and time-bound measures to: (a) prevent the engagement of children in the worst forms of child labour; (b) provide the necessary and appropriate direct assistance for the removal of children from the worst forms of child labour and for their rehabilitation and social integration; (c) ensure access to free basic education, and, wherever possible and appropriate, vocational training, for all children removed from the worst forms of child labour; (d) identify and reach out to children at special risk; and (e) take account of the special situation of girls.
	Protocol of 2014 to the Forced Labour Convention, 1930 , Article 1 (1)	Article 1 (1). In giving effect to its obligations under the Convention to suppress forced or compulsory labour, each Member shall take effective measures to prevent and eliminate its use, to provide to victims protection and access to appropriate and effective remedies, such as compensation, and to sanction the perpetrators of forced or compulsory labour. (...)
	Termination of Employment Convention, 1982 (No. 158) , Articles 7 and 13 (1) (b)	Article 7 The employment of a worker shall not be terminated for reasons related to the worker's conduct or performance before he is provided an opportunity to defend himself against the allegations made, unless the employer cannot reasonably be expected to provide this opportunity. Article 13 1. When the employer contemplates terminations for reasons of an economic, technological, structural or similar nature, the employer shall: (...) (b) give, in accordance with national law and practice, the workers' representatives concerned, as early as possible, an opportunity for consultation on measures to be taken to avert or to minimise the terminations and measures to mitigate the adverse effects of any terminations on the workers concerned such as finding alternative employment. (...)

	Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204), para. 22.	Paragraph 22. Members should take appropriate measures, including through a combination of preventive measures, law enforcement and effective sanctions, to address tax evasion and avoidance of social contributions, labour laws and regulations. Any incentives should be linked to facilitating the effective and timely transition from the informal to the formal economy.
	Forced Labour (Supplementary Measures) Recommendation, 2014 (No. 203), paras. 3 and 4.	Paragraph 3. Members should take preventive measures that include: (a) respecting, promoting and realizing fundamental principles and rights at work; (b) the promotion of freedom of association and collective bargaining to enable at-risk workers to join workers' organizations; (c) programmes to combat the discrimination that heightens vulnerability to forced or compulsory labour; (d) initiatives to address child labour and promote educational opportunities for children, both boys and girls, as a safeguard against children becoming victims of forced or compulsory labour; and (e) taking steps to realize the objectives of the Protocol and the Convention. Paragraph 4. Taking into account their national circumstances, Members should take the most effective preventive measures, such as: (a) addressing the root causes of workers' vulnerability to forced or compulsory labour; (b) targeted awareness-raising campaigns, especially for those who are most at risk of becoming victims of forced or compulsory labour, to inform them, inter alia, about how to protect themselves against fraudulent or abusive recruitment and employment practices, their rights and responsibilities at work, and how to gain access to assistance in case of need; (c) targeted awareness-raising campaigns regarding sanctions for violating the prohibition on forced or compulsory labour; (d) skills training programmes for at-risk population groups to increase their employability and income-earning opportunities and capacity; (e) steps to ensure that national laws and regulations concerning the employment relationship cover all sectors of the economy and that they are effectively enforced.

		The relevant information on the terms and conditions of employment should be specified in an appropriate, verifiable and easily understandable manner, and preferably through written contracts in accordance with national laws, regulations or collective agreements; (f) basic social security guarantees forming part of the national social protection floor, as provided for in the Social Protection Floors Recommendation, 2012 (No. 202), in order to reduce vulnerability to forced or compulsory labour; (g) orientation and information for migrants, before departure and upon arrival, in order for them to be better prepared to work and live abroad and to create awareness and better understanding about trafficking for forced labour situations; (h) coherent policies, such as employment and labour migration policies, which take into account the risks faced by specific groups of migrants, including those in an irregular situation, and address circumstances that could result in forced labour situations; (i) promotion of coordinated efforts by relevant government agencies with those of other States to facilitate regular and safe migration and to prevent trafficking in persons, including coordinated efforts to regulate, license and monitor labour recruiters and employment agencies and eliminate the charging of recruitment fees to workers to prevent debt bondage and other forms of economic coercion; and (j) in giving effect to their obligations under the Convention to suppress forced or compulsory labour, providing guidance and support to employers and businesses to take effective measures to identify, prevent, mitigate and account for how they address the risks of forced or compulsory labour in their operations or in products, services or operations to which they may be directly linked.
	Examination of Grievances Recommendation, 1967 (No. 130) <i>full text</i> in particular para. 7	Paragraph 7. (1) With a view to minimising the number of grievances, the greatest attention should be given to the establishment and proper functioning of a sound personnel policy, which should take into account and respect the rights and interests of the workers. (2) In order to achieve such a policy and to solve social questions affecting the workers within the undertaking, management should, before taking a decision, co-operate with the workers' representatives.

	<u>Communications within the Undertaking Recommendation, 1967 (No. 129)</u>, para. 2 (1).	Paragraph 2. (1) Employers and their organisations as well as workers and their organisations should, in their common interest, recognise the importance of a climate of mutual understanding and confidence within undertakings that is favourable both to the efficiency of the undertaking and to the aspirations of the workers.
	<u>Co-operation at the Level of the Undertaking Recommendation, 1952 (No. 94)</u>, para. 1.	Paragraph 1. Appropriate steps should be taken to promote consultation and co-operation between employers and workers at the level of the undertaking on matters of mutual concern not within the scope of collective bargaining machinery, or not normally dealt with by other machinery concerned with the determination of terms and conditions of employment.

Voluntary negotiations, conciliation, mediation and arbitration as preliminary steps not precluding adjudication	Right to Organise and Collective Bargaining Convention, 1949 (No. 98) , Article 4. Fundamental Convention	Article 4 Measures appropriate to national conditions shall be taken, where necessary, to encourage and promote the full development and utilisation of machinery for voluntary negotiation between employers or employers' organisations and workers' organisations, with a view to the regulation of terms and conditions of employment by means of collective agreements.
	Nursing Personnel Convention, 1977 (No. 149) , Article 5 (3).	Article 5 (...) 3. The settlement of disputes arising in connection with the determination of terms and conditions of employment shall be sought through negotiations between the parties or, in such a manner as to ensure the confidence of the parties involved, through independent and impartial machinery such as mediation, conciliation and voluntary arbitration.
	Plantations Convention, 1958 (No. 110) , Article 61.	Article 61 Measures appropriate to national conditions shall be taken, where necessary, to encourage and promote the full development and utilisation of machinery for voluntary negotiation between employers or employers' organisations and workers' organisations, with a view to the regulation of terms and conditions of employment by means of collective agreements.
	Collective Bargaining Recommendation, 1981 (No. 163) , para. 8.	Paragraph 8. Measures adapted to national conditions should be taken, if necessary, so that the procedures for the settlement of labour disputes assist the parties to find a solution to the dispute themselves, whether the dispute is one which arose during the negotiation of agreements, one which arose in connection with the interpretation and application of agreements or one covered by the Examination of Grievances Recommendation, 1967.
	Labour Administration Recommendation, 1978 (No. 158) , para. 10	Paragraph 10. The competent bodies within the system of labour administration should be in a position to provide, in agreement with the employers' and workers' organisations concerned, conciliation and mediation facilities, appropriate to national conditions, in case of collective disputes.
	Voluntary Conciliation and Arbitration Recommendation, 1951 (No. 92)	<i>Full text</i>

Equality of access and treatment Inclusiveness Time-off to participate in proceedings	Domestic Workers Convention, 2011 (No. 189) , Article 16.	Article 16 Each Member shall take measures to ensure, in accordance with national laws, regulations and practice, that all domestic workers, either by themselves or through a representative, have effective access to courts, tribunals or other dispute resolution mechanisms under conditions that are not less favourable than those available to workers generally
	Maritime Labour Convention, 2006 (MLC, 2006)	Title 5 - Point 4 4. The provisions of this Title shall be implemented bearing in mind that seafarers and shipowners, like all other persons, are equal before the law and are entitled to the equal protection of the law and shall not be subject to discrimination in their access to courts, tribunals or other dispute resolution mechanisms. The provisions of this Title do not determine legal jurisdiction or a legal venue.
	Indigenous and Tribal Peoples Convention, 1989 (No. 169) , Article 8 (2).	Article 8 (2) These peoples shall have the right to retain their own customs and institutions, where these are not incompatible with fundamental rights defined by the national legal system and with internationally recognised human rights. Procedures shall be established, whenever necessary, to resolve conflicts which may arise in the application of this principle.
	Maintenance of Social Security Rights Convention, 1982 (No. 157) , Article 14	Article 14 Each Member shall promote the development of social services to assist persons covered by this Convention, particularly migrant workers, in their dealings with the authorities, institutions and jurisdictions, particularly with respect to the award and receipt of benefits to which they are entitled and the exercise of their right of appeal, as well as in order to promote their personal and family welfare.
	Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143) , Article 9 (2).	Article 9 (...) 2. In case of dispute about the rights referred to in the preceding paragraph, the worker shall have the possibility of presenting his case to a competent body, either himself or through a representative.

	Minimum Wage Fixing Recommendation, 1970 (No. 135) , Para 14 (a)	Paragraph 14. Measures to ensure the effective application of all provisions relating to minimum wages, as provided for in Article 5 of the Convention, should include the following: (a) arrangements for giving publicity to minimum wage provisions in languages or dialects understood by workers who need protection, adapted where necessary to the needs of illiterate persons;
	Examination of Grievances Recommendation, 1967 (No. 130) , paras. 14 and 18	Paragraph 14. The worker concerned, or his representative if the latter is employed in the same undertaking, should be allowed sufficient time to participate in the procedure for the examination of the grievance and should not suffer any loss of remuneration because of his absence from work as a result of such participation, account being taken of any rules and practices, including safeguards against abuses, which might be provided for by legislation, collective agreements or other appropriate means. Paragraph 18. (1) The worker should be allowed the time off necessary to take part in the procedures referred to in Paragraph 17 of this Recommendation. (2) Recourse by the worker to any of the procedures provided for in Paragraph 17 should not involve for him any loss of remuneration when his grievance is proved justified in the course of these procedures. Every effort should be made, where possible, for the operation of these procedures outside the working hours of the workers concerned.

Accessible, inexpensive, speedy, simple and effective procedures Formal and informal processes	Violence and Harassment Convention, 2019 (No. 190), Article 10 (b).	Article 10 Each Member shall take appropriate measures to: (...) (b) ensure easy access to appropriate and effective remedies and safe, fair and effective reporting and dispute resolution mechanisms and procedures in cases of violence and harassment in the world of work, such as: (i) complaint and investigation procedures, as well as, where appropriate, dispute resolution mechanisms at the workplace level; (ii) dispute resolution mechanisms external to the workplace; (iii) courts or tribunals; (iv) protection against victimization of or retaliation against complainants, victims, witnesses and whistle-blowers; and (v) legal, social, medical and administrative support measures for complainants and victims;
	Domestic Workers Convention, 2011 (No. 189), Article 16.	Article 16 Each Member shall take measures to ensure, in accordance with national laws, regulations and practice, that all domestic workers, either by themselves or through a representative, have effective access to courts, tribunals or other dispute resolution mechanisms under conditions that are not less favourable than those available to workers generally
	Maritime Labour Convention, 2006 (MLC, 2006)	Standard A4.2.2 – Treatment of contractual claims 3. National laws and regulations shall ensure that effective arrangements are in place to receive, deal with and impartially settle contractual claims relating to compensation referred to in Standard A4.2.1, paragraph 8, through expeditious and fair procedures. Standard A4.5 – Social security 9. Each Member shall establish fair and effective procedures for the settlement of disputes. Guideline B2.2.3 – Minimum wages 3. The competent authority should ensure: (...) (b) that any seafarers who have been paid at a rate lower than the minimum wage are enabled to recover, by an

		inexpensive and expeditious judicial or other procedure, the amount by which they have been underpaid. Regulation 5.1.5 – On-board complaint procedures 1. Each Member shall require that ships that fly its flag have on-board procedures for the fair, effective and expeditious handling of seafarer complaints alleging breaches of the requirements of this Convention (including seafarers' rights). Regulation 5.2.2 – Onshore seafarer complaint-handling procedures 1. Each Member shall ensure that seafarers on ships calling at a port in the Member's territory who allege a breach of the requirements of this Convention (including seafarers' rights) have the right to report such a complaint in order to facilitate a prompt and practical means of redress.
	Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204) , para 11 (s).	Paragraph 11. This integrated policy framework should address: (...) (s) effective access to justice;
	Social Protection Floors Recommendation, 2012 (No. 202) , para. 7.	Paragraph 7. Basic social security guarantees should be established by law. National laws and regulations should specify the range, qualifying conditions and levels of the benefits giving effect to these guarantees. Impartial, transparent, effective, simple, rapid, accessible and inexpensive complaint and appeal procedures should also be specified. Access to complaint and appeal procedures should be free of charge to the applicant. Systems should be in place that enhance compliance with national legal frameworks.
	Employment Relationship Recommendation, 2006 (No. 198) , para 4 (e).	Paragraph 4. National policy should at least include measures to: (e) provide effective access of those concerned, in particular employers and workers, to appropriate, speedy, inexpensive, fair and efficient procedures and mechanisms for settling disputes regarding the existence and terms of an employment relationship;
	Examination of Grievances Recommendation, 1967 (No. 130) , para. 12.	Paragraph 12. Grievance procedures should be as uncomplicated and as rapid as possible, and appropriate time limits may be prescribed if necessary for this purpose; formality in the application of these procedures should be kept to a minimum.

	Voluntary Conciliation and Arbitration Recommendation, 1951 (No. 92) , para 3 (1).	Paragraph 3. (1) The procedure should be free of charge and expeditious; such time limits for the proceedings as may be prescribed by national laws or regulations should be fixed in advance and kept to a minimum.
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Right to defence Legal representation, legal awareness and understanding of proceedings	Domestic Workers Convention, 2011 (No. 189) , Article 16.	Article 16 Each Member shall take measures to ensure, in accordance with national laws, regulations and practice, that all domestic workers, either by themselves or through a representative, have effective access to courts, tribunals or other dispute resolution mechanisms under conditions that are not less favourable than those available to workers generally
	Maritime Labour Convention, 2006 (MLC, 2006)	Standard A5.1.5 – On-board complaint procedures 3. The on-board complaint procedures shall include the right of the seafarer to be accompanied or represented during the complaints procedure, as well as safeguards against the possibility of victimization of seafarers for filing complaints. The term “victimization” covers any adverse action taken by any person with respect to a seafarer for lodging a complaint which is not manifestly vexatious or maliciously made. 4. In addition to a copy of their seafarers’ employment agreement, all seafarers shall be provided with a copy of the on-board complaint procedures applicable on the ship. This shall include contact information for the competent authority in the flag State and, where different, in the seafarers’ country of residence, and the name of a person or persons on board the ship who can, on a confidential basis, provide seafarers with impartial advice on their complaint and otherwise assist them in following the complaint procedures available to them on board the ship. Guideline B5.2.2 – Onshore seafarer complaint-handling procedures 4. In any investigation of a complaint, the authorized officer should give the master, the shipowner and any other person involved in the complaint a proper opportunity to make known their views.
	Indigenous and Tribal Peoples Convention, 1989 (No. 169) , Article 12.	Article 12 The peoples concerned shall be safeguarded against the abuse of their rights and shall be able to take legal proceedings, either individually or through their representative bodies, for the effective protection of these rights. Measures shall be taken to ensure that members of these peoples can understand and be understood in legal proceedings, where necessary through the provision of interpretation or by other effective means.

	Termination of Employment Convention, 1982 (No. 158) , Article 7.	Article 7 The employment of a worker shall not be terminated for reasons related to the worker's conduct or performance before he is provided an opportunity to defend himself against the allegations made, unless the employer cannot reasonably be expected to provide this opportunity.
	Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143) , Article 9 (2).	Article 9 (...) 2. In case of dispute about the rights referred to in the preceding paragraph, the worker shall have the possibility of presenting his case to a competent body, either himself or through a representative.
	Violence and Harassment Recommendation, 2019 (No. 206) , para. 16 (c) and (d).	Paragraph 16. The complaint and dispute resolution mechanisms for gender-based violence and harassment referred to in Article 10(e) of the Convention should include measures such as: (...) (c) legal advice and assistance for complainants and victims; (d) guides and other information resources available and accessible in the languages that are widely spoken in the country; and
	Termination of Employment Recommendation, 1982 (No. 166) , para 15.	Paragraph 15. Efforts should be made by public authorities, workers' representatives and organisations of workers to ensure that workers are fully informed of the possibilities of appeal at their disposal.
	Examination of Grievances Recommendation, 1967 (No. 130) , para. 13.	Paragraph 13. (1) The worker concerned should have the right to participate directly in the grievance procedure and to be assisted or represented during the examinations of his grievance by a representative of a workers' organisation, by a representative of the workers in the undertaking, or by any other person of his own choosing, in conformity with national law or practice. (2) The employer should have the right to be assisted or represented by an employers' organisation. (3) Any person employed in the same undertaking who assists or represents the worker during the examination of his grievance should, on condition that he acts in conformity with the grievance procedure, enjoy the same protection as that enjoyed by the worker under Paragraph 2, clause (a), of this Recommendation.

Right to complaint and appeal to an impartial and independent body at first and appellate levels	Discrimination (Employment and Occupation) Convention, 1958 (No. 111) , Article 4 Fundamental Convention	Article 4 Any measures affecting an individual who is justifiably suspected of, or engaged in, activities prejudicial to the security of the State shall not be deemed to be discrimination, provided that the individual concerned shall have the right to appeal to a competent body established in accordance with national practice.
	Labour Inspection (Agriculture) Convention, 1969 (No. 129) , Article 18 (2) Governance Convention	Article 18 2. In order to enable inspectors to take such steps they shall be empowered, subject to any right of appeal to a legal or administrative authority which may be provided by law, to make or have made orders requiring-- (...) (b) measures with immediate executory force, which can go as far as halting the work, in the event of imminent danger to health or safety.
	Labour Inspection Convention, 1947 (No. 81) , Article 13 (2) Governance Convention	Article 13 2. In order to enable inspectors to take such steps they shall be empowered, subject to any right of appeal to a judicial or administrative authority which may be provided by law, to make or to have made orders requiring (...)
	Violence and Harassment Convention, 2019 (No. 190) , Article 10 (h)	Article 10 (h) ensure that labour inspectorates and other relevant authorities, as appropriate, are empowered to deal with violence and harassment in the world of work, including by issuing orders requiring measures with immediate executory force, and orders to stop work in cases of an imminent danger to life, health or safety, subject to any right of appeal to a judicial or administrative authority which may be provided by law.
	Employment Promotion and Protection against Unemployment Convention, 1988 (No. 168) , Article 27 (1).	Article 27 1. In the event of refusal, withdrawal, suspension or reduction of benefit or dispute as to its amount, claimants shall have the right to present a complaint to the body administering the benefit scheme and to appeal thereafter to an independent body. They shall be informed in writing of the procedures available, which shall be simple and rapid.

	Termination of Employment Convention, 1982 (No. 158) , Article 8 (1) and (3)	Article 8 1. A worker who considers that his employment has been unjustifiably terminated shall be entitled to appeal against that termination to an impartial body, such as a court, labour tribunal, arbitration committee or arbitrator. (...) 3. A worker may be deemed to have waived his right to appeal against the termination of his employment if he has not exercised that right within a reasonable period of time after termination.
	Maintenance of Social Security Rights Convention, 1982 (No. 157) , Articles 13 (2) and 14	Article 13 (...) 2. Any claim, declaration or appeal that should have been submitted, under the legislation of a Member, within a specified time to an authority, institution or jurisdiction of that Member, shall be admissible if it is submitted within that time-limit to an authority, institution or jurisdiction of another Member in the territory of which the claimant is resident. In such event, the authority, institution or jurisdiction receiving the claim, declaration or appeal shall forward it without delay to the competent authority, institution or jurisdiction of the first Member. (...) Article 14 Each Member shall promote the development of social services to assist persons covered by this Convention, particularly migrant workers, in their dealings with the authorities, institutions and jurisdictions, particularly with respect to the award and receipt of benefits to which they are entitled and the exercise of their right of appeal, as well as in order to promote their personal and family welfare.
	Medical Care and Sickness Benefits Convention, 1969 (No. 130) , Article 29	Article 29 1. Every claimant shall have a right of appeal in the case of refusal of the benefit or complaint as to its quality or quantity. 2. Where in the application of this Convention a government department responsible to a legislature is entrusted with the administration of medical care, the right of appeal (...) may be replaced by a right to have a complaint concerning the refusal of medical care or the quality of the care received investigated by the appropriate authority.

	Invalidity, Old-Age and Survivors' Benefits Convention, 1967 (No. 128) , Article 34	Article 34 1. Every claimant shall have a right of appeal in the case of refusal of benefit or complaint as to its quality or quantity. 2. Procedures shall be prescribed which permit the claimant to be represented or assisted, where appropriate, by a qualified person of his choice or by a delegate of an organisation representative of persons protected.
	Employment Injury Benefits Convention, 1964 [Schedule I amended in 1980] (No. 121) , Article 23	Article 23 1. Every claimant shall have a right of appeal in the case of refusal of the benefit or complaint as to its quality or quantity. 2. Where in the application of this Convention a government department responsible to a legislature is entrusted with the administration of medical care, the right of appeal provided for in paragraph 1 of this Article may be replaced by a right to have a complaint concerning the refusal of medical care or the quality of the care received investigated by the appropriate authority. 3. Where a claim is settled by a special tribunal established to deal with employment injury benefit questions or with social security questions in general and on which the persons protected are represented, no right of appeal shall be required.
	Social Security (Minimum Standards) Convention, 1952 (No. 102) , Article 70.	Article 70 1. Every claimant shall have a right of appeal in case of refusal of the benefit or complaint as to its quality or quantity. 2. Where in the application of this Convention a Government department responsible to a legislature is entrusted with the administration of medical care, the right of appeal provided for in paragraph 1 of this Article may be replaced by a right to have a complaint concerning the refusal of medical care or the quality of the care received investigated by the appropriate authority. 3. Where a claim is settled by a special tribunal established to deal with social security questions and on which the persons protected are represented, no right of appeal shall be required.

	Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204) , para. 29.	Paragraph 29. Members should put in place efficient and accessible complaint and appeal procedures.
	Social Protection Floors Recommendation, 2012 (No. 202) , para. 7.	Paragraph 7. Basic social security guarantees should be established by law. National laws and regulations should specify the range, qualifying conditions and levels of the benefits giving effect to these guarantees. Impartial, transparent, effective, simple, rapid, accessible and inexpensive complaint and appeal procedures should also be specified. Access to complaint and appeal procedures should be free of charge to the applicant. Systems should be in place that enhance compliance with national legal frameworks.
	Nursing Personnel Recommendation, 1977 (No. 157) , Para. 17.	Paragraph 17. Any disciplinary rules applicable to nursing personnel should be determined with the participation of representatives of nursing personnel and should guarantee such personnel a fair judgement and adequate appeal procedures, including the right to be represented by persons of their choice at all levels of the proceedings, in a manner appropriate to national conditions.
	Migrant Workers Recommendation, 1975 (No. 151) , Paras. 32 and 33	Paragraph 32. (1) A migrant worker who has lodged an appeal against the termination of his employment, under such procedures as may be available, should be allowed sufficient time to obtain a final decision thereon. (2) If it is established that the termination of employment was not justified, the migrant worker should be entitled, on the same terms as national workers, to reinstatement, to compensation for loss of wages or of other payment which results from unjustified termination, or to access to a new job with a right to indemnification. If he is not reinstated, he should be allowed sufficient time to find alternative employment. Paragraph 33. A migrant worker who is the object of an expulsion order should have a right of appeal before an administrative or judicial instance, according to conditions laid down in national laws or regulations. This appeal should stay the execution of the expulsion order, subject to the duly substantiated requirements of national security or public order. The migrant worker should have the same right to legal assistance as national workers and have the possibility of being assisted by an interpreter.

	Discrimination (Employment and Occupation) Recommendation, 1958 (No. 111) , Para 7.	Paragraph 7. Any measures affecting an individual who is justifiably suspected of, or engaged in, activities prejudicial to the security of the State should not be deemed to be discrimination, provided that the individual concerned has the right to appeal to a competent body established in accordance with national practice.
	Termination of Employment Recommendation, 1982 (No. 166) , paras. 14-15.	Paragraph 14. Provision may be made for recourse to a procedure of conciliation before or during appeal proceedings against termination of employment. Paragraph 15. Efforts should be made by public authorities, workers' representatives and organisations of workers to ensure that workers are fully informed of the possibilities of appeal at their disposal.
	Special Youth Schemes Recommendation, 1970 (No. 136) , para. 10.	Paragraph 10. There should be formal procedures for appeal by participants against decisions concerning their recruitment, their admission or their conditions of service, as well as informal grievance procedures to deal with minor complaints.
	Medical Care Recommendation, 1944 (No. 69) , paras. 112-113.	Paragraph 112. Beneficiaries or members of the medical or allied professions who have submitted complaints to the arbitration body referred to in Paragraph 63 should have a right of appeal from the decisions of such body to an independent tribunal. Paragraph 113. Members of the medical and allied professions against whom disciplinary measures have been taken by the supervisory body referred to in Paragraph 64 should have a right of appeal from the decisions of such body to an independent tribunal.
	Income Security Recommendation, 1944 (No. 67) , para. 27 (10).	Paragraph 27. The administration of social insurance should be unified or co-ordinated within a general system of social security services, and contributors should, through their organisations, be represented on the bodies which determine or advise upon administrative policy and propose legislation or frame regulations. (...) (10) Provision for uniformity of interpretation should be assured by a superior appeal tribunal.

Protection against victimisation and retaliation	Occupational Safety and Health Convention, 1981 (No. 155) , Article 5 (e). Fundamental Convention	Article 5 The policy (...) shall take account of the following main spheres of action in so far as they affect occupational safety and health and the working environment: (...) (e) the protection of workers and their representatives from disciplinary measures as a result of actions properly taken by them in conformity with the policy referred to in Article 4 of this Convention.
	Protocol of 2002 to the Occupational Safety and Health Convention, 1981 , Article 3 (a) (iv).	Article 3 The requirements and procedures for recording shall determine: (a) the responsibility of employers: (...) (iv) to refrain from instituting retaliatory or disciplinary measures against a worker for reporting an occupational accident, occupational disease, dangerous occurrence, commuting accident or suspected case of occupational disease;
	Violence and Harassment Convention, 2019 (No. 190) , Article 10 (b) (iv).	Article 10 Each Member shall take appropriate measures to: (...) (b) ensure easy access to appropriate and effective remedies and safe, fair and effective reporting and dispute resolution mechanisms and procedures in cases of violence and harassment in the world of work, such as: (...) (iv) protection against victimization of or retaliation against complainants, victims, witnesses and whistle-blowers; and
	Maritime Labour Convention, 2006 (MLC, 2006)	Standard A5.1.5. On-board complaint procedures 3. The on-board complaint procedures shall include the right of the seafarer to be accompanied or represented during the complaints procedure, as well as safeguards against the possibility of victimization of seafarers for filing complaints. The term "victimization" covers any adverse action taken by any person with respect to a seafarer for lodging a complaint which is not manifestly vexatious or maliciously made. Standard A5.2.2 – Onshore seafarer complaint-handling procedures 7. Appropriate steps shall be taken to safeguard the confidentiality of complaints made by seafarers.

		Guideline B5.2.2 – Onshore seafarer complaint-handling procedures 1. If the complaint relates to an individual case, an examination of the results of any on-board complaint procedures for the resolution of the complaint concerned should be undertaken. If such procedures have not been explored, the authorized officer should suggest that the complainant take advantage of any such procedures available. There should be good reasons for considering a complaint before any on-board complaint procedures have been explored. These would include the inadequacy of, or undue delay in, the internal procedures or the complainant's fear of reprisal for lodging a complaint. Regulation 5.2.2 – Onshore seafarer complaint-handling procedures 7. Appropriate steps shall be taken to safeguard the confidentiality of complaints made by seafarers.
	Termination of Employment Convention, 1982 (No. 158), Article 5 (c).	Article 5 The following, inter alia, shall not constitute valid reasons for termination: (...) (c) the filing of a complaint or the participation in proceedings against an employer involving alleged violation of laws or regulations or recourse to competent administrative authorities;
	Examination of Grievances Recommendation, 1967 (No. 130), paras. 2 (a) and 13 (3).	Paragraph 2. Any worker who, acting individually or jointly with other workers, considers that he has grounds for a grievance should have the right -- (a) to submit such grievance without suffering any prejudice whatsoever as a result; Paragraph 13 (3) Any person employed in the same undertaking who assists or represents the worker during the examination of his grievance should, on condition that he acts in conformity with the grievance procedure, enjoy the same protection as that enjoyed by the worker under Paragraph 2, clause (a), of this Recommendation.
	Minimum Wage Fixing Recommendation, 1970 (No. 135), para. 14 (f)	Paragraph 14. Measures to ensure the effective application of all provisions relating to minimum wages, as provided for in Article 5 of the Convention, should include the following: (...) (f) adequate protection of workers against victimisation.

Determination of the burden of proof, including shifting where appropriate	Maternity Protection Convention, 2000 (No. 183) , Article 8 (1).	Article 8 1. (...) The burden of proving that the reasons for dismissal are unrelated to pregnancy or childbirth and its consequences or nursing shall rest on the employer.
	Termination of Employment Convention, 1982 (No. 158) , Article 9 (2).	Article 9 (...) 2. In order for the worker not to have to bear alone the burden of proving that the termination was not justified, the methods of implementation referred to in Article 1 of this Convention shall provide for one or the other or both of the following possibilities: (a) the burden of proving the existence of a valid reason for the termination as defined in Article 4 of this Convention shall rest on the employer; (b) the bodies referred to in Article 8 of this Convention shall be empowered to reach a conclusion on the reason for the termination having regard to the evidence provided by the parties and according to procedures provided for by national law and practice.
	Violence and Harassment Recommendation, 2019 (No. 206) , para. 16 (e).	Paragraph 16. The complaint and dispute resolution mechanisms for gender-based violence and harassment referred to in Article 10(e) of the Convention should include measures such as: (...) (e) shifting of the burden of proof, as appropriate, in proceedings other than criminal proceedings.
	Employment Relationship Recommendation, 2006 (No. 198) , para. 11 (b) and (c)	Paragraph 11. For the purpose of facilitating the determination of the existence of an employment relationship, Members should, within the framework of the national policy referred to in this Recommendation, consider the possibility of the following: (b) providing for a legal presumption that an employment relationship exists where one or more relevant indicators is present; and (c) determining, following prior consultations with the most representative organizations of employers and workers, that workers with certain characteristics, in general or in a particular sector, must be deemed to be either employed or self-employed.
	Workers' Representatives Recommendation, 1971 (No. 143) , para. 6 (2) (e).	Paragraph 6. (2) These might include such measures as the following: (...) (e) provision for laying upon the employer, in the case of any alleged discriminatory dismissal or unfavourable change in the conditions of employment of a workers' representative, the burden of proving that such action was justified;

Grievance handling not precluding legal procedures	Maritime Labour Convention, 2006 (MLC, 2006)	Regulation 5.1.5 – On-board complaint procedures 1. Each Member shall require that ships that fly its flag have on-board procedures for the fair, effective and expeditious handling of seafarer complaints alleging breaches of the requirements of this Convention (including seafarers’ rights). 2. Each Member shall prohibit and penalize any kind of victimization of a seafarer for filing a complaint. 3. The provisions in this Regulation and related sections of the Code are without prejudice to a seafarer’s right to seek redress through whatever legal means the seafarer considers appropriate. Standard A5.1.5 – On-board complaint procedures 1. Without prejudice to any wider scope that may be given in national laws or regulations or collective agreements, the on-board procedures may be used by seafarers to lodge complaints relating to any matter that is alleged to constitute a breach of the requirements of this Convention (including seafarers’ rights). 2. Each Member shall ensure that, in its laws or regulations, appropriate onboard complaint procedures are in place to meet the requirements of Regulation 5.1.5. Such procedures shall seek to resolve complaints at the lowest level possible. However, in all cases, seafarers shall have a right to complain directly to the master and, where they consider it necessary, to appropriate external authorities. 3. The on-board complaint procedures shall include the right of the seafarer to be accompanied or represented during the complaints procedure, as well as safeguards against the possibility of victimization of seafarers for filing complaints. The term “victimization” covers any adverse action taken by any person with respect to a seafarer for lodging a complaint which is not manifestly vexatious or maliciously made. 4. In addition to a copy of their seafarers’ employment agreement, all seafarers shall be provided with a copy of the on-board complaint procedures applicable on the ship. This shall include contact information for the competent authority in the flag State and, where different, in the seafarers’ country of residence, and the name of a person or persons on
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		board the ship who can, on a confidential basis, provide seafarers with impartial advice on their complaint and otherwise assist them in following the complaint procedures available to them on board the ship. Guideline B5.1.5 – On-board complaint procedures 1. Subject to any relevant provisions of an applicable collective agreement, the competent authority should, in close consultation with shipowners' and seafarers' organizations, develop a model for fair, expeditious and well-documented on-board complaint-handling procedures for all ships that fly the Member's flag. In developing these procedures the following matters should be considered: (a) many complaints may relate specifically to those individuals to whom the complaint is to be made or even to the master of the ship. In all cases seafarers should also be able to complain directly to the master and to make a complaint externally; and (b) in order to help avoid problems of victimization of seafarers making complaints about matters under this Convention, the procedures should encourage the nomination of a person on board who can advise seafarers on the procedures available to them and, if requested by the complainant seafarer, also attend any meetings or hearings into the subject matter of the complaint. 2. At a minimum the procedures discussed during the consultative process referred to in paragraph 1 of this Guideline should include the following: (a) complaints should be addressed to the head of the department of the seafarer lodging the complaint or to the seafarer's superior officer; (b) the head of department or superior officer should then attempt to resolve the matter within prescribed time limits appropriate to the seriousness of the issues involved; (c) if the head of department or superior officer cannot resolve the complaint to the satisfaction of the seafarer, the latter may refer it to the master, who should handle the matter personally; (d) seafarers should at all times have the right to be accompanied and to be represented by another seafarer of their choice on board the ship concerned;
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		(e) all complaints and the decisions on them should be recorded and a copy provided to the seafarer concerned; (f) if a complaint cannot be resolved on board, the matter should be referred ashore to the shipowner, who should be given an appropriate time limit for resolving the matter, where appropriate, in consultation with the seafarers concerned or any person they may appoint as their representative; and (g) in all cases seafarers should have a right to file their complaints directly with the master and the shipowner and competent authorities. Regulation 5.2.2 – Onshore seafarer complaint-handling procedures 1. Each Member shall ensure that seafarers on ships calling at a port in the Member's territory who allege a breach of the requirements of this Convention (including seafarers' rights) have the right to report such a complaint in order to facilitate a prompt and practical means of redress. Standard A5.2.2 – Onshore seafarer complaint-handling procedures 1. A complaint by a seafarer alleging a breach of the requirements of this Convention (including seafarers' rights) may be reported to an authorized officer in the port at which the seafarer's ship has called. In such cases, the authorized officer shall undertake an initial investigation. 2. Where appropriate, given the nature of the complaint, the initial investigation shall include consideration of whether the on-board complaint procedures provided under Regulation 5.1.5 have been explored. The authorized officer may also conduct a more detailed inspection in accordance with Standard A5.2.1. 3. The authorized officer shall, where appropriate, seek to promote a resolution of the complaint at the ship-board level. 4. In the event that the investigation or the inspection provided under this Standard reveals a non-conformity that falls within the scope of paragraph 6 of Standard A5.2.1, the provisions of that paragraph shall be applied. 5. Where the provisions of paragraph 4 of this Standard do not apply, and the complaint has not been resolved at the ship-board level, the authorized officer shall forthwith notify the flag State, seeking, within a prescribed deadline, advice and a corrective plan of action. 6. Where the complaint has not been resolved following action taken in accordance with paragraph 5 of this Standard, the port State shall transmit a copy of the
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		authorized officer's report to the Director-General. The report must be accompanied by any reply received within the prescribed deadline from the competent authority of the flag State. The appropriate shipowners' and seafarers' organizations in the port State shall be similarly informed. In addition, statistics and information regarding complaints that have been resolved shall be regularly submitted by the port State to the Director General. Both such submissions are provided in order that, on the basis of such action as may be considered appropriate and expedient, a record is kept of such information and is brought to the attention of parties, including shipowners' and seafarers' organizations, which might be interested in availing themselves of relevant recourse procedures. 7. Appropriate steps shall be taken to safeguard the confidentiality of complaints made by seafarers. Guideline B5.2.2 – Onshore seafarer complaint-handling procedures 1. Where a complaint referred to in Standard A5.2.2 is dealt with by an authorized officer, the officer should first check whether the complaint is of a general nature which concerns all seafarers on the ship, or a category of them, or whether it relates only to the individual case of the seafarer concerned. (...) 3. If the complaint relates to an individual case, an examination of the results of any on-board complaint procedures for the resolution of the complaint concerned should be undertaken. If such procedures have not been explored, the authorized officer should suggest that the complainant take advantage of any such procedures available. There should be good reasons for considering a complaint before any on-board complaint procedures have been explored. These would include the inadequacy of, or undue delay in, the internal procedures or the complainant's fear of reprisal for lodging a complaint. 4. In any investigation of a complaint, the authorized officer should give the master, the shipowner and any other person involved in the complaint a proper opportunity to make known their views. 5. In the event that the flag State demonstrates, in response to the notification by the port State in accordance with paragraph 5 of Standard A5.2.2, that it will handle the matter, and that it has in place effective procedures for this purpose and has submitted an acceptable plan of action, the authorized officer may refrain from any further involvement with the complaint.
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	Violence and Harassment Convention, 2019 (No. 190) , Article 10 (b) (i).	Article 10 Each Member shall take appropriate measures to: (...) (b) ensure easy access to appropriate and effective remedies and safe, fair and effective reporting and dispute resolution mechanisms and procedures in cases of violence and harassment in the world of work, such as: (...) (i) complaint and investigation procedures, as well as, where appropriate, dispute resolution mechanisms at the workplace level; (...)
	Special Youth Schemes Recommendation, 1970 (No. 136) , para. 10.	Paragraph 10. There should be formal procedures for appeal by participants against decisions concerning their recruitment, their admission or their conditions of service, as well as informal grievance procedures to deal with minor complaints.
	Examination of Grievances Recommendation, 1967 (No. 130)	<i>Full text</i>

Effective implementation, compliance and enforcement Effective and dissuasive sanctions and penalties	Worst Forms of Child Labour Convention, 1999 (No. 182) , Article 7 (1). Fundamental Convention	Article 7 1. Each Member shall take all necessary measures to ensure the effective implementation and enforcement of the provisions giving effect to this Convention including the provision and application of penal sanctions or, as appropriate, other sanctions.
	Protocol of 2014 to the Forced Labour Convention, 1930 , Article 1 (1).	Article 1 1. In giving effect to its obligations under the Convention to suppress forced or compulsory labour, each Member shall take effective measures to prevent and eliminate its use, to provide to victims protection and access to appropriate and effective remedies, such as compensation, and to sanction the perpetrators of forced or compulsory labour.
	Labour Inspection Convention, 1947 (No. 81) , Article 3 (1). Governance Convention	Article 3 1. The functions of the system of labour inspection shall be: (a) to secure the enforcement of the legal provisions relating to conditions of work and the protection of workers while engaged in their work, such as provisions relating to hours, wages, safety, health and welfare, the employment of children and young persons, and other connected matters, in so far as such provisions are enforceable by labour inspectors; (b) to supply technical information and advice to employers and workers concerning the most effective means of complying with the legal provisions; (...)
	Violence and Harassment Convention, 2019 (No. 190) , Article 10 (d) and (h)	Article 10 Each Member shall take appropriate measures to: (...) (d) provide for sanctions, where appropriate, in cases of violence and harassment in the world of work; (...) (h) ensure that labour inspectorates and other relevant authorities, as appropriate, are empowered to deal with violence and harassment in the world of work, including by issuing orders requiring measures with immediate executory force, and orders to stop work in cases of an imminent danger to life, health or safety, subject to any right of appeal to a judicial or administrative authority which may be provided by law.

	Work in Fishing Convention, 2007 (No. 188) , Article 40.	Article 40 Each Member shall effectively exercise its jurisdiction and control over vessels that fly its flag by establishing a system for ensuring compliance with the requirements of this Convention including, as appropriate, inspections, reporting, monitoring, complaint procedures, appropriate penalties and corrective measures, in accordance with national laws or regulations.
	Maritime Labour Convention, 2006 (MLC, 2006)	Article 5 1. Each Member shall implement and enforce laws or regulations or other measures that it has adopted to fulfil its commitments under this Convention with respect to ships and seafarers under its jurisdiction. 2. Each Member shall effectively exercise its jurisdiction and control over ships that fly its flag by establishing a system for ensuring compliance with the requirements of this Convention, including regular inspections, reporting, monitoring and legal proceedings under the applicable law. 5. Each Member shall effectively exercise its jurisdiction and control over seafarer recruitment and placement services, if these are established in its territory. 6. Each Member shall prohibit violations of the requirements of this Convention and shall, in accordance with international law, establish sanctions or require the adoption of corrective measures under its laws which are adequate to discourage such violations. Guideline B2.2 – Wages Guideline B2.2.2 – Calculation and payment 4. National laws and regulations adopted after consulting the representative shipowners’ and seafarers’ organizations or, as appropriate, collective agreements should take into account the following principles: (...) (e) adequate penalties or other appropriate remedies should be imposed by the competent authority where shipowners unduly delay, or fail to make, payment of all remuneration due;

		Regulation 5.1.4 – Inspection and enforcement 1. Each Member shall verify, through an effective and coordinated system of regular inspections, monitoring and other control measures, that ships that fly its flag comply with the requirements of this Convention as implemented in national laws and regulations Standard A5.1.4 – Inspection and enforcement 17. Adequate penalties and other corrective measures for breaches of the requirements of this Convention (including seafarers’ rights) and for obstructing inspectors in the performance of their duties shall be provided for and effectively enforced by each Member.
	Minimum Wage Fixing Convention, 1970 (No. 131), Articles 2 (1) and 5	Article 2 1. Minimum wages shall have the force of law and shall not be subject to abatement, and failure to apply them shall make the person or persons concerned liable to appropriate penal or other sanctions. Article 5 Appropriate measures, such as adequate inspection reinforced by other necessary measures, shall be taken to ensure the effective application of all provisions relating to minimum wages.
	Protection of Wages Convention, 1949 (No. 95), Article 15	Article 15 The laws or regulations giving effect to the provisions of this Convention shall-- (...) (b) define the persons responsible for compliance therewith; (c) prescribe adequate penalties or other appropriate remedies for any violation thereof; (d) provide for the maintenance, in all appropriate cases, of adequate records in an approved form and manner.

	Protection of Wages Convention, 1949 (No. 95) , Article 15 (c)	Article 15 The laws or regulations giving effect to the provisions of this Convention shall-- (...) (c) prescribe adequate penalties or other appropriate remedies for any violation thereof;
	Violence and Harassment Recommendation, 2019 (No. 206) , para. 17 (g).	Paragraph 17. The support, services and remedies for victims of gender-based violence and harassment referred to in Article 10 (e) of the Convention should include measures such as: (...) (g) specialized police units or specially trained officers to support victims.
	Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204) , paras.22, 26, 29 and 30.	Paragraph 22. Members should take appropriate measures, including through a combination of preventive measures, law enforcement and effective sanctions, to address tax evasion and avoidance of social contributions, labour laws and regulations. Any incentives should be linked to facilitating the effective and timely transition from the informal to the formal economy. Paragraph 26. Members should put in place appropriate mechanisms or review existing mechanisms with a view to ensuring compliance with national laws and regulations, including but not limited to ensuring recognition and enforcement of employment relationships, so as to facilitate the transition to the formal economy. Paragraph 29. Members should put in place efficient and accessible complaint and appeal procedures. Paragraph 30. Members should provide for preventive and appropriate corrective measures to facilitate the transition to the formal economy, and ensure that the administrative, civil or penal sanctions provided for by national laws for non-compliance are adequate and strictly enforced.
	Forced Labour (Supplementary Measures) Recommendation, 2014 (No. 203) , para. 13.	Paragraph 13. Members should take action to strengthen the enforcement of national laws and regulations and other measures, including by: (a) giving to the relevant authorities, such as labour inspection services, the necessary mandate, resources and training to allow them to effectively enforce the law and cooperate with other organizations concerned for the prevention and protection of victims of forced or compulsory labour;

		(b) providing for the imposition of penalties, in addition to penal sanctions, such as the confiscation of profits of forced or compulsory labour and of other assets in accordance with national laws and regulations; (c) ensuring that legal persons can be held liable for the violation of the prohibition to use forced or compulsory labour in applying Article 25 of the Convention and clause (b) above; and (d) strengthening efforts to identify victims, including by developing indicators of forced or compulsory labour for use by labour inspectors, law enforcement services, social workers, immigration officers, public prosecutors, employers, employers' and workers' organizations, non-governmental organizations and other relevant actors.
	Employment Relationship Recommendation, 2006 (No. 198) , para. 15.	Paragraph 15. The competent authority should adopt measures with a view to ensuring respect for and implementation of laws and regulations concerning the employment relationship with regard to the various aspects considered in this Recommendation, for example, through labour inspection services and their collaboration with the social security administration and the tax authorities.
	Minimum Wage Fixing Recommendation, 1970 (No. 135) , para. 14	Paragraph 14. Measures to ensure the effective application of all provisions relating to minimum wages, as provided for in Article 5 of the Convention, should include the following: (a) arrangements for giving publicity to minimum wage provisions in languages or dialects understood by workers who need protection, adapted where necessary to the needs of illiterate persons; (b) the employment of a sufficient number of adequately trained inspectors equipped with the powers and facilities necessary to carry out their duties; (c) adequate penalties for infringement of the provisions relating to minimum wages; (d) simplification of legal provisions and procedures, and other appropriate means of enabling workers effectively to exercise their rights under minimum wage provisions, including the right to recover amounts by which they may have been underpaid; (e) the association of employers' and workers' organisations in efforts to protect workers against abuses; (f) adequate protection of workers against victimisation.

Access to appropriate and effective remedies Wide range of remedies and variety of outcomes	Protocol of 2014 to the Forced Labour Convention, 1930, Article 1 (1) and 4 (1).	Article 1 1. In giving effect to its obligations under the Convention to suppress forced or compulsory labour, each Member shall take effective measures to prevent and eliminate its use, to provide to victims protection and access to appropriate and effective remedies, such as compensation, and to sanction the perpetrators of forced or compulsory labour. (...) Article 4 1. Each Member shall ensure that all victims of forced or compulsory labour, irrespective of their presence or legal status in the national territory, have access to appropriate and effective remedies, such as compensation. (...)
	Violence and Harassment Convention, 2019 (No. 190), Article 10 (b).	Article 10 Each Member shall take appropriate measures to: (...) (b) ensure easy access to appropriate and effective remedies and safe, fair and effective reporting and dispute resolution mechanisms and procedures in cases of violence and harassment in the world of work, such as: (...)
	Termination of Employment Convention, 1982 (No. 158), Article 10.	Article 10 If the bodies referred to in Article 8 of this Convention find that termination is unjustified and if they are not empowered or do not find it practicable, in accordance with national law and practice, to declare the termination invalid and/or order or propose reinstatement of the worker, they shall be empowered to order payment of adequate compensation or such other relief as may be deemed appropriate.
	Protection of Wages Convention, 1949 (No. 95), Article 15 (c)	Article 15 The laws or regulations giving effect to the provisions of this Convention shall-- (...) (c) prescribe adequate penalties or other appropriate remedies for any violation thereof;

	Violence and Harassment Recommendation, 2019 (No. 206), paras. 14-19.	Paragraph 14. The remedies referred to in Article 10(b) of the Convention could include: (a) the right to resign with compensation; (b) reinstatement; (c) appropriate compensation for damages; (d) orders requiring measures with immediate executory force to be taken to ensure that certain conduct is stopped or that policies or practices are changed; and (e) legal fees and costs according to national law and practice. Paragraph 15. Victims of violence and harassment in the world of work should have access to compensation in cases of psychosocial, physical or any other injury or illness which results in incapacity to work. Paragraph 16. The complaint and dispute resolution mechanisms for gender-based violence and harassment referred to in Article 10(e) of the Convention should include measures such as: (a) courts with expertise in cases of gender-based violence and harassment; (b) timely and efficient processing; (c) legal advice and assistance for complainants and victims; (d) guides and other information resources available and accessible in the languages that are widely spoken in the country; and (e) shifting of the burden of proof, as appropriate, in proceedings other than criminal proceedings. Paragraph 17. The support, services and remedies for victims of gender-based violence and harassment referred to in Article 10(e) of the Convention should include measures such as: (a) support to help victims re-enter the labour market; (b) counselling and information services, in an accessible manner as appropriate; (c) 24-hour hotlines;
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		(d) emergency services; (e) medical care and treatment and psychological support; (f) crisis centres, including shelters; and (g) specialized police units or specially trained officers to support victims. Paragraph 18. Appropriate measures to mitigate the impacts of domestic violence in the world of work referred to in Article 10(f) of the Convention could include: (a) leave for victims of domestic violence; (b) flexible work arrangements and protection for victims of domestic violence; (c) temporary protection against dismissal for victims of domestic violence, as appropriate, except on grounds unrelated to domestic violence and its consequences; (d) the inclusion of domestic violence in workplace risk assessments; (e) a referral system to public mitigation measures for domestic violence, where they exist; and (f) awareness-raising about the effects of domestic violence. Paragraph 19. Perpetrators of violence and harassment in the world of work should be held accountable and provided counselling or other measures, where appropriate, with a view to preventing the reoccurrence of violence and harassment, and facilitating their reintegration into work, where appropriate.
	Forced Labour (Supplementary Measures) Recommendation, 2014 (No. 203), para. 12.	Paragraph 12. Members should take measures to ensure that all victims of forced or compulsory labour have access to justice and other appropriate and effective remedies, such as compensation for personal and material damages, including by: (a) ensuring, in accordance with national laws, regulations and practice, that all victims, either by themselves or through representatives, have effective access to courts, tribunals and other resolution mechanisms, to pursue remedies, such as compensation and damages; (b) providing that victims can pursue compensation and damages from perpetrators, including unpaid wages and statutory contributions for social security benefits; (c) ensuring access to appropriate existing compensation schemes;

		(d) providing information and advice regarding victims' legal rights and the services available, in a language that they can understand, as well as access to legal assistance, preferably free of charge; and (e) providing that all victims of forced or compulsory labour that occurred in the member State, both nationals and non-nationals, can pursue appropriate administrative, civil and criminal remedies in that State, irrespective of their presence or legal status in the State, under simplified procedural requirements, when appropriate.
	Quality Apprenticeships Recommendation, 2023 (No. 208) , Para. 22.	Paragraph 22. Members should take effective measures to prevent and eliminate any discrimination, violence and harassment and exploitation against apprentices and provide access to appropriate and effective remedies.
	Workers' Representatives Recommendation, 1971 (No. 143) , Para. 6.	Paragraph 6. (1) Where there are not sufficient relevant protective measures applicable to workers in general, specific measures should be taken to ensure effective protection of workers' representatives. (2) These might include such measures as the following: (...) (d) in respect of the unjustified termination of employment of workers' representatives, provision for an effective remedy which, unless this is contrary to basic principles of the law of the country concerned, should include the reinstatement of such representatives in their job, with payment of unpaid wages and with maintenance of their acquired rights;

Geneva, January 2025