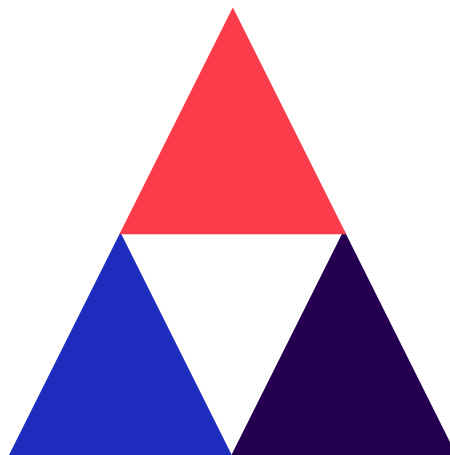




► Record of proceedings

Meeting of Experts to discuss and adopt policy guidelines for the promotion of decent work in recycling
(Geneva, 5–9 May 2025)



► Contents

	Page
I. Introduction	5
II. Consideration of the draft guidelines	10
1. Introduction.....	10
1.1. Purposes and principles	12
1.2. Application, scope and users	12
2. Productive employment and decent jobs	15
2.1. A conducive, coherent and coordinated policy environment	15
2.2. Investments in infrastructure and systems.....	21
2.3. Sustainable enterprise development.....	24
2.4. Cooperatives and the social and solidarity economy.....	34
2.5. Responsible and sustainable business practices.....	36
2.6. Skills development and lifelong learning	37
2.7. Decent jobs for your people.....	39
2.8. Formalization	41
2.9. A just transition towards a job-rich circular economy	44
3. Rights at work.....	45
3.1. Freedom of association and the effective recognition of the right to collective bargaining	46
3.2. Elimination of all forms of forced or compulsory labour.....	50
3.3. Effective abolition of child labour	52
3.4. Elimination of discrimination in respect of employment and occupation.....	54
3.5. The right to a safe and healthy working environment	55
4. Social and labour protection	58
4.1. Universal social protection	58
4.2. Conditions of work	59
5. Social dialogue and tripartism.....	64
5.1. Social dialogue.....	64
5.2. Strengthening institutional capacity	65
Appendix.....	65
III. Closure of the Meeting	66

► I. Introduction

1. In accordance with the decision taken by the Governing Body at its 350th Session (March 2024), the Meeting of Experts to discuss and adopt policy guidelines for the promotion of decent work in recycling was held in Geneva from 5 to 9 May 2025.
2. The Meeting was attended by 5 experts from Governments, 8 experts nominated by the Employers' group and 8 experts nominated by the Workers' group of the Governing Body, as well as by 20 Government observers. There was 1 international non-governmental organization as observer.
3. The purpose of the Meeting, as decided by the Governing Body at its 352nd Session (October–November 2024), was to discuss and adopt policy guidelines for the promotion of decent work in recycling.
4. The Officers of the Meeting were:

Independent Chairperson:	Ms T.M. Samuelsen
Vice-Chairpersons:	Ms A. Coenen (Government, Belgium)
	Ms M. Suarez (Employer, Argentina)
	Mr J. Towers (Worker, United Kingdom of Great Britain and Northern Ireland) ¹
5. The Chairperson, after welcoming the participants, shared some insights into the situation in Norway where, like all other countries, recycling was continuing to grow, driven by the increase in the waste generated, the ambitious national recycling targets and the commitment to greater circularity. In Norway, an average of 772 kilograms of municipal waste was generated per person, which was significantly higher than the Organisation for Economic Co-operation and Development (OECD) Europe average of 499 kilograms per capita. It was therefore necessary to reduce waste and increase recycling. In 2023, approximately 40 per cent of total waste had been sent to recycling or composting. As in other countries, there were areas in which Norway was doing well, and others where it could improve. For example, for specific waste streams, such as plastics, Norway had a lower-than-average recovery rate of around 30 per cent, and therefore needed to make progress in implementing its strategy and reducing plastic litter and pollution. In contrast, its deposit return system for beverage container recovery and recycling was one of the most efficient in the world as a result of the convenient return infrastructure and competitive deposit value, which acted as an incentive for consumers to return empty containers and was having the effect of creating a positive circular economy loop. The Government of Norway was paving the way for more sorting of waste, reuse and recycling through legislation and incentives for digitalization and technology development in the recycling sector. In that regard, it had become more necessary than ever to up- and re-skill workers so that they could adapt to and harness technological developments, and to improve coordination and dialogue within and between the industrial sectors involved in recycling and the broader circular economy. That would require the full involvement of the social partners. The Government of Norway had developed an action plan for the circular economy with a view to reducing waste and strengthening competitiveness. Moreover, waste exports were strictly regulated in Norwegian and international law to prevent high-income countries from sending waste to countries that did not have effective

¹ On the last two days of the Meeting, Mr Towers was replaced by Mr K. Matsuzaki.

and safe waste management systems. It was critical to create new sustainable jobs and to promote decent work opportunities for more workers in recycling throughout the world.

6. The Secretary-General of the Meeting (Director, ILO Sectoral Policies Department) welcomed all the participants to the ILO's first global tripartite meeting on decent work in recycling. He recalled that recycling was critical to reducing waste and conserving resources. More advanced and better recycling contributed not only to environmental preservation, but also to job creation. However, many of those who were involved in recycling waste, and therefore caring for the planet, faced significant decent work challenges, including high informality, occupational safety and health (OSH) hazards, discrimination and, in many cases, the absence of a conducive policy environment for sustainable enterprises to grow and workers to enjoy their rights. The Meeting therefore offered a unique opportunity, not only to address those multifaceted and complex challenges, but also to discuss how the significant opportunities could be harnessed for decent work in recycling and the broader circular economy. It was the role of the Meeting to examine and improve the draft guidelines prepared by the Office and to ensure that they set out solid policies and measures to achieve decent work in recycling based on forward-looking, human-centred solutions and recommendations that focused on the core mandate of the ILO, namely, to advance social justice and decent work for all. Finally, by way of illustration, he briefly reviewed the measures taken by the ILO since 2019 to manage and recycle its own waste, which had led to a significant reduction in the volume of bulky waste produced and an improvement in overall recycling rates.
7. The Executive Secretary provided an overview of the background and process by which the draft policy guidelines had been developed. He recalled that, since its foundation over 100 years ago as an offspring of industrialization, the ILO had been closely wedded to the linear economic system that had been predominant for the past 250 years, which focused on taking what was needed from the ground, mass-producing goods and consigning them to waste after use. It had only been comparatively recently that those in the world of work had started to become concerned with sustainable production and consumption models. It had only been ten years since the ILO had adopted its first Guidelines for a just transition towards environmentally sustainable economies and societies for all, and only six years since the holding of the first ILO tripartite meeting focusing on the conditions of work of those who managed waste, the Global Dialogue Forum on Decent Work in the Management of Electrical and Electronic Waste (E-waste). The draft guidelines before the Meeting were therefore breaking new ground and had been developed with the assistance of consultants, experts from academia, governments and international employers' and workers' organizations and ILO specialists, and were based insofar as possible on already agreed language adopted in other relevant ILO texts.
8. The Worker Vice-Chairperson welcomed the convening of the Meeting, which would be addressing the critical and timely issue of how to promote decent work in recycling, in a sector that was often neglected, but was vital for the protection of public health, environmental sustainability and social justice. The Workers' group brought together representatives of both formal and semi-formal recycling workers, as well as of the vast and often overlooked workforce engaged in informal recycling activities. Despite the diversity, fragmentation and complexity of the sector, he expressed the conviction that all waste and recycling workers were equally entitled to decent work, regardless of their employment status. The representatives in the Workers' group collectively spoke on behalf of over 200 million workers in the public and private industrial sectors, where recycling was not a side issue, but was central to the future of work and of the planet. Recycling was standing at a crossroads. On the one hand, its enormous potential was recognized for decent job creation, the protection of public health and the environment, and its role in the circular economy while, on the other, too many workers in the sector, and particularly those in the informal economy, remained unprotected and faced low pay, unsafe conditions,

discrimination and the denial of their fundamental rights. Employment in recycling was not automatically green and, without strong legal frameworks, respect for international labour standards, implementation mechanisms and good faith social dialogue, it could become a source of exploitation, informality and exclusion, particularly for women, young people and migrants. Joint action was also needed to address and eliminate the root causes of child and forced labour in the informal recycling sector. Too many recycling workers were faced with saturated or unregulated dumpsites that lacked proper infrastructure and adequate health, safety and environmental protection. They were frequently exposed to toxic substances and lacked access to contracts and any form of social protection. And yet, they were vital to the functioning of urban systems and the achievement of sustainability goals. The demands of the Workers' group were firmly rooted in the basic ILO instruments, including the Decent Work Agenda, the ILO Declaration on Fundamental Principles and Rights at Work (1998), as amended in 2022, the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, as amended in 2022 (MNE Declaration), the Guidelines for a just transition towards environmentally sustainable economies and societies for all and the ILO Centenary Declaration for the Future of Work (2019). They included: the formalization of informal work in recycling; full respect for the fundamental principles and rights at work; strong OSH systems; the inclusion of social clauses, including labour clauses, in public procurement to promote decent work along the entire recycling value chain; gender-responsive policies to address the vulnerabilities, invisibility and discrimination against women workers in recycling; stronger governance and social dialogue mechanisms; adequate investment, including public investment in infrastructure, industrial and active labour market policies to stimulate decent job creation; and a living wage on which workers and their families could live with dignity. The guidelines under discussion needed to be ambitious, effective and transformative, and should address the real situations of all waste and recycling workers worldwide, including informal waste workers and the increasingly outsourced and casualized workforce in formal recycling facilities. Workers were not the problem in the recycling sector; they were the solution. A circular economy could not function without workers, irrespective of their employment status, and sustainability could not be achieved without decent work. The outcome of the Meeting should serve to raise the floor, defend workers' rights and ensure that no recycling worker is left behind.

9. The Employer Vice-Chairperson welcomed the opportunity to participate in the discussion, on the basis of the draft guidelines, on the promotion of decent work in recycling. The discussion would not only be on technical and environmental matters, but in particular on development in a context in which the world's economies were faced by deep-rooted technical, environmental and demographic change. The construction of a model of production based on sustainability would require a rethink of the manner in which enterprises operated and grew. The recycling sector could be a vehicle for green jobs, industrial innovation and national development, but would require a conducive environment which recognized its specific characteristics and empowered its contribution to development. The world was therefore facing the dual challenge of making progress towards more sustainable economic models, in which recycling and the circular economy played a structural role, and ensuring that such progress was based on formal, productive and competitive enterprises that were capable of creating decent and productive work. In that context, she emphasized three key messages. The first was the importance of adopting a gradual, balanced and realistic approach to the development of a sector that included a multiplicity of actors, ranging from large, medium and small enterprises, public sector bodies and the informal economy, with very different levels of investment and technological capacity, and of access to markets and financial instruments. It would therefore be necessary to adopt policy recommendations that recognized the differences in productive capacity and national contexts, were based on the principles of technical, economic and institutional feasibility, and recognized

the real capacities of enterprises, and particularly small and medium-sized enterprises (SMEs), which were the nucleus of the system of production in most countries. There was no single formula, and it would be necessary to design flexible, adaptable and progressive strategies in support of transition processes. Secondly, it would be essential to strengthen enabling environments for the creation of productive, formal and sustainable employment, which would have to address a series of obstacles that continued to affect the sector, including high operating costs, an overambitious regulatory burden combined with an incoherent legal framework, limitations in terms of infrastructure and barriers to financing. That was compounded by a high rate of informality, estimated at over 80 per cent in certain parts of the sector. It would not be enough merely to identify those problems. Progress would need to be made in the adoption of specific measures that offered incentives for formalization, promoted investment, simplified access to new technologies and improved the competitiveness of enterprises. It would therefore be essential to ensure that public policies were designed to facilitate the development of formal and sustainable enterprises through: the promotion of investment in a modern and efficient waste management system; the provision of incentives for the formalization of enterprises, the transition to circular economy models and technological innovation; the promotion of productivity growth throughout the recycling value chain; the simplification of legal, tax and financial systems in order to reduce unnecessary bureaucratic burdens; the improvement of access to financing, especially for micro, small and medium-sized enterprises (MSMEs); and continued work on the collection, compilation and analysis of reliable data on the sector. Policies to improve working conditions needed to be accompanied by a predictable legal framework, support mechanisms for the transition of production, sustainable tax systems and accessible financing, without which it could not be hoped to support the development of enterprises in the sector that created decent employment. Recycling could and should be a source of green employment, economic value and social cohesion, and it was therefore necessary to recognize enterprises as principal allies in the development of the transition and key actors that should be heeded, supported and integrated in the design of sustainable development strategies. Thirdly, the Employers reaffirmed their commitment to effective social dialogue and capacity-building. Social dialogue was an essential instrument to make progress towards decent work in recycling and should be based on the legitimate representativity of the social partners and effective cooperation between governments, employers and workers. It was also important to invest in green skills, especially in the context of the circular economy. Modern recycling required both employers and workers to be skilled in new technologies, environmental management, the classification of materials and clean industrial procedures. The just transition needed to include vocational training programmes adapted to market requirements, including for workers in the informal economy who were seeking to make the transition to formality. Any strategy for the promotion of decent work in recycling should include the components of technical skills, vocational adaptation and skills certification. In conclusion, recycling offered a strategic opportunity to make economies more dynamic. It could generate employment, reduce environmental impacts, promote value chains and strengthen the resilience of production. However, for that to be achieved, it would be necessary to build on what was already there by strengthening formal enterprises, facilitating the transition of informal enterprises and ensuring that the rules of the game promoted investment, innovation and sustainable development. The Employers trusted that the guidelines adopted by the Meeting would help recycling contribute not only to the objectives of sustainable development, but also to economic development and the improved quality of life in all countries.

10. The Government Vice-Chairperson welcomed the holding of the Meeting on the important subject of recycling. All countries, in one way or another, were faced with the twin challenges of protecting the environment, on the one hand, and creating more decent work opportunities, on the other.

They were all concerned at the large number of workers in recycling who operated under poor and unsafe conditions, many of them in the informal economy. And they were all committed to promoting new and innovative solutions to improve recycling rates and create decent work opportunities for all in all segments of the value chain. There should be stronger international collaboration, knowledge-sharing and technology transfers, as well as improved coordination between sectors at the national and regional levels. It was important to invest in skills development and lifelong learning to make recycling more effective and productive and meet industry needs, including through public-awareness programmes and the integration of circularity and recycling into existing education and training systems. It was urgent to promote the health and safety of those who worked in the sector, including through continuous monitoring of the health of recycling workers. There could be no doubt that greater ambition was required to advance decent work in recycling and that business as usual could not be allowed to continue. The focus should therefore be on human-centred policy recommendations to improve the jobs and livelihoods of recycling workers, increase respect for their rights at work, create a dynamic and modern recycling sector, generate decent jobs and promote a just transition to the broader circular economy.

11. An observer representing C40 Cities highlighted the role played by C40 Cities as a global network of mayors of the world's leading cities which were united in action to confront the climate crisis. She emphasized that, as urbanization accelerated, cities were facing a surge in waste and plastic pollution. The illegal dumping of plastics was clogging up local rivers, worsening flooding and damaging communities, while the climate breakdown and rising temperatures posed serious health risks for residents and workers. Waste workers, both formal and informal, were critical providers of essential services that kept communities healthy and were key drivers of climate action. And yet, they often bore the brunt of the climate crisis and worked in hazardous and poor conditions. Cities had a key role to play in the provision of waste services, as responsibility for waste services was commonly vested in city and local governments, including the setting of policy targets, the contracting and ownership of waste services and the employment of waste workers. Examples of cities that were working to support decent work in recycling included Accra (Ghana) and Fortaleza (Brazil), which had implemented programmes to improve the working conditions and income of recycling workers. For example, in Accra, the registration of 200 informal waste sector workers had been initiated in a social insurance scheme to improve their resilience to socio-economic shocks and the impact of climate change. In Fortaleza, a recycling programme that combined the door-to-door collection of waste for recycling using tricycles had increased the income of workers by around 500 per cent and had improved the job opportunities and working conditions of women. Cities were also playing a key role in increasing the contribution of waste workers to climate action and public health, while also combating discrimination against them. Based on the experience of its member cities, five key recommendations would enhance the impact of the guidelines, including: multi-level partnerships between national and other levels of government and other partners, such as cities, workers and employers, in the design of just transition policies and programmes; specific public financing for the just transition, including progressive taxation; a nuanced approach to formalization, recognizing that it was not a linear process; social protection for informal workers; and the strengthening of the institutional and technical capacity of cities through improved access to intersectional data, especially on informal and migrant workers.

► II. Consideration of the draft guidelines²

12. The following account of the discussion follows the structure of the draft guidelines, rather than the chronological consideration of its sections. It covers only sections on which there was substantive discussion.

1. Introduction

13. In paragraph 3, first sentence, the Worker Vice-Chairperson proposed the addition, after the words “the circle of life”, of the phrase “and an essential public service that safeguards public health and the environment, as well as a key stage of the waste management value chain,”. The Employer Vice-Chairperson pointed out that recycling was not only a public service, as the private sector was often also heavily involved in it, and it might therefore be more appropriately described as a “public and private service”. Moreover, due to the waste products handled and the high levels of informality that often occurred in the industry, it might not always be conducive to public health. The Worker Vice-Chairperson considered that waste management and recycling were essential public services in the sense that they were of benefit to all members of society. The Government Vice-Chairperson said that waste management and recycling did not at present always safeguard public health, but they should do so. She therefore proposed the alternative wording “an essential service to the public that should safeguard health and the environment”. It was so agreed.
14. With reference to paragraph 3, second sentence, the Employer Vice-Chairperson emphasized that the expansion of recycling was a central result of population growth and increased consumption, as well as the sustainability demands of markets and regulators, and technological advances. She therefore proposed to insert the words “in response to rising” before the words “global population, consumption and waste generation”, and to add, at the end of the sentence, “sustainability demands and market regulation, and technological advancements”. The Worker Vice-Chairperson did not agree with the inclusion of “sustainability demands and market regulation”, but indicated that a reference could be made to the demands of consumers. In response, the Employer Vice-Chairperson indicated that markets were a broad concept that included consumers and producers. She added that it was important to recognize that sustainability demands were increasing because consumers were asking for more sustainable products and services, and in some cases technological advances were forcing enterprises to adapt to being more sustainable. In light of the discussion, the Secretary-General proposed the addition of a final sentence referring to the important sustainability demands from markets and regulators. It was agreed, following the first sentence of the paragraph, to adopt the following wording: “A centuries-old economic and ecological activity, recycling has continued to expand as global population, consumption and waste generation have increased. In addition, there are important sustainability demands from markets and regulators.”
15. In paragraph 4, first sentence, the Worker Vice-Chairperson, with a view to reflecting the situation in practice, proposed to add, at the end of the sentence, the words “, as a mix of formal, informal and semi-formal employment”. The Employer Vice-Chairperson considered that “semi-formal” was not a term that was in common use in the ILO, and should be removed. The word “employment” should also be replaced by “economy”. An adviser to the Workers’ group explained that semi-

² All references and numbers of sections and paragraphs are to the original draft submitted to the Meeting. Where the outcome of discussion on a point is not clear, the text of the guidelines should be taken as the authentic adopted text.

formal types of employment were common in the industry in many countries. For example, there were many cases in which municipal authorities hired daily workers to carry out recycling work without contracts or formal job security. The Government Vice-Chairperson believed that the wording “as a mix of the formal and informal economy” was sufficiently inclusive to cover the types of work referred to by the Workers’ group. It was so agreed.

16. In paragraph 4, in the second sentence, the Worker Vice-Chairperson, with a view to further specifying common types of recycling, proposed the addition, after “manual waste-picking” of the words “to the collection and recovery of waste such as glass, plastics and metal, all the way”. The Employer Vice-Chairperson would be willing to accept a further specification of the types of recycling activities, but considered that, as the list was not exhaustive, the references to specific products should be removed through the deletion of the words “such as glass, plastics and metal”. It was so agreed.
17. In paragraph 5, in the first sentence, the Worker Vice-Chairperson proposed to replace the words “are increasingly seen today as solutions” by the words “can contribute to effective solutions”. It was so agreed.
18. In paragraph 5, in the third sentence, the Employer Vice-Chairperson proposed to replace the words “of caring for our planet and sustaining life on it” by the words “sustainable development”. The Worker Vice-Chairperson could accept the proposed amendment if the words “and of generating decent work” were added at the end of the sentence. The Government Vice-Chairperson, with a view to avoiding repetition within the paragraph, proposed moving the words “generating decent work” from the third sentence to replace the words “employment generation” in the second sentence. It was so agreed.
19. In paragraph 6, the Worker Vice-Chairperson proposed the addition, following the words “generally refers to the” of the words “collection, segregation and”. He also proposed the addition of the words “shipbreaking, industrial sites” following the words “households, businesses”. A Worker expert from the Netherlands explained that it was important to include a reference to shipbreaking, as it was a very unique and large-scale industry led by the private sector which tended to fall outside the common understanding of recycling as being more focused on domestic and business waste. The industry tended to be concentrated in certain Asian countries, and particularly Bangladesh, India and Pakistan, and there was an urgent need for adequate tools to promote decent work in the industry. The Employer Vice-Chairperson agreed with the first amendment proposed by the Worker Vice-Chairperson, but considered that a better wording would be “collection, sorting, valorization, processing”. However, she did not agree with the listing of certain types of business, such as shipbreaking. The Government Vice-Chairperson agreed with the first amendment, as modified by the Employer Vice-Chairperson, and had sympathy with the proposal to include a reference to shipbuilding, which was a special case of a transnational industry in which the final responsibility was not always very clear. Following further consultation, she agreed to the text, as amended. Moreover, as the paragraph was related to the definition of recycling, she proposed that it be placed earlier in the text to become paragraph 3. It was agreed to move the paragraph.
20. In paragraph 7, in the second sentence, the Employer Vice-Chairperson proposed to replace the words “Some recycling activities contaminate the environment, while” by the words “While it contributes to environmental objectives,”. She noted that there was insufficient data to support the assertion that some recycling activities contaminated the environment. The Worker Vice-Chairperson proposed to replace the words “in the informal economy” by the words “in conditions of structural informality”. The Government Vice-Chairperson expressed a preference to retain the reference to both sides of the issue by retaining the words “some recycling activities can

contaminate the environment” and adding the word “can”, so that the beginning of the second sentence would read “While it can contribute to environmental objectives,”. It was so agreed.

1.1. Purposes and principles

21. In paragraph 8, the Worker Vice-Chairperson proposed to: replace the words “to address decent work opportunities” by the words “to ensure decent work opportunities”; add the words “to address” before the word “challenges”; and delete the words “and other sectors in which recycling takes place”. The purpose of the final proposed amendment was that the current wording did not specify the other sectors in which recycling took place.
22. In response to a request for clarification, the Executive Secretary noted that the “other key actors” were specified in paragraph 14 of the draft guidelines, and included social and solidarity economy (SSE) entities, including cooperatives, as well as international governmental organizations, non-governmental organizations, community leaders and education and training institutions. In light of the clarification, the Employer Vice-Chairperson indicated that the other actors referred to were not key actors, and the word “key” should therefore be deleted. In addition, she proposed the wording “promote decent work opportunities”, rather than “ensure decent work opportunities”. The Government Vice-Chairperson agreed with the word “promote” and proposed to add the words “in all sectors where recycling takes place” at the end of the sentence. That wording included businesses in which the core operations consisted of recycling and those in which recycling was one of several activities. It was so agreed.
23. In paragraph 9, in the first sentence, the Worker Vice-Chairperson proposed to replace the words “is key to ensuring that recycling workers” by the words “, including the protection and realization of fundamental principles and rights at work is key to ensuring that workers involved in recycling activities and operations”. In the same sentence, the Employer Vice-Chairperson proposed to replace the word “equity” by the word “equality”, and to replace the word “security” by the words “social security”. The Government Vice-Chairperson proposed to add the words “safety, health” after the word “freedom”. It was so agreed.
24. In paragraph 9, second sentence, the Employer Vice-Chairperson proposed to add the words “, economic growth” after the words “job creation”, and to replace the words “societies and communities” by the word “development”. It was so agreed.

1.2. Application, scope and users

25. In paragraph 11, the Employer Vice-Chairperson proposed, after the words “in the formal and the informal economy”, to add the words “, from MSMEs to large corporations,”, and at the end of the sentence, to add the words “, recognizing the differences across regions and countries”. She also proposed to add the following new sentence: “This diversity means that the economic drivers affecting the sector require tailored and nuanced approaches, as a one-size-fits-all is neither practical nor effective.” She explained that, as indicated in her opening remarks, the guidelines would need to cover all of the actors in the productive sector. Moreover, it was important to recognize the diversity of situations and contexts in which the various actors operated. The Government Vice-Chairperson said that it was also important to include a reference to the international level, and the word “international” should therefore be added before the words “regional, national, local and sectoral levels”. However, the proposed final sentence took away from the clarity of the paragraph and should be withdrawn. The Worker Vice-Chairperson also opposed the inclusion of the proposed final sentence. The Employer Vice-Chairperson emphasized that the situation in which companies operated in the various countries was often very different. It was therefore important to recognize that difference. The Worker Vice-

Chairperson said that it was important for fundamental rights to be applied and promoted as uniformly as possible across borders and it was therefore necessary to set the benchmark as high as possible. The Employer Vice-Chairperson noted that it was not practical to adopt a uniform approach in every respect. For example, the incidence of child labour varied greatly between countries and it was necessary to take those differences into account. The Government Vice-Chairperson noted that there would always be differences in the speed and scope of implementation of guidelines and that, whether or not that was explicitly recognized in the text, it was to be hoped that they would be implemented in each case to the extent that was possible. However, she also expressed sympathy with the argument that great efforts should be made to implement fundamental principles and rights at work as uniformly as possible. In light of the discussion, it was agreed to adopt the first sentence, as amended, and to withdraw the proposed second sentence. It was further agreed to add the words “self-employed workers” before “MSMEs”. Nevertheless, following further consideration and consultations, it was agreed to retain the original text of the proposed guidelines.

26. In paragraph 13, the Worker Vice-Chairperson proposed the addition, after the word “utilities”, of the words “and global supply chains”. The Employer Vice-Chairperson said that supply chains had already been referred to. Moreover, supply chains existed at many levels, including the global, national and regional levels. The Worker Vice-Chairperson proposed the removal of the word “global”. The Government Vice-Chairperson agreed that the amendment was better without the word “global”. It was so agreed.
27. In paragraph 15, in the chapeau, the Employer Vice-Chairperson proposed the addition, before the words “and coordinated approach”, of the word “, phased”. It was important to retain a strong commitment to gradual and progressive implementation, especially when adopting policies or guidelines that might require SMEs to adjust their internal policies, production systems and operations. The amendment therefore sought to ensure that SMEs were in a better position to implement the guidelines. The Government Vice-Chairperson considered that there was a danger of mixing a number of concepts. Although it was always the case that there was a need for an integrated, coherent and coordinated approach at the various levels, the approach adopted did not always need to be “phased”, as there would probably be industries that would be able to implement the guidelines rapidly, or which had already implemented their content. The notion of a phased approach could perhaps be referred to elsewhere in a more appropriate setting. While acknowledging the point made, the Employer Vice-Chairperson emphasized that most businesses, and particularly SMEs, could not change their work plan overnight and that the concept of phased, gradual or progressive implementation would have to be included in an appropriate place. The Worker Vice-Chairperson did not support the addition of the word “phased”, or the suggested alternative “gradual”, as both terms made the wording too ambiguous and open-ended. The Employer Vice-Chairperson was of the view that a reference to gradual or progressive implementation should be included somewhere in the paragraph. On that basis, it was agreed to adopt the chapeau without amendment.
28. In subparagraph 15(a), the Employer Vice-Chairperson proposed the addition of the word “gradually” before the words “implement and enforce”. The Government Vice-Chairperson could agree to the addition of the word “gradually” on the grounds that it took time to adopt and implement legislative measures. The Employer Vice-Chairperson emphasized that it was entirely normal to envisage the progressive implementation of guidelines. The Worker Vice-Chairperson still considered gradual implementation to be too open-ended, but in the spirit of cooperation could accept the word “progressively”. It was so agreed.
29. In subparagraph 15(a), the Worker Vice-Chairperson proposed the addition at the end of the subparagraph of the following new sentence: “Governments are also responsible for waste

management service overall of which recycling is a part.” The Employer Vice-Chairperson could accept the proposed sentence. The Employer Vice-Chairperson did not fully agree with the new sentence, but did not oppose its adoption. The Government Vice-Chairperson could accept the proposed sentence. It was so agreed.

30. In subparagraph 15(b), the Employer Vice-Chairperson proposed the replacement of the words “consistent with” by the words “taking into account”, and the deletion of the words “and the Organisation for Economic Co-operation and Development (OECD) Guidelines for Multinational Enterprises”. She said that, as the instruments referred to were non-binding, the wording “taking into account” was more appropriate. She added that the OECD Guidelines had not been adopted through a tripartite process and only concerned the countries that were Members of the OECD, and were not therefore applicable in a large number of countries, including many of those represented at the present Meeting. The Worker Vice-Chairperson preferred the wording “consistent with” and considered that the OECD Guidelines offered support and their inclusion in the text of the Guidelines would not have any negative impact. The Government Vice-Chairperson wondered whether “taking into account” was a weaker wording than “consistent with”, and suggested “in line with” as a compromise solution. Following further consultation, the Employer Vice-Chairperson proposed the wording “and when appropriate” the OECD Guidelines. It was so agreed.
31. Following subparagraph 15(b), the Employer Vice-Chairperson proposed the addition of the following new subparagraph: “Governments must ensure the effective implementation of national legislation and policies by promoting good governance, fostering an enabling environment for sustainable enterprises, maintaining a stable and predictable regulatory framework, ensuring institutional capacity and promoting effective social dialogue.” The Government Vice-Chairperson noted that, speaking as independent experts, it would be difficult for the Government representatives at the Meeting to adopt such strong wording, even though the proposed new subparagraph definitely covered areas that were the responsibility of governments. More acceptable language might be “aspire to”, rather than “must ensure”. The Employer Vice-Chairperson suggested “should work towards” or “should promote” as alternative wording. She said that the proposed subparagraph was important because it covered the case of countries, particularly developing countries, where structural weaknesses in the institutional environment often affected the ability of enterprises, especially SMEs, to comply with the obligations and principles set out in national legislation and international standards. Recognition of those problems was an important precondition for the design and implementation of strategies that were legally sound, politically feasible and social inclusive. The Worker Vice-Chairperson could accept most of the proposed new subparagraph, but called for the deletion of the words “by promoting good governance, fostering an enabling environment for sustainable enterprises, maintaining a stable and predictable regulatory environment,”.
32. Following further discussion, the Employer Vice-Chairperson proposed the following wording: “Governments are encouraged to take steps towards the effective implementation of national legislation and policies by promoting good governance, supporting sustainable enterprises through enabling environments and predictable regulatory frameworks, strengthening institutional capacity and fostering constructive social dialogue.” The Worker Vice-Chairperson proposed to replace the words “predictable regulatory frameworks” by the words “with the creation of decent work”. The Government Vice-Chairperson agreed with the inclusion of the reference to decent work, but did not understand the reason for the deletion of the reference to predictable regulatory frameworks. The Worker Vice-Chairperson considered that the concept was too broad and was not needed in the present text. Following further attempts to find acceptable wording, the Employer Vice-Chairperson emphasized the importance of regulatory

environments being reliable and predictable, but could accept the wording “the creation of decent work, strengthening institutional capacity, and fostering constructive social dialogue”. It was so agreed.

2. Productive employment and decent jobs

33. In paragraph 16, in the chapeau, following a brief discussion in which the Worker Vice-Chairperson proposed, before the words “promotion interventions”, the addition of the words “and decent work” and the Employer Vice-Chairperson proposed the addition of the words “and productive”, it was decided to adopt the wording “Full and productive employment and decent work”. The Worker Vice-Chairperson withdrew a proposal to add, after the words “promotion interventions”, the words “, sustainable livelihoods and active labour market policies”, as active labour market policies were covered in the following paragraph.
34. In paragraph 16, in the final bullet point, the Employer Vice-Chairperson proposed to replace the words “a job-rich circular economy” by the words “environmentally sustainable economies and societies for all”, which was wording agreed upon by the International Labour Conference (ILC) in 2023 in the Conclusions concerning a just transition towards environmentally sustainable economies and societies for all. It was so agreed.
35. In paragraph 16, the Worker Vice-Chairperson proposed to add the following two bullet points: “progressive taxation on the generation of waste and the use of raw materials;” and “effective labour inspection and enforcement throughout the value chain, including in the informal economy.” However, he withdrew the proposal in light of the explanation provided by the Executive Secretary that each bullet in paragraph 16 acted as the introduction to a specific section of the chapter.

2.1. A conducive, coherent and coordinated policy environment

36. In paragraph 17, in the fifth bullet point, the Government Vice-Chairperson sought to add the words “scientific, technology” before the words “industrial and sectoral policies”. The Employer Vice-Chairperson considered that the words “scientific, technology” could be replaced by the word “innovation”. Following a brief discussion, it was agreed that there should be two separate bullet points: “industrial and sectoral policies” and “scientific, technology and innovation policies”.
37. In paragraph 17, in the sixth bullet point, the Worker Vice-Chairperson proposed to delete the word “productive”, explaining that development policies were intended to improve social good and well-being, and that increased productivity was not their primary goal. The Employer Vice-Chairperson emphasized the importance of productive development in strengthening national economic structures, improving growth and competitiveness and raising living standards. Moreover, “productive development” was commonly used ILO terminology, including in the 2023 Conclusions on the just transition. The Executive Secretary confirmed the use of the term “productive development” in the 2023 Conclusions on at least two occasions, where the reference was linked to industrial and sectoral policies. The term had been the subject of some discussion on that occasion and appeared to be more commonly used in Latin American countries. In response, the Worker Vice-Chairperson proposed the wording “productive and sustainable development policies”. It was so agreed.
38. In paragraph 17, in the eighth bullet point, the Government Vice-Chairperson proposed the addition of the word “education,” before the words “skills development”. The Worker Vice-Chairperson proposed the addition of the word “quality” before the word “education”. It was so agreed.

39. In paragraph 18, the Employer Vice-Chairperson proposed the replacement of the words “A smart mix of” by the words “Comprehensive and coherent”. As a consequence, for drafting purposes, the second sentence should begin with the words “Those policies should follow a human-centred approach”. Finally, she proposed the deletion in the last sentence of the words “relevant to decent work in the recycling industry and the broader circular economy.” The policies should be aligned with international labour standards, but not with other international and regional commitments, which had probably not been agreed on a tripartite basis. The Worker Vice-Chairperson agreed with the wording “Comprehensive and coherent”, but proposed the replacement of the words “human-centred” by “worker-centric”. The Government Vice-Chairperson said that the paragraph was too long and complex and should be split into two paragraphs following the words “throughout these value chains”. While believing that the last sentence should be retained, she understood the point made by the Employer Vice-Chairperson that regional tripartite agreements were not at the same level as international labour standards. They could therefore be preceded by such wording as “They could be inspired by” regional tripartite agreements. The Employer Vice-Chairperson, while agreeing to the division of the paragraph, considered that “worker-centric” was not acceptable ILO language as it did not include the other social partners. With regard to the last sentence, an alternative wording would be: “They should take into account international labour standards and regional tripartite agreements relevant to enabling a sustainable environment and decent work.” The Worker Vice-Chairperson preferred the wording “aligned with” international labour standards and “take into account” regional tripartite agreements. The Government Vice-Chairperson proposed that the policies should be aligned with “ratified” international labour standards. While the Employer Vice-Chairperson agreed with that proposal, it was opposed by the Worker Vice-Chairperson. The Secretary to the Employers’ group explained that international labour standards included both Conventions and Recommendations, and that Conventions had to be ratified to be implemented at the national level. “Alignment”, which meant “following and complying” could only be done at the national level. The wording “aligned with” was thus not appropriate in relation to non-ratified Conventions. Recommendations were guidelines which could not be ratified nor complied directly with. The most appropriate expression was therefore “take into account”. In light of the discussion, a Secretary to the Workers’ group proposed the replacement of the words “international labour standards” by the words “fundamental principles and rights at work”. It was so agreed.
40. With reference to the term “human-centred”, the Government Vice-Chairperson expressed a preference for the wording “Comprehensive and coherent gender-sensitive policies”, which ensured that the focus of the paragraph was on gender-sensitive policies. The Employer Vice-Chairperson agreed that the addition of the term “human-centred” had the effect of watering down the focus on gender-sensitive policies. A Worker expert representing the Self Employed Women’s Association of India said that it was a hard struggle in her country to ensure the voice and visibility of informal workers, and particularly women informal workers. Worker-centric policies would therefore help to promote fair labour, labour standards and economic security for them and were crucial in fostering a just and equitable system that benefited both workers and society as a whole. The Employer Vice-Chairperson, while understanding the concern expressed, considered that the term human-centred belonged elsewhere in the text and instead proposed the addition of the word “inclusive” so that the beginning of the paragraph would read “Comprehensive, coherent and inclusive gender-sensitive policies ...”. It was so agreed.
41. In relation to paragraph 19, in response to a request for clarification concerning the reference to “other social objectives”, the Executive Secretary recalled that the paragraph referred to the increasing number of Member States that were adopting circular economy policies, or updating their waste management and recycling policies, and the importance of the integration of a just transition and decent work in such policies. Although the term “decent work” was not included in

the text of the paragraph, reference was made to the four strategic objectives of the Decent Work Agenda. The words “other social objectives” were intended to cover such objectives as public health and education, but could be very broad. In light of the explanation provided, the Employer Vice-Chairperson proposed to make the text more focused by replacing the words “social objectives” by the words “sustainable development objectives”. The Government Vice-Chairperson proposed the addition, in the second sentence, after the words “sustainable development”, of the words “climate change, emergency response”. The intention was to take into account the good waste management practices that were being developed in response to climate change and emergencies, such as the recycling of the debris following the explosion at the port of Beirut in Lebanon. Circularity and related topics should be taken into account in the policies developed to respond to emergencies and climate change. The Employer Vice-Chairperson agreed with the intention behind the amendment, but considered that it would be more appropriate to use the words “just transition”, which incorporated the concepts of climate change, emergency response and work generation. The Government Vice-Chairperson was not convinced by the term “just transition” in the present context, as it could also cover sustainable development and even employment, as it related to the entirety of the transition. It would not focus on the intended points, which might be better covered by wording such as “resilience to crises and climate change”. In light of the discussion, the Employer Vice-Chairperson proposed the wording “resilience of labour markets to crises”. The Government Vice-Chairperson could accept the wording “resilience to crises” to replace the proposed wording “climate change, emergency response”, but called for the deletion of the words “just transition”, which were already present in the first sentence of the paragraph. It was so agreed.

42. In paragraph 20, the Employer Vice-Chairperson proposed the addition, following the words “employment and labour rights” of the words “, quality education and technical and vocational education and training (TVET)”. It was so agreed.
43. In subparagraph 21(a), the Worker Vice-Chairperson proposed reversing the order of the words “recycling, waste management”. It was so agreed.
44. In subparagraph 21(d), the Government Vice-Chairperson proposed to replace the words “and sectoral” by the words “sectoral, science, technology and education”, for the same reasons as in paragraph 17. The Employer Vice-Chairperson, with reference to the wording adopted in paragraph 17, proposed to replace the words “science, technology” by the word “innovation”. It was so agreed.
45. In subparagraph 21(e), the Worker Vice-Chairperson proposed the addition, after the words “including through”, of the words “measures to ensure compliance with international labour standards (ILS)”, and the addition, before the words “access to the materials”, of the words “legal, regulated and safe”. The Employer Vice-Chairperson could agree to the addition of the words “regulated and safe”, if the word “legal” was omitted. However, a subparagraph relating to trade and investment policies was not the right place for a reference to international labour standards. In response, the Government Vice-Chairperson said that international labour standards definitely had a role to play in trade agreements, for example in relation to corporate social responsibility and due diligence. The Employer Vice-Chairperson replied that, even through trade agreements, it was not possible to force countries to comply with international labour Conventions that they had not ratified. The Government Vice-Chairperson proposed the replacement of the proposed wording “measures to ensure compliance” by the words “promoting compliance”. Countries could choose not to trade with other countries where compliance with international labour standards was not adequate as a means of demonstrating their importance. The Employer Vice-Chairperson would find the wording “promoting compliance” acceptable if it referred to fundamental principles and rights at work, rather than international labour standards. A Worker expert

representing Women in Informal Employment: Globalizing and Organizing (WIEGO) emphasized the importance of making the text of the subparagraph more proactive by citing the experience and role played by WIEGO in the organization of informal waste pickers, who were often prohibited from having access to recyclable materials, with a view to persuading governments to allow such access and recognize their work, which would be essential for the improvement of their incomes and the creation of more decent work in the sector. In response, the Employer Vice-Chairperson proposed to replace the words “, including through” by the words “by fostering respect for fundamental principles and rights at work,”. However, following further discussion, it was agreed to retain the original text of the subparagraph.

46. In subparagraph 21(f), the Government Vice-Chairperson proposed, largely for drafting reasons, to replace the words “demand for recycling and thus the potential of recycling” by the words “demand and potential of recycling, so as”, and, in a more substantive change, to replace the words “more women and men” by the word “all”. The latter amendment was to broaden the wording to include, for example, young workers, as well as other groups that played a very substantial role in the sector. The Worker Vice-Chairperson proposed the addition, after the words “design for recycling”, of the words “source segregated waste management”. An adviser to the Workers’ group representing the International Alliance of Waste Pickers emphasized the importance of advocating source segregated waste management, on the assumption that waste pickers were integrated into such systems, because the quality of the materials and occupational health were increased greatly when materials were segregated at source, namely at the household and business level. The Employer Vice-Chairperson noted that the subparagraph was not referring specifically to household waste and considered that the wording adopted for paragraph 6 of “collection, sorting and valorization” would encompass the concept of source segregated waste management. Moreover, it was not clear whether the concept covered formal or informal workers. As decent work could only by definition be applicable to formal workers, the addition was likely to mix the categories referred to by the subparagraph. In response to a request for clarification, the Executive Secretary indicated that the concept of source segregated waste management, or recycling, did not take into account whether the workers involved were formal or informal. It was simply a principle whereby waste was separated at source into categories, such as paper, plastic, food waste and glass, which made it easier for those involved in recycling to treat the waste, and therefore made their work more productive and profitable. Similarly, in demolition work, the sorting of waste on-site facilitated the work of the recycling company and the materials were safer to handle. It was a general concept that was being adopted by an ever-increasing number of countries and cities around the world and covered enterprises, economic units and workers in the formal and informal economies. The extent to which it involved informal and formal workers tended to depend on the overall structure of the labour market in each country. There was therefore no problem with the inclusion of the concept of decent work in the text. The subparagraph was adopted, as amended.
47. In subparagraph 21(g), the Worker Vice-Chairperson proposed the addition, after the words “basic labour market data on recycling”, of the words “including accurate information about the work carried out in the recycling value chain in the informal sector of the economy”. An adviser to the Workers’ group representing International Alliance of Waste Pickers explained that the informal sector was often left out of the collection of accurate labour market data, which made it very difficult to assess the overall situation with regard to decent work. The Executive Secretary, in response to a request for clarification on the possibility of obtaining accurate information on the informal economy, indicated that the ILO Statistical Department made use of household and labour market surveys to ask workers whether they were formal or informal. However, it was not easy to reach all informal workers for various reasons, for example because they had no fixed abode, did not tend to work in the same place or were too young to be covered by the survey. The

Government Vice-Chairperson, speaking in her capacity as a statistician, said that even in countries with excellent administrative data, informal work still tended to stay under the radar. While the call for information on the informal economy was important, it was not possible to even aspire to such data being accurate, and she therefore proposed the deletion of the word “accurate”. It was agreed to adopt the subparagraph as amended by the Worker and Government Vice-Chairpersons.

48. In subparagraph 21(i), the Employer Vice-Chairperson proposed the deletion of all the text following the words “tendering processes”, as the Labour Clauses (Public Contracts) Convention, 1949 (No. 94), had not been widely ratified, and of the 63 Member States that had ratified it, most were European. The Government Vice-Chairperson said that public procurement standards were one of the instruments available to governments at all levels to improve certain standards at work, although it might be possible to redraft the wording to indicate that it was something to be promoted, without implying the need to give effect to the Convention. The Worker Vice-Chairperson opposed the deletion of the reference to Convention No. 94. Following further discussion, the Worker and Government Vice-Chairpersons proposed to go back to the original text. In a spirit of compromise, the Employer Vice-Chairperson also agreed to the original text and the inclusion of the reference to Convention No. 94 in the appendix. It was so agreed.
49. At the end of paragraph 21, the Employer Vice-Chairperson proposed the addition of three new subparagraphs, the first of which would read as follows: “establish an environment for sustainable enterprises that enables them to grow, innovate, and advance decent work, establish and pursue environmentally sustainable business and production models;”. The wording was taken from the resolution concerning sustainable development, decent work and green jobs adopted by the 102nd Session of the ILC in 2013. It was agreed to adopt the new subparagraph.
50. The second new subparagraph would read as follows: “invest in the development, accessibility and uptake of technologies that can help enterprises enhance productivity, promote decarbonization and improve working conditions and occupational safety and health in line with international labour standards;”. The wording had been agreed by an *ILO Technical Meeting on the Promotion of Decent Work and a Just Transition, Including Skills and Lifelong Learning in the Food and Beverage Industry*, held earlier in the year. The Worker Vice-Chairperson proposed, after the words “help enterprises and”, to add the words “social and solidarity economy (SSE) entities”. It was agreed to adopt the new subparagraph, as amended.
51. The third new subparagraph would read as follows: “develop and implement policies and strategies, and support industry-led initiatives, that address low productivity and skill needs in the sector through technical and vocational education and training, skills development and lifelong learning programmes, encompassing reskilling and upskilling, and ensure equitable access to such learning opportunities. Effective initiatives require effective social dialogue and partnerships across labour, education and training institutions and the active involvement of the private sector. The institutional and technical capacity of public and private training institutions needs to be strengthened to ensure that they have adequate training facilities and qualified trainers to deliver quality training programmes that respond to the needs of the sector and contribute to a just transition, including by equipping trainees with green skills;”. The subparagraph was not taken word for word from an ILO text but reflected the spirit and themes of the ILO’s framework on skills development, lifelong learning and just transition. Following discussion, during which it was pointed out that the text was very long and in part covered elsewhere, the Employer Vice-Chairperson withdrew the proposal.
52. In subparagraph 21(k)(iii), the Government Vice-Chairperson proposed the addition, after the word “monitoring”, of the words “, reporting and reviewing”, as she considered that monitoring

was only useful if it led to further action. In response to a comment by the Employer Vice-Chairperson, she indicated that monitoring was normally an internal process, but that the results had to be reported to national administrations and would be available to other interested parties. The Employer Vice-Chairperson emphasized the importance of the involvement of the social partners in the evaluation and review of national policies. A Government expert from Fiji considered that it would be a good compromise to include the word “evaluating” between the words “reporting” and “reviewing”, which would emphasize the importance of accountability and transparency in reporting mechanisms. The Executive Secretary confirmed that the purpose of the text was to cover the monitoring, including the evaluation and review, of national policies, not enterprise policies. It was so agreed.

53. In subparagraph 21(k)(iv), the Employer Vice-Chairperson proposed to add, after the word “including”, the words “workplace cooperation and”, and to add, after the words “in ensuring”, the words “productive workplaces and”. She noted that collective bargaining was not necessarily the only means of resolving issues and that workplace cooperation could be more effective and rapid, and therefore instrumental in improving productivity, as had been widely demonstrated during the COVID-19 pandemic. Workplace cooperation was a constructive mechanism that was one form of social dialogue and it was important to list the various aspects of social dialogue. It was also important to include a reference to productive workplaces, which were a direct consequence of decent work. The Worker Vice-Chairperson preferred to refer to social dialogue and collective bargaining. Government Vice-Chairperson considered that the main purpose of the subparagraph was to focus on action at the industry level. The reference to workplace cooperation could perhaps be included after collective bargaining, which was the most widely practiced form of social dialogue. The Executive Secretary recalled that the various points in subparagraph 21(k) were structured by level, and workplace cooperation was referred to in subparagraph (vi), which related to the enterprise level. Following further discussion, it was decided to retain the original text of the subparagraph, without amendment.
54. In subparagraph 21(k)(vi), the Worker Vice-Chairperson proposed to replace the words “workplace cooperation” by the words “collective bargaining”. The Employer Vice-Chairperson said that it was important to retain the reference to workplace cooperation, which was an important tool at the enterprise level, particularly, for example, in supporting skills development. She proposed the addition, after the words “contribute to”, of the words “productive workplaces and”, and the deletion of the words “extend social protection to all”. Social protection was the responsibility of governments and could not be transferred to the enterprise level. The Executive Secretary explained that the reference to the extension of social protection to all had been included because the paragraph listed the aspects of the Decent Work Agenda to which employers could contribute. Some employers in certain countries had an important role to play in extending social protection through the registration of workers with social security schemes. In light of the explanation provided, the Employer Vice-Chairperson suggested that the wording could be changed to “promote access to social protection for all”. The Government Vice-Chairperson proposed the addition, before the words “support skills development for workers”, of the words “forecast and”. Enterprises had an important role to play in identifying current and future skills needs, and skills shortages. Although she could accept the proposal to refer to collective bargaining, the inclusion of the concept of productive workplaces was not always appropriate in the context of recycling, which was required for the good of the planet and the environment, but could not always be expected to focus on productivity. The Employer Vice-Chairperson recalled that, just as the recognition of the effective right to engage in collective bargaining was a fundamental right of workers, it was important for employers to refer to workplace cooperation, which was often very effective, for example, in supporting skills development and access to social protection. It did not imply fewer rights for workers. In response to a request for clarification from the Worker Vice-

Chairperson, the Executive Secretary confirmed the existence of references to workplace cooperation in the ILO Centenary Declaration for the Future of Work (2019), and the 2023 ILC Conclusions concerning the second recurrent discussion on labour protection, which referred to the role of tools such as workplace cooperation to help ensure safe and productive workplaces in a manner that respected collective bargaining and its outcomes and did not undermine the role of trade unions.

55. Following further discussion, it was proposed to return to the original text of subparagraph 21(k)(vi), with the addition of the words “productive workplaces”. A Government expert from Fiji confirmed that the wording productivity or productive workplaces was now being commonly used, particularly in organizations that promoted green productivity. The Executive Secretary added that the ILO was currently engaged in a considerable amount of work and programmes on productivity ecosystems and the improvement of productivity in SMEs. The Worker Vice-Chairperson proposed the wording “contribute to productivity”. The Government Vice-Chairperson proposed to retain the wording “forecast and support skills development for workers”. The Government expert from Fiji emphasized the importance of forecasting skills needs, including the demand for migrant labour. The Employer Vice-Chairperson preferred the wording “promote access to social protection for all”, rather than extend “social protection”. It was so agreed.

2.2. Investments in infrastructure and systems

56. In paragraph 23, the Worker Vice-Chairperson proposed the following changes: the addition, at the end of the first sentence, of the words “, and where there is a public infrastructure investment deficit”; the replacement, in the second sentence, of the words “hard and soft infrastructure” by the words “hard, soft and social infrastructure”; and the addition, at the end of the paragraph, of the following sentence: “Social infrastructure in waste management and recycling involves ensuring adequate staffing levels, providing decent working conditions, and equipping workers with the necessary skills, and occupational safety and health (OSH) measures.” A Worker expert from the Netherlands emphasized that social infrastructure in waste management and recycling was essential in ensuring that workers were protected, skilled and supported. Adequate staffing, decent working conditions and strong OSH measures helped to prevent injuries, reduce turnover and improve efficiency. A well-trained and healthy workforce was crucial for maintaining safe, effective and sustainable waste systems that served both the people and the environment.” The Government Vice-Chairperson could accept the proposed amendments.
57. The Employer Vice-Chairperson proposed, in the fourth sentence of paragraph 23, the addition, after the word “employers”, of the words “and entrepreneurs, particularly to promote formalization,”. She recalled that one of the difficulties faced by informal operators in achieving formalization was the lack of access to financial support from governments and other institutions. She could agree to the first two amendments proposed by the Worker Vice-Chairperson if the word “economic” was added, so that reference was made to “hard, soft and social and economic infrastructure”. The Worker Vice-Chairperson could agree to the amendment proposed by the Employer Vice-Chairperson in the fourth sentence if the words “social and solidarity economy entities” were included after the words “entrepreneurs, and”.
58. With regard to the additional final sentence proposed by the Workers’ group, the Employer Vice-Chairperson indicated that it contained certain concepts that were a matter of concern, and particularly the reference to ensuring adequate staffing levels and equipping workers with the necessary skills. However, in a spirit of compromise, the text could be acceptable if it began with the words “Social and economic infrastructure”, if the words “ensuring adequate staffing levels” were removed and if a reference could be made to promoting the access of workers to the

necessary skills. She recalled that the concept of economic infrastructure was recognized by the ILO and was a key enabler of decent work. The Worker Vice-Chairperson proposed to remove the words “promoting access of workers to” so that the text would read “providing decent working conditions, necessary skills and OSH measures”. An adviser to the Workers’ group explained that the rewording was necessary to ensure that the text did not give the erroneous impression that access should be promoted to a qualified labour market consisting of workers with the necessary skills, which would be contrary to the original concept of the need to improve the skills of workers in the sector. It was agreed to adopt the paragraph, as amended.

59. In subparagraph 24(a), the Worker Vice-Chairperson proposed the replacement, in the first sentence, of the words “hard and soft infrastructure” by the words “hard, soft and social infrastructure”. In the second sentence, he proposed the addition, before “private financing”, of the words “progressive taxation, cross-subsidization, extended producer responsibility schemes (EPRs), public banks, private–public partnerships, solidarity finance,”. A Secretary to the Workers’ group specified that private–public partnerships were very common in energy and transport services. A Worker expert from Argentina added that, in many cases in the waste management and recycling industry, local governments established alliances with public services and enterprises which often went beyond local areas, and were intended to improve public health and the environmental situation. The Employer Vice-Chairperson proposed the term “social and economic infrastructure” in the first line, in accordance with the wording adopted in paragraph 23, and the addition in the second sentence, after the words “cross-subsidization”, of the words “incentive-based fiscal policies, including well-designed tax and subsidy schemes”. In response to a request for clarification concerning the difference between solidarity funding and pooled funds, as referred to in the last line of the subparagraph, an adviser to the Workers’ group said that the proposed amendment was designed, in addition to the private finance instruments that were already listed, to include viable, solid, reliable and resilient public financing options. The proposed addition by the Employers’ group was acceptable, on condition that progressive taxation and cross-subsidization were retained as tools that could be used by governments to fund waste management and recycling. The Employer Vice-Chairperson said that the present discussion should not cover progressive taxation or cross-subsidization, which did not lie within the competence of the ILO. They were aggressive measures that implied levying more taxes on the sector, resulting in rising prices, which had an impact on consumers. In order to move on, the Worker Vice-Chairperson proposed to delete both of the proposed references to taxation. The Government Vice-Chairperson observed that the list of financing measures was becoming very long and suggested replacing the words “This includes” by the words “This can include” to demonstrate that it was a list intended to suggest innovative approaches, but there was no requirement to take all the measures listed. The Worker Vice-Chairperson could accept “context appropriate extended producer responsibility schemes”. It was so agreed.
60. In subparagraph 24(b), the Employer Vice-Chairperson proposed the addition of the words “skills development and” before the words “training on modern technologies”. The Government Vice-Chairperson proposed the addition of the words “business models” before the words “recyclable materials” in order to reflect the interesting new ways of working that were emerging. The Worker Vice-Chairperson proposed the addition, after the words “financial infrastructure”, of the words “and data management”. It was so agreed.
61. During the discussion of paragraph 28, the Worker Vice-Chairperson proposed the addition of the following subparagraph: “ensure equitable access to quality waste management services and decent jobs in recycling for all in the communities and territories under their jurisdiction;”. An adviser to the Workers’ group explained that waste management and recycling services served the public interest, irrespective of whether they were delivered publicly, privately or through the

informal economy. In order to achieve equality of access to such important services, it was necessary to ensure that their availability was not confined to affluent cities and rich neighbourhoods, and that they were also available in rural areas and locations. The Employer Vice-Chairperson said that the word “ensure” should be replaced by the word “promote”. The Government Vice-Chairperson noted that the focus of the proposed subparagraph was on the access of the public to quality waste management services in all regions and localities, and that it might therefore be more appropriately placed in the section on infrastructure. The Executive Secretary proposed that the subparagraph, which could begin with the word “provide”, could be placed after subparagraph 24(c)(ii). It was so agreed.

62. In subparagraph 24(c)(iii), the Employer Vice-Chairperson proposed the addition, after the words “water and sanitation facilities for recycling”, of the words “industries and workplaces”, to reflect the fact that any investment in water and sanitation facilities would be made on the premises of industries. The Government Vice-Chairperson considered that improving access to water and sanitation for everyone who worked in recycling went beyond the industries concerned, and that “industries” was not therefore the correct term. It would be more natural to refer to workers and employers, both of whom needed access to water and sanitation facilities for reasons of OSH. It was so agreed.
63. In subparagraph 24(c), following indent (iii), the Worker Vice-Chairperson proposed the addition of the following new subclause: “designated spaces for sorting of recyclables must be provided so the principle of minimum exposure to waste is respected;”. A Worker expert from India said that waste recyclers were almost never included in urban planning, as a result of which they did not have sufficient designated space to be able to sit down and sort waste materials and recyclables. While the Employer Vice-Chairperson considered that the new paragraph concerned OSH and might be placed elsewhere, she would be prepared to accept it if a different approach could be agreed to the principle of minimum exposure. As not all waste was hazardous, reference could be made to minimizing exposure to hazards. A Worker expert from the Netherlands said that the reference to waste needed to be retained and emphasized that exposure should be minimized to all waste because, by its very nature, it was difficult to know whether waste was hazardous. It was therefore very important to minimize the actual exposure time of workers to all waste. A Government expert from Kenya proposed that the wording of the new subclause should set as the purpose “to minimize workers’ exposure time to recycling hazards”. The Worker expert from the Netherlands said that it was necessary to provide designated spaces so that the handling of waste was more organized, efficient and hygienic, thereby reducing health hazards and ensuring a safer working or living environment. All waste could contain harmful substances, bacteria or unpleasant odours. In response, the Employer Vice-Chairperson suggested the wording “to minimize workers’ exposure to hazards from recycling operations”. In response to a request for clarification, the Executive Secretary said that it would be understood from the text that hazards in themselves, or hazards from recycling operations, covered all hazards and risks in recycling operations, including exposure to hazardous waste and waste that might be hazardous, as well as slips, trips, falls, falling objects, transportation risks and exposure to radiation. The term “hazards” was therefore a very broad and all-encompassing term that also covered waste, particularly since recycling operations could not be carried out without the presence of waste. The new subclause was adopted, as amended.
64. In subparagraph 24(c)(iv), the Government Vice-Chairperson proposed a slight redrafting so that the subparagraph would start with the words “extend coverage of mobile telephone and internet access”. It was so agreed.
65. In subparagraph 24(c)(v), the Employer Vice-Chairperson proposed the replacement of the words “low to high-paid recycling workers” by the words “all wage-earners in the recycling industries”.

The Government Vice-Chairperson considered that the term wage earners narrowed the scope of the subparagraph a little and therefore proposed the wording “all workers in the recycling industries”. It was so agreed.

66. In subparagraph 24(c)(vi), the Worker Vice-Chairperson proposed the addition, before the words “procurement practices”, of the words “social value”. An adviser to the Workers’ group said that the purpose behind the amendment was to emphasize that local procurement practices should benefit local economic development, which meant that they would not only have an economic value, but would also create decent employment in the community. The Employer Vice-Chairperson saw little added value in the proposed wording, but would not oppose it. It was so agreed.
67. In subparagraph 24(c)(vii), the Government Vice-Chairperson proposed a redrafting of the subparagraph to replace the words “both women and men” by the word “all”, and to replace the words “as well as” by the words “paying particular attention to”, so that the subparagraph focused more on those experiencing the greatest difficulties. It was so agreed.
68. In subparagraph 24(c), the Worker Vice-Chairperson proposed the addition of a new subclause which would read as follows: “provide protection from extreme weather events;”. The Government Vice-Chairperson agreed with the addition. The Employer Vice-Chairperson, although considering that it would be better placed in the section on OSH, said that its content was already almost covered in subclause (viii) and requested examples of extreme weather events that were not covered by the wording “climate sensitive, climate-resilient”. A Worker expert from the Netherlands recalled the situation in Rome during the summer of 2024, when temperatures had reached 45°Celsius, and one street cleaner had died while working. It was very important that such situations were taken into account, not only in terms of temperature, but also moisture content and other conditions. The Government Vice-Chairperson agreed that the wording could be included in subclause (viii) as part of a broader policy focus on climate resilience and sensitivity. Extreme weather events had certainly increased in frequency very rapidly over recent years. In light of the discussion, the Employer Vice-Chairperson proposed, in subclause (viii), to replace the words “to address their possible negative impacts” by the words “to address extreme weather events and any possible negative impacts”. It was not only protection that needed to be provided in such circumstances, and the term “mechanisms” was broader and could include a variety of measures.
69. Also in subparagraph 24(c), the Government Vice-Chairperson proposed the addition of the following subparagraph: “encourage and assist enterprises in the design and implementation of on-site waste separation and collection systems;”. The Employer Vice-Chairperson agreed with the proposal and suggested the addition of the word “support”, so that the beginning of the indent would read “encourage, assist and support enterprises”. The Worker Vice-Chairperson welcomed the new indent and proposed the addition, after the word “enterprises”, of the words “and social and solidarity economy entities”. It was so agreed.
70. In subparagraph 24(c), the Employer Vice-Chairperson also proposed the addition of the following indent: “report on the type and quantities of recycled materials used in infrastructure projects and systems.” It was so agreed.

2.3. Sustainable enterprise development

71. In paragraph 25, the Worker Vice-Chairperson proposed the addition, after the bracket, of the words “and uphold the fundamental principles and rights at work”, and the addition, after the words “growth of enterprises”, of the words “with decent job creation”. The Employer Vice-

Chairperson proposed the addition, in the first line, of the words “competitive and” before the words “sustainable enterprises”. It was so agreed.

72. In paragraph 26, the Worker Vice-Chairperson proposed the addition, in the first sentence, after the words “interventions should”, of the words “respect fundamental principles and rights at work and ratified international labour standards”, and, at the end of the first sentence, the addition of the words “, and promote the inclusion of workers in the informal economy”. He also proposed the addition, at the end of the second sentence, of the words “and should not be exempt from compliance with fundamental principles and rights at work.” Following a brief discussion, it was agreed that the words added at the end of the first sentence should be “, and promote formalization”. It was also agreed to remove the word “ratified” before the words “international labour standards”. The Government Vice-Chairperson welcomed the focus on formalization in the sector. The Employer Vice-Chairperson said that, with a view to consistency, the wording at the end of the second sentence should instead be “and should be compliant with fundamental principles and rights at work”. It was so agreed.

2.3.1. An enabling environment for sustainable enterprises

73. In paragraph 27, the Worker Vice-Chairperson proposed, in the first sentence, to: delete the word “business”; add, after the word “environment”, the words “conducive to achieving fundamental principles and rights at work and environmental protection”; add the word “responsible” before the word “investment”; and delete the word “green” from the wording “decent green jobs”. In the second sentence, he proposed to replace the words “an enabling business environment” by the words “an enabling environment for sustainable enterprises”. He noted that same wording was used in the 2007 ILC Conclusions concerning the promotion of sustainable enterprises. The Employer Vice-Chairperson said that an enabling business environment was also accepted ILO terminology, for example as set out in paragraph 24(1)(b) of the 2007 Conclusions. The Government Vice-Chairperson said that, if the concern related to the word “business”, which was narrower than the term “enterprises”, which could also include SSE entities, the wording “enabling environment for sustainable enterprises” could be used throughout, including in the first line. There were other references to business in the paragraph. With regard to the proposed deletion of the word “green”, she agreed that the principal concept in the paragraph was “decent jobs”, although all jobs should in principle be green. The Employer Vice-Chairperson proposed the words “sustainable development” rather than “environmental protection”. In response to a request for clarification, an adviser to the Workers’ group indicated that the recycling economy was one of the pillars of the shift to a more responsible economy, society, livelihoods and consumption patterns. That required the promotion of responsible and sustainable enterprises working together. Investment was not by default responsible, and could be made in recycling and waste management in ways that were not responsible. Responsible investment was required to achieve decent work in the recycling economy. The Worker Vice-Chairperson added that the term business did not include social enterprises, cooperatives or SSE entities. The Executive Secretary indicated that the term “enabling environment for sustainable enterprises” was used on five occasions in the 2007 Conclusions and the wording “enabling business environment for sustainable enterprises” once. The translation into French and Spanish was the same for both terms. Following further discussion, the Employer Vice-Chairperson agreed to the replacement of the words “enabling business environment” by the words “enabling environment for sustainable enterprises” in the first two sentences. It was so agreed.
74. In subparagraph 28(a), the Worker Vice-Chairperson said that the original text offered a very negative view of the regulation of the recycling sector, as action was needed to combat the corruption that was rampant in the sector, particularly as a result of the externalization and

tendering of public contracts to private operators. In that context, effective protection for whistle-blowers was also essential. He therefore proposed the replacement of the words “major constraints” by “key areas for improvement” and the replacement of the words “for example, inefficient and overlapping regulation, red tape and corruption” by the words “effectively address corruption including with whistle-blower protection”. He also proposed the addition, following “elevated levels of informality”, of the words “and precarious work” and the addition, at the end of the paragraph, of the words “compliant with international labour standards”. The Employer Vice-Chairperson proposed to include reference to “barriers to entering the formal sector, such as disproportionate regulatory, environmental and fiscal burdens” and to replace the words “price volatility” by the wording “incentives favouring landfill disposal over recycling, which distort the market and hinder sustainable waste management”. She would have difficulties accepting the amendments proposed by the Workers’ group, for example because they gave the erroneous impression that key areas for improvement included the elevated levels of informality. Moreover, precarious work was already included in the concept of informality and did not need to be specified. With reference to the proposed addition of the words “waste management”, it should be recalled that waste management was covered by the term “recycling”. Rather than “waste management and recycling” it might be more acceptable to refer to the recycling industry that included waste management. The Government Vice-Chairperson agreed with the intention to make the paragraph more positive, but regretted the proposal to remove the references to inefficient and overlapping regulation and red tape. Moreover, by placing emphasis on environmental and fiscal burdens, the text was rather negative towards the environment and was limited to a specific area of regulation, when inefficiency was largely due to the overlapping of all the various expectations. She welcomed the reference to whistle-blower protection and to incentives favouring landfill disposal, which was an area in which environmental regulation might indeed stand in the way of the effective recycling of waste. In response, the Employer Vice-Chairperson wished to retain the reference to disproportionate regulatory burdens and did not agree with the inclusion of whistle-blower protection, which was a subject of ongoing discussion and raised numerous issues, including in relation to intellectual property. Following further discussion, and in view of the complexity of the proposals put forward, it was finally decided to withdraw all the proposed amendments and revert to the original text of the subparagraph.

75. In subparagraph 28(e), the Worker Vice-Chairperson, in line with the wording agreed earlier, proposed the addition, after the word “cooperatives”, of the words “and other social and solidarity economy entities”. It was so agreed.
76. In subparagraph 28(f), the Government Vice-Chairperson proposed a rewording of the text to clarify the action that was advocated. The words following “recycling sector” would be replaced by: “by supporting sustainable production, efficient material use, decent work and strong occupational safety and health standards as key enablers of enterprise sustainability and worker well-being”. An adviser to the Workers’ group said that it was important not just to refer to production, but also to the methods used in recycling, which could make a significant difference to the efficiency of the process. The Worker Vice-Chairperson said that reference should also be made to “workers’ health and well-being”, rather than just their well-being. It was so agreed.
77. In subparagraph 28(g), the Employer Vice-Chairperson proposed to make the last part of the subparagraph more positive by referring to “productivity growth and access to finance”. It was so agreed.
78. In subparagraph 28(h), the Government Vice-Chairperson proposed the addition, after the words “skills development”, of the following words “, including by increasing research and development capacity and encouraging collaboration between academia and industry,”. She considered that it was important, in addition to supporting skills development among workers and employers, to

make use of the research and development undertaken at the academic level and by scientists to improve innovation and the operation of businesses. A Government expert from Fiji said that it was the duty of governments to ensure that research was a government initiative for the benefit of key stakeholders, and it would therefore be necessary to develop links with the industry that would benefit from the research. The Executive Secretary, in response to a request for clarification as to whether the term “industry” was broad enough, as understood in the ILO, to include both public and private waste and recycling utilities, indicated that the term “industry” was often understood as referring more to the private sector. In response to a clarification from the Government Vice-Chairperson that the intention was to be broad, the Worker Vice-Chairperson proposed to replace the word “industry” by the words “public and private utilities”. It was so agreed.

79. In paragraph 29, in the chapeau, the Employer Vice-Chairperson said that, in view of the content of the paragraph, which related to national processes and the provision of services to members, the chapeau should probably only refer to employers’ and workers’ organizations, rather than also including individual employers and workers. The words “and their” should therefore be deleted. The Executive Secretary indicated that the wording most commonly used throughout the Guidelines was to refer to “employers’ and workers’ organizations. Thus, in the present chapeau, it would be possible to also refer to “employers’ and workers’ organizations”. It was so agreed.
80. In subparagraph 29(a), the Worker Vice-Chairperson proposed the deletion of the words “green jobs” and the addition of the words “waste management and” before the word “recycling”. The Employer Vice-Chairperson considered that the addition of the words “waste management and” could be avoided if it were to be agreed that in general recycling included waste management. However, she would not oppose the amendment. The Government Vice-Chairperson emphasized that all jobs should be decent, but that it was also necessary to promote green jobs in the progress towards net zero. The Worker Vice-Chairperson proposed the wording “decent work, including green jobs”. It was so agreed.
81. In subparagraph 29(b), the Worker Vice-Chairperson proposed similar amendments to the previous subparagraph, namely the wording “decent work, including green jobs” and the “waste management and recycling industry”. The Employer Vice-Chairperson proposed the wording “knowledge services and products” at the end of the subparagraph, as education and training were services, rather than products. In light of the clarification by the Executive Secretary that the whole subparagraph was related to the provision of services to members, the addition of the words “and services” would appear to be superfluous. It was so agreed.
82. In subparagraph 29(c), the Employer Vice-Chairperson proposed to replace the words “in line with” by the words “taking into account”, in order to be consistent with the language used elsewhere, as the United Nations Guiding Principles on Business and Human Rights (UNGPs) and the MNE Declaration were not binding texts. The Chairperson noted the view of the Office that “in line with” was not more binding than “taking into account”. The Employer Vice-Chairperson indicated that the change proposed was more to do with the Spanish version of the text, in which the meaning could vary significantly between the two wordings. The subparagraph was adopted, as amended.

2.3.2. Business development services

83. In paragraph 30, the Government Vice-Chairperson proposed the addition, after the words “advance the growth”, of the words “creation of new business models”. The Worker Vice-Chairperson proposed: the addition, after “facilitating access to markets”, of the words “and financial services”; the addition, in the second sentence, after “These services should be”, of the words “conducive to respecting international labour standards”; and the addition, at the end of

the paragraph, of the following new sentence: “Services should support formalization, extend social protection and uphold international labour standards.” A Worker expert from Argentina emphasized that, in the promotion of decent work, it was important not to lose sight of the important role of business development services, not only in improving productivity, but also in supporting formalization, the extension of social protection and the inclusion of labour criteria in product design from the outset. Business development services should therefore play a transversal role. The Employer Vice-Chairperson considered that it would be more appropriate to refer to “sustainable business models”, rather than “new business models”. She could accept the inclusion of financial services, but the proposed final sentence gave rise to problems, particularly as reference had already been made to international labour standards. It was not the role of business development services to extend social protection or uphold international labour standards. The Worker expert from Argentina emphasized that, for work to be productive, it was a very viable option to include from the outset the best work practices in accordance with ILO guidance on the organization of work, the supply chain and hiring practices. Although not mandatory in many countries, they could be taken into account as best practices agreed by the social partners. Business development services, which were focused on enterprise productivity and profitability, should therefore take such best practices into account. One of the central objectives of the design of business services should therefore be the achievement of decent work. In light of the discussion, the Employer Vice-Chairperson proposed to replace the words “conducive to respecting international labour standards” by the words “respect fundamental principles and rights at work, be market-needs oriented”. The Government Vice-Chairperson welcomed the wording “sustainable business models”. She considered that when business development services provided their services, that was a means of helping enterprises, especially small enterprises, to engage in the transition to formality and business expansion. In an indirect sense, they were therefore helping to extend social protection to persons who had not hitherto been covered. In light of the explanation provided, the Employer Vice-Chairperson suggested shortening the proposed final sentence to “The services should support formalization”. However, following further consultation, it was agreed to return to the original text of the paragraph, with the addition, following the words “gender-sensitive”, of the words “support formalization”.

84. In subparagraph 31(b), the Worker Vice-Chairperson proposed to replace the word “considered” by the word “provided” and to add, before the words “strengthen and improve”, the words “generate decent work, including green jobs”. An adviser to the Workers’ group explained that when the State provided support to enterprises, for example through financial incentives, which were based on taxpayer contributions, it should include the goal of generating decent work in recycling. The Employer Vice-Chairperson proposed to replace the words “strengthen and improve social dialogue, labour rights and the protection of workers” by the words “contribute to strengthening productive capacity while also promoting effective social dialogue, respect for labour rights and advancing decent work”. With a view to covering the points raised during the discussion, the Executive Secretary proposed that the subparagraph could read as follows: “ensure that, when support from the state for enterprises is provided, it should be progressive and responsible, contribute to strengthening productive capacity, generate decent work, including green jobs, while also promoting effective social dialogue respect for labour rights and the protection of workers”. The Worker Vice-Chairperson proposed to move the wording “contribute to strengthening productive capacity” to the end of the subparagraph. It was so agreed.
85. In paragraph 31, the Government Vice-Chairperson proposed the addition, following subparagraph 31(b), of the following new subparagraph: “improve communication and cooperation between sectors, enterprises and the entire recycling value chain;”. She indicated that the purpose of the new subparagraph was to promote the exchange of good practices, innovative

and sustainable ways of working and business models between sectors and the different stakeholders. The Employer Vice-Chairperson agreed with the concept and proposed the replacement of the word “communication” by the words “the sharing of knowledge and best practices”. The Worker Vice-Chairperson proposed the addition of the words “and workers” after the word “enterprises”. It was so agreed.

86. In subparagraph 31(c), the Worker Vice-Chairperson proposed the addition, at the end of the subparagraph, of the words “through explicit requirements of affiliation to social security, compliance with labour standards and consultation with workers’ organizations”. A Worker expert from Argentina explained that the purpose of the amendment was to ensure that the services provided focused on decent work. The Employer Vice-Chairperson noted that consultation with workers’ organizations was already covered in the chapeau to the paragraph and should therefore be deleted from the subparagraph. The Government Vice-Chairperson considered that, although it was an interesting addition, it might already be covered elsewhere in the draft guidelines. Moreover, the reference to affiliation to social security watered down the focus of the subparagraph on the promotion of local partnership for the delivery of business development services. The idea might be better reflected elsewhere in the text. Following further discussion, it was agreed to retain the original text without amendment.
87. In subparagraph 31(d), the Worker Vice-Chairperson proposed the addition, following the word “migrants”, of the words “workers in precarious forms of employment”. The Employer Vice-Chairperson proposed the replacement of the text following “the needs of workers” by the following words “who are in a disadvantaged labour market situation”. The Government Vice-Chairperson agreed that young people and migrants were part of vulnerable groups. The Employer Vice-Chairperson did not favour the inclusion of lists and considered that the wording “precarious forms of employment” was very broad. The wording “in a disadvantaged labour market situation” was a better reflection of the intent of the subparagraph. The Worker Vice-Chairperson proposed that the paragraph should end with the words “workers who are disadvantaged in the labour market”, with the other proposals being deleted. It was so agreed.

2.3.3. Access to financial services

88. In paragraph 32, the Worker Vice-Chairperson proposed: the addition, following the words “financial risk management”, of the words “conducive to realizing labour rights”; and the addition, at the end of the paragraph, of the following new sentence: “To effectively contribute to formalization, access to financial services must be conditional upon compliance with international labour standards and the promotion of decent work principles.” In response to a request for clarification concerning the meaning of the term “external shocks”, the Executive Secretary said that there were many external factors that could have a negative impact on the jobs and livelihoods of recycling workers, such as earthquakes or other natural disasters or extreme weather events. There could also be shocks in the global economy that could have a negative or positive influence on the availability or price of recycled materials. The Government Vice-Chairperson recalled the measures adopted in many countries during the pandemic to allow the self-employed and businesses to reduce their activities without going bankrupt so that they could send their workers home without having to dismiss them, which had acted as a sort of automatic stabilizer. Although the proposals by the Workers’ group differed slightly in their purpose, they could be accepted. The Worker Vice-Chairperson said that, under the present wording, only enterprises were being protected from external shocks. The words “including the protection of workers from external shocks” should therefore be added after “enterprise resilience”. The Employer Vice-Chairperson said that references to enterprise resilience always included the workers. An adviser to the Workers’ group called for the text to be balanced, as the first reaction

of enterprises when faced with shocks was always to cut down their workforce. In light of the discussion, the Executive Secretary proposed the addition of the following sentence: "Savings, credit and insurance are particularly helpful in protecting workers against external shocks". The Employer Vice-Chairperson could agree to that addition as a replacement for the proposed final sentence. The Worker expert from Argentina proposed, in exchange, the addition, at the end of the first sentence, of the words "and the promotion of decent work principles". It was so agreed.

89. In paragraph 33, in the first sentence, the Employer Vice-Chairperson proposed to replace the words ", profitability, collateral and reputations" by the words "levels in many cases, greater financial stability, available collateral and established market presence and reputation". It was so agreed.
90. In paragraph 33, in the second sentence, the Worker Vice-Chairperson proposed to replace the word "Entrepreneurs" by the words "Self-employed workers", and, in the third sentence, to add, after the words "creating green and decent jobs", the words ", respecting fundamental principles and rights at work". An adviser to the Workers' group said that the reason for the proposal was that entrepreneurs were not disadvantaged in the labour market, and that the sentence was presumably referring to the many self-employed workers, as well as informal workers, who were at a disadvantage in the labour market. The Executive Secretary noted that research findings showed that there were entrepreneurs, who were not entrepreneurs by choice, who could be in a very difficult situation. It might therefore be appropriate to refer to "Entrepreneurs and self-employed workers". The Government Vice-Chairperson preferred the inclusion of both entrepreneurs and self-employed workers since, for example, women entrepreneurs could often face particular difficulties, for example in accessing finance. An adviser to the Workers' group said that if the reference to both entrepreneurs and self-employed workers was retained, the words "in the labour market" should be deleted. It was so agreed.
91. In subparagraph 34(a), the Worker Vice-Chairperson proposed to add the following sentence at the end of the subparagraph: "This access should be contingent upon a verifiable commitment to progress towards formalization, the registration of workers, and the respect, promotion and realization of fundamental principles and rights at work." The Employer Vice-Chairperson expressed a preference for the original wording of the subparagraph and noted that there was a whole section on formalization. Moreover, the proposed text was not aligned with the Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204). She considered that the addition of conditions would be counterproductive to the promotion of MSMEs, which were vulnerable, and called for the withdrawal of the reworded proposal. The Government Vice-Chairperson expressed some uncertainty as to what action governments would be expected to take for the implementation of the proposed guidance. Although governments could provide some credit themselves, beyond that they could only advocate for its inclusivity. Following further discussion, she suggested that alternative language should also not take away some of the intention of the original text, which was to support enterprises in getting access to credit. Softer language would be needed for the proposed text to be acceptable. The Worker Vice-Chairperson thus proposed "access to finance should be used as an incentive for, and promote advantages of, effective formalization and realization of fundamental principles and rights at work". This was supported by the Government group, as it referred to access to finance as an incentive and reflected that governments indeed imposed conditions. The Employer Vice-Chairperson proposed, after "an incentive for" the addition of the words "productivity growth". Following further discussion, it was agreed to adopt the additional text last proposed by the Worker Vice-Chairperson, with the addition of the words "productivity growth".
92. In subparagraph 34(b), the Employer Vice-Chairperson proposed the addition of the word "public" before the words "commercial banks". She explained that governments could not interfere in the

management or governance of private commercial banks, and only had influence over the management and governance of public banks. The Executive Secretary noted that a simple solution would be to delete the words “management and governance”, so that the term strengthen would refer only to the capacity of banks and other financial institutions. Based on the experience of the ILO with social finance institutions, governments could do a lot to strengthen their capacity. It was so agreed.

93. The Worker Vice-Chairperson proposed the deletion of subparagraph 34(c) and noted that the list that it contained only referred to market-driven financial instruments, to the exclusion of public funding options. A more balanced list had been approved in subparagraph 24(a). The Employer and Government Vice-Chairpersons preferred to retain the original wording. The Executive Secretary explained that the logic behind the institutions and mechanisms listed in subparagraphs 34(b) and (c) was to refer to more traditional institutions in subparagraph (b) and to recall that they could be supplemented by more innovative methods in subparagraph (c). He added that the wording was a slight reformulation of language taken from the 2023 Policy guidelines for the promotion of decent work in the agri-food sector. The Worker Vice-Chairperson could retain the original text with the addition, at the end, of the following words: “municipal bonds, local social value procurement and cross subsidies”. He explained that the purpose of the addition was to list other examples of innovative finance that were not based on private finance, but also on public financial resources and social forms of financing. The reference to municipal and local sources of financing was in response to the very local approach of MSMEs. It was so agreed.
94. In subparagraph 34(e), the Employer Vice-Chairperson proposed to replace the words “price shocks” by the words “price volatility”. It was so agreed.
95. In subparagraph 34(f), the Employer Vice-Chairperson proposed to delete the words “, informal and semi-formal”. It was so agreed.
96. In subparagraph 34(g), the Worker Vice-Chairperson proposed to add, at the end of the subparagraph, the following new sentence: “Such incentives should be granted under the conditionality of creating decent employment in their operations.” The Employer Vice-Chairperson opposed the attempt to impose conditions on the incentives available to MSMEs, which was not in line with Recommendation No. 204. The Government Vice-Chairperson noted a difference in nuance in relation to subparagraph 34(a), which referred to access to credit, most of which was not provided directly by governments. However, incentives were granted directly by governments and in practice were always dependent on a certain set of conditions, which should include decent working conditions. The addition could therefore be acceptable. The Executive Secretary, in light of the discussion, proposed a rewording involving the addition, after the words “faced by MSMEs, such as”, of the words “and to generate decent employment in their operations. Such incentives include”, which would replace the proposed additional sentence. The Employer Vice-Chairperson proposed to replace the words “decent employment” by the words “decent work”. It was so agreed.
97. In subparagraph 34(j), the Government Vice-Chairperson proposed a rewording of the subparagraph to read as follows: “encourage savings and insurance uptake through improved policy frameworks and targeted awareness campaigns”. The Employer Vice-Chairperson proposed the addition, after the word “insurance”, of the words “and financial risk management” and the addition of the words “to promote access to financial services”. The Worker Vice-Chairperson said that the combined text with all the proposed amendments would be acceptable if the word “promote” was retained. It was so agreed.

98. In paragraph 34, the Worker Vice-Chairperson proposed the addition of the following new subparagraph: “control and regulate fair pricing for recycling materials.” The Employer Vice-Chairperson opposed the amendment. The Government Vice-Chairperson considered that the proposed addition was addressing the very important issue that recycled materials should be a valuable resource that could be reused. However, it also raised the issues of whether governments could regulate prices, which was a very difficult question, and what constituted fair pricing. Moreover, the proposed wording did not address the issues adequately. The Worker Vice-Chairperson proposed to replace the words “control and regulate” with the word “promote”. The Employer Vice-Chairperson emphasized that she could not envisage opening the door to price control mechanisms. In a spirit of cooperation, the Worker Vice-Chairperson withdrew the amendment.

2.3.4. Access to markets

99. In paragraph 35, the Worker Vice-Chairperson proposed the addition, after the words “recycling enterprises and workers”, of the words “conducive to realizing labour rights”. The Employer Vice-Chairperson did not consider that a paragraph on increasing the access to markets of recycling enterprises and workers was the right place for the proposed addition. The Government Vice-Chairperson said that, although the idea was logical and lay at the heart of the guidelines, it did not fit with the current wording and might be better placed in the section on workers’ rights. Following further consultation, it was agreed to retain the original text of the paragraph, with the replacement of the words “and boost employment” by the words “and boost decent work creation”.
100. Also in paragraph 35, the Employer Vice-Chairperson proposed the addition, at the end of the second sentence, of the words “, especially in countries where domestic demand for recycled products is limited or not yet fully developed.” As the paragraph was particularly long, she also proposed to end the paragraph at that point and separate the final sentence into a new paragraph. The proposed wording was intended to cover the situation, particularly in developing countries, in which recycling was often still in its early stages and, in view of the lack of consolidated domestic demand for recycled products, it was difficult to gain access to the markets. It was so agreed.
101. In the new paragraph consisting of the last sentence of paragraph 35, the Worker Vice-Chairperson proposed the addition of the following new sentence: “Market access must be complemented by measures to ensure fair trade relations, prevent abuses of dominance and monopoly, and enhance the bargaining power of weaker actors.” A Worker expert from Argentina said that, as pointed out by the Employer Vice-Chairperson, in countries where the recycling market was still being developed, it was necessary to avoid monopolistic abuses, which in turn would help to avoid informal work and improve the products. The Employer Vice-Chairperson proposed to replace the word “must” by the word “should”, replace the word “ensure” by the word “promote” and delete all the words following “fair trade”. The Government Vice-Chairperson agreed with the shortened version of the new sentence and proposed adding “and competition” after the words “fair trade”, which would cover the idea behind the original amendment. It was so agreed.
102. In paragraph 36, the Worker Vice-Chairperson proposed the deletion of the word “waste” before the word “workers” in both sentences, and the addition at the end of the paragraph of the following sentence: “A public policy approach is required that integrates principles of commercial and social justice, not just efficiency.” The Employer Vice-Chairperson agreed with the deletion of the word “waste”, but did not accept the proposed additional sentence because it was not clear what commercial justice might be and because it raised deep questions regarding social justice

that should not be addressed in that context. She also proposed, in the second sentence, the replacement of the words “the introduction by buyers and manufacturers of” by the words “special attention to safety requirements for contact with food and the quality standards of recycled products have influenced buyers and manufacturers to adopt”. An adviser to the Workers’ group said that, while understanding the reason behind the proposed amendment, it was not acceptable to single out a specific sector, even though it was part of the recycling industry. There would be more appropriate sections that dealt more specifically with OSH where the idea could be reintroduced. The Employer Vice-Chairperson withdrew the proposed amendment and, in place of the suggested final sentence, proposed the following rewording: “Advancing social justice requires integrated public policies developed through a strong and effective social dialogue, promoting decent work, equality of opportunity, universal access to social protection and the development of sustainable enterprises.” She noted that the wording was taken from the concept note for the Global Coalition for Social Justice. It was so agreed.

103. In subparagraph 37(a), the Employer Vice-Chairperson proposed to add the word “relevant” before “policies and strategies”; delete the words “in order”; and add at the end of the subparagraph “as well as promote the development and awareness campaigns on responsible consumption”. It was so agreed.
104. In subparagraph 37(b), the Employer Vice-Chairperson proposed the addition of the word “investment” before “trade and growth”. It was so agreed.
105. In subparagraph 37(c), the Employer Vice-Chairperson proposed the addition of the words “and stimulating demand” after the words “by developing markets”. In response to a request to specify the action that could be taken by governments to stimulate demand, she referred to fiscal policies and tax reductions for recycled materials. It was so agreed.
106. In subparagraph 37(e), the Employer Vice-Chairperson proposed, after the word “encourage”, the addition of the words “self-employed workers and MSMEs to form and participate in business organizations”. In response to the proposal by the Worker Vice-Chairperson to delete the words “self-employed workers”, the Employer Vice-Chairperson said that that would be contrary to Article 2 of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), which set out the right of workers and employers to establish and join organizations of their own choosing without previous authorization. The Worker Vice-Chairperson said that the problem arose when workers were encouraged to join business organizations. Entrepreneurs and self-employed workers were two different categories. He proposed to replace the words “waste workers” by the words “workers in the informal economy”; add, after “cooperatives”, the words “and other social and solidarity economy entities and/or trade unions”; and add, after the words “since cooperatives”, the words “and trade unions”. The Executive Secretary, in light of the proposed amendments, said that it might be helpful to divide the text into two subparagraphs, one referring to MSMEs and entrepreneurs forming and participating in business organizations, and another focusing on workers establishing trade unions. The Government Vice-Chairperson believed that self-employed workers needed specific organizations. Depending on the country, organizations of self-employed workers might come together with organizations of MSMEs as they faced similar challenges. It might be helpful in the first subparagraph to refer to “stakeholder organizations” to make it clear that they were organizations that would help their members with their specific interests. The reference to self-employed workers could then be retained. The Employer Vice-Chairperson proposed to replace the words “fair prices” by the words “adequate prices”. Following further consultation, agreement was reached on the following wording for the subparagraph: “encourage workers and employers in the recycling sector to form and participate in organizations of their choosing, including SSE entities, and actively build the capacity of these organizations since they can help members to access market information, increase their

bargaining power to negotiate with buyers, and facilitate business relationships with the public sector and larger enterprises by reducing transaction costs of both parties;”.

2.3.5. Access to new technologies

107. In paragraph 39, the Worker Vice-Chairperson proposed to replace the words “reduce inequalities and advance a just transition” by the words “, promote OSH for all workers, reduce inequalities and advance a just transition towards environmentally sustainable economies and societies for all”. It was so agreed.
108. In subparagraph 40(b), the Employer Vice-Chairperson proposed to add, after the words “by providing financial”, the words “and fiscal”. She said that financial incentives alone were not sufficient, and fiscal incentives would also be required, for example to assist in the import of machinery for the collection, sorting and processing of waste. It was so agreed.
109. In subparagraph 40(c), the Worker Vice-Chairperson proposed the addition, at the end of the subparagraph of the words “and SSE entities”. It was so agreed.
110. In subparagraph 40(e), the Government Vice-Chairperson proposed to replace the words “harness the potential of modern technologies and the best available techniques” by the words “optimize the best available techniques and practices”. It was so agreed.

2.4. Cooperatives and the social and solidarity economy

111. In paragraph 41, the Worker Vice-Chairperson proposed the addition, following the second sentence, of the following new sentence: “However, active state oversight is necessary to prevent the misuse of these entities to circumvent labour obligations”. The Employer Vice-Chairperson considered that the proposed amendment cast a negative light on SSE entities and therefore proposed the wording: “Active state oversight should promote respect for fundamental principles and rights at work in these entities.” The rest of the paragraph would then be deleted. The Government Vice-Chairperson considered that the proposed wording cast a negative light on SSE entities by implying that they required more oversight than other operators. Moreover, much useful information was being lost by deleting the final sentence in the paragraph. The Worker Vice-Chairperson could accept the text proposed by the Employer Vice-Chairperson and the suggestion to retain the rest of the paragraph. The Executive Secretary recalled that the 2022 ILC resolution concerning decent work and the social and solidarity economy, in subparagraph 9(l), called on Governments to “strengthen labour inspection, promote collaboration among labour inspectorates, social partners and SSE representatives to prevent, discourage and sanction pseudo-SSE entities, unlawful practices and rights violations, thereby protecting workers and preserving the autonomy and independence of SSE entities”. The Secretary-General, in light of the discussion, proposed the replacement of the words “active state oversight” by the words “Public policy and institutions”. An adviser to the Workers’ group agreed with the proposed text and the reference to labour inspection through public policies and institutions. Like all other organizations, cooperative and other SSE entities needed good governance and good practices to prevent them becoming a means to undercut existing rights and a means of externalization with lower wages. It was agreed to adopt the new sentence, as amended, and that it would be placed at the end of the paragraph.
112. In paragraph 43, the Employer Vice-Chairperson proposed the reformulation of the beginning of the first sentence to read “Social and solidarity economy entities that operate in the informal economy...”. She also proposed the addition, at the end of the second sentence, of the words “and advancing decent work”, and the deletion of the last sentence: “Although these entities advance decent work, their working conditions can be poor and their productivity low”. The Worker

Vice-Chairperson proposed the addition, after the first sentence, of the following new sentence: "They also face legal, fiscal and financial barriers to their full development in various national contexts". Finally, he proposed the addition of the following sentence at the end of the paragraph: "This is why formalization is key". It was agreed to adopt the paragraph, as amended.

113. With regard to paragraph 44, the Worker Vice-Chairperson proposed the deletion of the paragraph. The Employer Vice-Chairperson proposed to add the following two sentences at the end of the paragraph: "Consequently, strengthening collaboration between these entities and employers' organizations is key to promoting decent work and ensuring a sustainable recycling industry. They at times join forces to support and defend the rights and interests of social and solidarity economy workers in recycling." Following discussion, it was decided to delete the paragraph.
114. In subparagraph 45(a), the Worker Vice-Chairperson proposed to add the words "identify and" at the beginning of the paragraph. The Employer Vice-Chairperson proposed to replace the words "a smart mix of" by the words "coherent and integrated", and to replace the word "social" by the words "education, technical and vocational education and training, social protection,". It was so agreed.
115. In subparagraph 45(d), the Worker Vice-Chairperson proposed the addition, after the words "good governance", of the words ", including through adequate whistle-blower legislation". The Employer Vice-Chairperson noted that reference to whistle-blowers was contained in three other parts of the text. The Worker Vice-Chairperson said that one of the references to whistle-blower protection had been removed from the text and the other was related to violence and harassment at work. It was important to include such a reference in relation to action to combat corruption. The Employer Vice-Chairperson, in the spirit of cooperation, could accept the addition. The Government Vice-Chairperson might have preferred a reference to policy rather than legislation, but could accept the agreement between the social partners. It was so agreed.
116. In subparagraph 45(e), the Worker Vice-Chairperson proposed to add, before "access to information", the word "formalization", and to add, after "public procurement", the words ", in accordance with ILO Convention No. 94". The Employer Vice-Chairperson could agree to the addition of the word "formalization", but not the reference to Convention No. 94. The Worker Vice-Chairperson withdrew the proposed reference to Convention No. 94. It was so agreed.
117. In paragraph 46, in the chapeau, the Employer Vice-Chairperson proposed the deletion of the words "and their" so that the chapeau only referred to employers' organizations. She specified that the content of the paragraph only concerned employers' organizations, and not individual employers. There were many types of action proposed in the draft guidelines that were specific to employers' organizations, rather than employers themselves. It was so agreed.
118. In subparagraph 46(a), the Employer Vice-Chairperson proposed the addition, at the end of the subparagraph, of the words "based on objective criteria of quality, sustainability and business viability". It was so agreed.
119. In subparagraph 46(b), the Government Vice-Chairperson, in order to make the text a little more direct, proposed the replacement of the words "consider, where appropriate, extending" by the words "where appropriate, extend". She considered that the extension of membership of employers' organizations to SSE entities could be valuable for the value chain as a whole. The Employer Vice-Chairperson opposed the amendment as contrary to Article 3 of Convention No. 87, which established the right of workers' and employers' organizations to draw up their rules in full freedom. The Government Vice-Chairperson withdrew the amendment.

120. In subparagraph 46(c), the Government Vice-Chairperson proposed to replace the words “consider facilitating” by the word “facilitate” for the same reasons as those mentioned regarding subparagraph 46(b). The Employer Vice-Chairperson disagreed with the proposed change for the same reasons given in relation to subparagraph 46(b). The Government Vice-Chairperson withdrew the amendment.

2.5. Responsible and sustainable business practices

121. In paragraph 48, the Employer Vice-Chairperson proposed the addition, at the end of the paragraph, of the following new sentence: “These commitments should include strengthening local value chains in developing countries to foster inclusive and equitable growth within the circular economy.” The Worker Vice-Chairperson could accept the proposed addition with the deletion of the words “in developing countries”. It was so agreed.
122. In paragraph 50, in the chapeau, the Worker Vice-Chairperson proposed the addition, after “responsible business practices”, of the words “and respect for fundamental principles and rights at work”. It was so agreed.
123. In paragraph 50, the Government Vice-Chairperson proposed the addition, before subparagraph 50(a), of the following new subparagraph: “raise awareness of the MNE Declaration among employers and workers in the recycling industry;”. She said that raising awareness of the content of the MNE Declaration as widely as possible would be a good first step towards the implementation of the rest of the paragraph. It was so agreed.
124. In subparagraph 50(a), the Employer Vice-Chairperson proposed to replace the words “in accordance with” by the words “taking into account”, and to replace the words “the highest possible wages” by the words “the best possible wages, benefits and conditions of work”. The Worker Vice-Chairperson would prefer the wording “living wages”. However, after a proposal by the Employer Vice-Chairperson to use the wording “decent wages”, he preferred to retain “the best possible wages”. The Government Vice-Chairperson commented that the wording “in line with”, “in accordance with” and “taking into account” all meant more or less the same, but could accept the proposed change. It was so agreed.
125. In subparagraph 51(a), the Employer Vice-Chairperson proposed to add the word “sustainable” before the word “measures”. The Worker Vice-Chairperson proposed the deletion of the words “towards circularity”. It was so agreed.
126. In subparagraph 51(b), the Worker Vice-Chairperson proposed to delete the words “the size of the enterprise and”; and delete the word “, including” before the words “by engaging in social dialogue”. The Employer Vice-Chairperson said that it was important to bear in mind that the size of the enterprises often conditioned the manner in which they were able to carry out human rights due diligence. She would prefer to keep the wording “including by”, as social dialogue with workers’ organizations was not the only way of gauging human rights risks. The Worker Vice-Chairperson emphasized that social dialogue should be carried out in all enterprises of all sizes. He could accept the retention of the words “the size of the enterprise and” if they were preceded by the words “taking into account”, rather than “based on”. It was so agreed.
127. In subparagraph 51(c), the Employer Vice-Chairperson proposed to replace all the wording following the words “all their grievances processed and” by the following wording: “ensure fair and accessible processes are in place to address workers’ concerns in accordance with national legislation and international labour standards.” It was so agreed.

2.6. Skills development and lifelong learning

128. In paragraph 53, the Employer Vice-Chairperson proposed, before the words “decent work in recycling”, to replace the word “enhancing” by the word “advancing”. It was so agreed.
129. In paragraph 54, the Worker Vice-Chairperson proposed the addition, at the end of the paragraph, of the following sentence: “All training offered in these contexts should include content related to decent work and fundamental principles and rights at work.” The Employer Vice-Chairperson was of the view that TVET was more concerned with upgrading the skills of workers and that the subject raised in the proposed new sentence was covered elsewhere. The Worker Vice-Chairperson proposed to remove the word “All” and to replace the word “should” by the word “may”. The Government Vice-Chairperson considered that training on technical skills should be in line with fundamental principles and rights at work and, for example, training in digital skills should include elements on decent work. It was agreed to adopt the paragraph, as amended.
130. In paragraph 55, the Employer Vice-Chairperson proposed, in the second sentence, to replace the words “in the informal recycling pyramid” by the words “which is a barrier to formalization”. The Government Vice-Chairperson proposed, in the second sentence, to replace the word “underskilled” by the words “insufficiently skilled”. And the Worker Vice-Chairperson proposed the addition, after the word “underskilled”, of the words “unaware of OSH standards”. In response to a request for clarification from the Worker Vice-Chairperson on the difference between “underskilled” and “insufficiently skilled”, the Government Vice-Chairperson indicated that the latter appeared to be a clearer and more positive term that took into account the lack of skills of workers for new types of jobs and the skills to work safely. The Worker Vice-Chairperson proposed the wording “lacking the necessary skills”. The Government Vice-Chairperson proposed to delete the words “when accessing education”, which appeared to leave out broader forms of learning, such as lifelong learning. A Government expert from Fiji considered that the current reference to education tended to leave out all other forms of skills upgrading to which the employer or worker might have access. The Employer Vice-Chairperson emphasized the importance of focusing on access to education, especially for girls and women living in rural areas, poverty or situations of violence, and proposed to replace the words “Girls and women often face the highest barriers when accessing education, particularly when they are from disadvantaged groups” by the words “paying special attention to girls and women, particularly when affected by multiple and intersecting situations of vulnerability and exclusion”. She recalled that the Universal Declaration of Human Rights, in article 26, provided that everyone has the right to education and that education shall be free. Following further consideration, the Executive Secretary proposed the following rewording of the second sentence: “Women and girls are disproportionately affected by multiple and intersecting situations of vulnerability and exclusion, which reinforce inequalities and stigma and are barriers to formalization.” In view of the length of the paragraph, the text following that sentence would be split into a separate paragraph. It was so agreed.
131. In subparagraph 56(a), the Government Vice-Chairperson proposed the addition, at the beginning of the subparagraph, of the words “develop skills standards”. It was so agreed.
132. In subparagraph 56(d), the Employer Vice-Chairperson proposed the addition, at the end of the subparagraph, of the words “ensuring equal access to quality education and certification of training programmes for all workers;”. She explained that it was important to improve the quality of education and certification, especially in rural areas and informal work, to prevent quality gaps in education. It was so agreed.
133. In subparagraph 56(f), the Employer Vice-Chairperson proposed the addition, at the end of the subparagraph, of the words “through practical and accessible programmes, in line with market needs”. She emphasized the importance of ensuring that apprenticeship programmes were

updated to adapt to changing market needs. Following a brief discussion during which the Government Vice-Chairperson proposed the wording “societal needs”, which could cover both economic and social needs, and the Worker Vice-Chairperson proposed “market and workers’ needs”, the Employer Vice-Chairperson decided to withdraw the proposed amendment. Subparagraph 56(f) was adopted without amendment.

134. In subparagraph 56(g), the Worker Vice-Chairperson proposed the addition of the word “, public” following the word “free”. He said that the amended wording was in line with the Employment and Decent Work for Peace and Resilience Recommendation, 2017 (No. 205), in Paragraph 18, in relation to the access to free quality public education of children of displaced and migrant workers, who were clearly in a very disadvantaged and vulnerable situation. The difference was that education could be free if vouchers were provided by governments to pay for private education. It was of great importance for children, especially from disadvantaged backgrounds, to have access to high quality public education. It was so agreed.
135. In subparagraph 56(k), the Worker Vice-Chairperson proposed the addition, after the words “prior learning”, of the words “for all workers”. The Employer Vice-Chairperson proposed the deletion of the word “workers” from the proposed amendment, as the text should also include employers. It was so agreed.
136. In subparagraph 56(n), the Government Vice-Chairperson proposed the replacement of the word “workers” by the words “, where appropriate, workers”, and the addition at the end of the subparagraph of the words “and development”. The Worker Vice-Chairperson proposed the deletion of the word “workers”. The Employer Vice-Chairperson said that the reason for including workers was that, in some countries and under some systems, workers made contributions to the financing of skills training, which were normally lower than the contributions made by employers and governments. The Government Vice-Chairperson proposed that the reference could be to workers’ organizations which, in many countries, played an important role in providing information on the type of training that was needed and how it could be developed. The Worker Vice-Chairperson emphasized that, when workers were employed by companies, the training was provided by the company. Where training was provided by governments, workers, as taxpayers, contributed to the training. However, there was no way that informal workers could afford to contribute financially to training. Moreover, workers’ organizations, especially in developing countries, often faced quite a severe financial situation and would not be able to contribute to the financing of skills development. The Employer Vice-Chairperson emphasized the importance of recognizing that responsibility for financing skills training was shared between the three parties. Following further discussion of possible wordings, the Executive Secretary indicated that the 2021 ILC resolution concerning skills and lifelong learning contained language that might cover the issues raised: “promote innovative, transparent, equitable and sustainable financing mechanisms, developed through social dialogue, with shared and differentiated responsibilities, as appropriate, between governments, employers and workers, that enable and incentivize participation in skills development, promote employability, strengthen workers’ capacity to benefit from decent work opportunities and support sustainable enterprises”. It was agreed to replace the original wording of the subparagraph by the text from the 2021 ILC resolution.
137. In paragraph 56, the Worker Vice-Chairperson proposed the addition of the following new subparagraph: “provide accessible occupational health and safety and environmental training to workers, SMEs and SSE entities to improve working conditions.” The Employer Vice-Chairperson said that the wording should be MSMEs, rather than SMEs, and reference should be made to improving decent working conditions. She also requested an explanation of what was meant by “environmental training”. A Worker expert from the Netherlands said that there was a great need for environmental training to ensure that the materials extracted through recycling were handled

in an environmentally sound manner. The Government Vice-Chairperson said that an example of environmental awareness training was the information provided to workers on how to handle waste at the workplace, how best to recycle it and how to reduce the use of materials at work. An adviser to the Workers' group referred to the example of municipal workers in Chad who were engaged in sweeping the streets, but where there was an absence of proper sorting and collection infrastructure. They gathered plastic waste from the streets, piled it up and set fire to it, which was extremely hazardous for the workers and the local population. It was therefore necessary to provide them with environmental awareness training to improve the manner in which they worked. In light of the explanations provided, it was agreed to adopt the wording "environmental and sustainability training". The new subparagraph was adopted, as amended.

138. In paragraph 57, in the chapeau, the Employer Vice-Chairperson proposed the deletion of the words "and their", so that the chapeau would refer only to employers' organizations. It was so agreed.
139. In subparagraph 57(a), the Government Vice-Chairperson proposed, before the words "collecting and analysing data", to replace the word "and" by the words "as well as". It was so agreed.
140. Following subparagraph 57(a), the Employer Vice-Chairperson proposed the addition of the following new subparagraph: "maintain close collaboration with the authorities responsible for training programmes and play an active part in the improvement of both general and vocational education and training for all enterprises in the sector;". She emphasized the importance of training programmes in improving the sector. The only way in which many employers' organizations could contribute to the improvement of such programmes was through collaboration with the authorities. The new subparagraph was adopted without amendment.
141. In subparagraph 57(b), the Employer Vice-Chairperson proposed to replace the word "develop" by the words "promote the development" and to add, at the end of the subparagraph, the words ", including through active involvement or partnership with education and training institutions, to ensure accessibility and relevance". She noted that, as not every employers' organization had the same capacity to reach out to all sectors, especially in large countries or countries where some regions were difficult to access, their cooperation with education and training institutions was essential. It was so agreed.
142. Following subparagraph 57(b), the Worker Vice-Chairperson proposed the addition of the following new subparagraph: "promote capacity-building initiatives among their members, including small and medium-sized enterprises (SMEs), to enhance understanding and compliance with international labour standards." He emphasized that it was very frequently the case that SMEs did not know what international labour standards were, which made it necessary to promote such capacity-building initiatives. The Employer Vice-Chairperson proposed to change "SMEs" to "MSMEs", and noted that, in accordance with Convention No. 87, each organization had the right to decide how it worked. It was so agreed.
143. In paragraph 58, in the chapeau, the Employer Vice-Chairperson proposed the deletion of the words "and their", so that it would only refer to workers' organizations. It was so agreed.

2.7. Decent jobs for your people

144. In paragraph 59, the Worker Vice-Chairperson proposed the replacement of the words "decent and green jobs" by the words "decent work", and the addition of the following sentence at the end of the paragraph: "These jobs must ensure the full realization of fundamental principles and rights at work." The Employer Vice-Chairperson proposed the addition of the word "productive" before the word "decent" in the second sentence. She opposed the proposal to add a reference to

fundamental principles and rights at work, which were already referred to very frequently in the text. In response, the Worker Vice-Chairperson proposed the following wording at the beginning of the second sentence: “The creation of full and productive employment with decent work for young people”. The Employer Vice-Chairperson said that the wording should be “full and productive employment and decent work”. It was so agreed.

145. In paragraph 60, the Worker Vice-Chairperson proposed to replace the words “decent wages” by “living wages” and to add, at the end of the paragraph, the words “with full respect for fundamental principles and rights at work”. The Employer Vice-Chairperson recalled previous discussions when it had been decided to use the wording “decent wages” and considered that fundamental principles and rights at work were already amply covered in the text. The Worker Vice-Chairperson said that the need for living wages was absolutely basic, particularly for young people. However, if it were understood that living wages were included in the concept of decent wages, he could accept that. The Government Vice-Chairperson confirmed her understanding that decent wages included the concept of living wages. On that understanding, the Worker Vice-Chairperson withdrew the amendments and the paragraph was adopted without amendment.
146. In subparagraph 61(a), the Employer Vice-Chairperson proposed the addition, at the end of the subparagraph, of the following wording: “according to national circumstances ensuring that policies and strategies are adapted to the characteristics of each country’s labour market and recycling industry, in order to maximize their effectiveness”. She recalled that, particularly in the recycling industry, each country had a very different context and background and that it would not therefore be possible to advocate universal policies or strategies. The Worker Vice-Chairperson preferred to remain with the original text. The Government Vice-Chairperson, noting that the paragraph started with the words “Governments should”, considered that, although it was important to recognize the differences in national situations, it was however self-evident that governments would start out from their national situation. It was not therefore necessary to make that explicit, particularly as the proposed wording did not read well in the context of the paragraph. Emphasizing the importance of the point raised, the Employer Vice-Chairperson withdrew the proposed amendment. Subparagraph 61(a) was adopted without amendment.
147. In subparagraph 61(d), the Worker Vice-Chairperson proposed the addition, after the words “young women entrepreneurs”, of the words “and workers”, and the replacement of the words “to the success of their businesses” by the words “in businesses”. The Employer Vice-Chairperson proposed the term “self-employed workers”, as the subparagraph covered the issue of support for entrepreneurship. A Worker expert from India said that the term “self-employed worker” left out home-based workers, such as those working in shipbreaking in her country, who worked on their own, but not as part of groups of workers. It might be preferable to refer to both workers and self-employed workers. The Employer Vice-Chairperson understood the point being made, but preferred the wording “self-employed workers” or the original text. The Worker Vice-Chairperson could accept “self-employed workers”. It was so agreed.
148. In subparagraph 61(e), the Worker Vice-Chairperson proposed, after the words “membership-based organizations”, to add the words “, respecting freedom of association”. The Employer Vice-Chairperson considered that a better wording would be “respecting the right to freedom of association”. It was so agreed.
149. In paragraph 61, the Worker Vice-Chairperson proposed the addition of the following two subparagraphs: “develop and implement effective measures to prevent and eliminate child and forced labour in informal recycling activities along the value chain, with due attention to addressing the root causes of child labour;” and “promote, as an alternative, the development of

social and solidarity economy initiatives so that young people can develop productive processes in the recycling chain.” An adviser to the Workers’ group said that the first paragraph was intended to draw attention to the extremely important issues of child labour and forced labour in the very challenging recycling value chain. Another adviser to the Workers’ group representing waste pickers said that SSE initiatives were often the best means of facilitating the involvement of young people, although of course not children, in developing productive processes in the recycling sector. The Employer Vice-Chairperson said that, while the first additional subparagraph was acceptable, there was a whole section on labour rights and it was perhaps not needed in the context of the present paragraph. The Government Vice-Chairperson added that the second additional subparagraph was not entirely clear, particularly in the context of the rest of the paragraph. In light of the discussion, the Worker Vice-Chairperson withdrew the proposed additional subparagraphs.

2.8. Formalization

150. The Government Vice-Chairperson proposed the insertion, before paragraph 62, of the following new paragraph: “Bringing activities from the informal to the formal economy means that they should be fully declared, covered by legislation and give rise to effective protection.” She explained that the wording had been taken from agreed ILO text and that the purpose of the addition was to ensure that a broad audience, who might not be aware of the terminology used within the context of the ILO, could have a description of the subject covered. The Worker Vice-Chairperson sympathized with the intention behind the proposed new paragraph, but proposed taking wording from Recommendation No. 204. It was therefore agreed that the new paragraph would read as follows: “Formalization means ensuring that all economic activities by workers and economic units – including enterprises, entrepreneurs and households – are, in law and in practice, sufficiently covered by formal arrangements.”
151. In paragraph 62, the Worker Vice-Chairperson proposed the replacement, in the second sentence, of the words “social services” by the words “equitable access to public services” and the addition, after the word “discrimination” of the word “, disabilities”. The Employer Vice-Chairperson proposed the addition, at the end of the paragraph, of the following new sentence: “in addition, excessive regulatory burdens, complex administrative procedures and the lack of incentives for formalization are also factors that perpetuate informality in the recycling industry.” An adviser to the Workers’ group said that it was widely understood that one of the root causes of informality, poverty, inequality, territorial differences within cities in terms of development, access to opportunities and discrimination was due to the lack of equitable access to basic public services, such as clean drinking water, public education and energy. Recommendation No. 205 and the Centenary Declaration highlighted the key role of equitable access to public services in the event of emergencies, in combating discrimination and in facilitating formalization. The term “equitable” tended to be used in that context, rather than “equal”, to highlight differences in relation to access to services, for example between rural and urban areas in the field of transport. The Employer Vice-Chairperson considered that the social partners were pursuing the same objectives, but needed to come together on the proposed wording. She wished to retain the reference to the high cost of compliance, but did not favour the specific reference to disabilities. If disability became a barrier to formalization, it would be covered by the overall term of discrimination. The Secretary to the Employers’ group added that the problem in relation to access to services was not disability in itself, but the lack of reasonable accommodations to allow access by persons with disabilities. The Employer Vice-Chairperson noted that the United Nations Convention on the Rights of Persons with Disabilities described reasonable accommodations as necessary and appropriate modifications and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise

on an equal basis with others of all human rights and fundamental freedoms. It was also important to refer to persons with disabilities, rather than just disabilities. In light of the explanations provided, the Government Vice-Chairperson proposed the wording “lack of reasonable accommodations for persons with disabilities”. The Worker Vice-Chairperson considered that the text was becoming complex and therefore withdrew the amendment on that point. Following further consultation, the Executive Secretary proposed the following rewording of the second sentence: “Low public spending, insufficient provision of and access to quality public services, are key drivers of informality, along with low productivity of enterprises and challenges of compliance.” It was so agreed.

152. With reference to the high cost of compliance, the Worker Vice-Chairperson proposed the alternative wording of “the challenges of compliance”. The Government Vice-Chairperson agreed with the spirit of the additional final sentence, but disagreed with the reference to the lack of incentives for formalization, as she considered that there were many incentives for formalization. She proposed the deletion of the word “critical”, as that might not be true in all countries. It was often the case that the barriers to formalization were of a more systemic nature. The Employer Vice-Chairperson emphasized that the lack of incentives for formalization were indeed a critical factor in many countries, particularly in regions such as Latin America, where the informality rate was often as high as 60 or 70 per cent. The Worker Vice-Chairperson proposed, as an alternative to the additional sentence suggested by the Employers’ group, the following wording taken from Recommendation No. 204: “In addition, a balanced approach combining incentives with compliance measures, including adapting administrative procedures, is needed to increase incentives to formalization.” It was so agreed.
153. In paragraph 63, the Worker Vice-Chairperson proposed the deletion of the words “productive and efficient”. However, in light of the explanation provided by the Employer Vice-Chairperson that informality had a direct effect on the manner in which enterprises grew and became more productive and efficient, and the support for the wording expressed by the Government Vice-Chairperson, he withdrew the amendment. The Employer Vice-Chairperson proposed to replace, at the end of the paragraph, the words “, just and job-rich transition to the circular economy” by the words “and just transition to environmentally sustainable economies and societies for all and the circular economy”. The Worker Vice-Chairperson proposed a rewording that would read “and just transition to environmentally sustainable economies with the creation of decent jobs in the circular economy”. The Employer Vice-Chairperson noted that the wording “environmentally sustainable economies” was used in the title of the 2015 ILO Guidelines for a just transition towards environmentally sustainable economies and societies for all. The Worker Vice-Chairperson preferred the original wording, which referred to a “job-rich transition”, which was important for the many people who turned to recycling because they were searching for work. The Government Vice-Chairperson agreed that it made sense to use the same wording as previously in the text, and particularly in paragraph 16. The Worker Vice-Chairperson proposed the addition, at the end of the sentence, of the words “for the creation of decent jobs”. It was so agreed.
154. In subparagraph 64(a), the Worker Vice-Chairperson proposed the replacement of the words “heterogeneous work arrangements” by the words “precarious work”. The Employer Vice-Chairperson preferred the wording “decent work deficits”. The Worker Vice-Chairperson suggested, instead of “precarious work”, the words “non-standard forms of employment”. After the Government Vice-Chairperson had expressed support for either “decent work deficits” or “precarious work”, the Worker Vice-Chairperson agreed to the wording “decent work deficits” as a compromise. It was so agreed.

- 155.** In subparagraph 64(b), the Worker Vice-Chairperson proposed the addition, after the words “integrated policy framework”, of the words “and establish pathways”. The Employer Vice-Chairperson preferred the term “incentives” to “pathways”, as it was less ambiguous and was used in Recommendation No. 204. The Government Vice-Chairperson considered that incentives were more limited than pathways, as they were normally confined to financial or fiscal measures, while pathways would be broader. In response to a suggestion by the Employer Vice-Chairperson to use the terms “strategies and incentives”, she considered that strategies would include pathways and the wording would therefore be acceptable. It was so agreed. It was also agreed to accept an amendment by the Government Vice-Chairperson to add the words “and international” after the words “local, national, regional”, and an amendment by the Employer Vice-Chairperson to add a reference, following Recommendation No. 204, to the 2015 ILO Guidelines for a just transition towards environmentally sustainable economies and societies for all. However, it was suggested that the wording proposed by the Worker Vice-Chairperson, “should ensure a just transition to protect the livelihoods of workers in the informal economy who are at risk of losing their jobs (for example, workers in dumpsites, shipbreaking sites);” could be considered under section 2.9 on a just transition towards a job-rich circular economy.
- 156.** In subparagraph 64(d), the Employer Vice-Chairperson proposed to replace the words “will ensure fair prices” by “can support competitive commercial practices”. The Worker Vice-Chairperson disagreed with the proposed change as the original language would offer greater support for SSE entities. In response to a proposal by the Employer Vice-Chairperson to simply delete the words “fair prices”, the Worker Vice-Chairperson emphasized the importance of fair prices in contributing to decent earnings for workers in the recycling industry. The Government Vice-Chairperson proposed the wording “fair competition”, which would hold all the parties to the same decent working standards and would be reflected in prices as a result of the creation of a level playing field. She recalled that governments did not directly set prices. Following further discussion, and in a spirit of compromise, the Worker Vice-Chairperson proposed the deletion of the words “ensure fair prices”. It was so agreed.
- 157.** In subparagraph 64(f), the Government Vice-Chairperson proposed to add the words “OSH and” before the words “labour inspection”. The Government Vice-Chairperson explained that the addition was mainly a technical change, as there were often two or more types of work-related inspections in many countries, namely OSH and labour inspections. A Government expert from Fiji indicated that OSH inspection was a more technical area and that the two components of the inspection services had different roles and might be covered by different legislation. A Government expert from Ghana emphasized that the two inspection services played a complementary role. It was important to retain the words “OSH and”. It was so agreed.
- 158.** Also in subparagraph 64(f), the Worker Vice-Chairperson proposed the addition, at the end of the subparagraph, of the following words “extend the mandate and capacity of labour inspection to cover SSE entities, informal and unregistered sectors;”. It was so agreed.
- 159.** In subparagraph 64(j), the Worker Vice-Chairperson proposed the addition, at the end of the subparagraph, of the words “including abusive subcontracting without public control” in order to cover the many cases that occurred of contracting out and outsourcing without adequate public control. The Government Vice-Chairperson proposed an addition in the same place that would read: “outsourcing without public control, fraudulent use of cooperative figures and artificial business fragmentation to evade labour responsibilities”. A Worker expert from Argentina referred, by way of illustration, to employers who claimed that their enterprises were cooperatives in order to avoid taxes and other obligations. The Government Vice-Chairperson regretted that the addition of too much detail was taking away from the main message of the subparagraph. The proposed additions could perhaps be replaced by the words “including abusive

subcontracting". The Worker Vice-Chairperson suggested the wording "including fraudulent mechanisms to evade labour responsibilities". The Employer Vice-Chairperson was of the view that the proposed additions were merely putting in other words what was already covered by the original text, namely the evasion of social and labour laws and regulations. It was so agreed and the subparagraph was adopted without amendment.

160. In subparagraph 64(k), the Government Vice-Chairperson proposed the addition, after the word "promote", of the words "cooperation and assistance on capacity-building and knowledge-sharing". The purpose of the amendment was to mirror the long section in the MNE Declaration on fostering cooperation and capacity-building and applying it to smaller enterprises as an additional means of helping them take the necessary steps towards formalization. The Employer Vice-Chairperson believed that the proposed addition would be better placed at the end of the paragraph. It was so agreed.
161. Also, in subparagraph 64(k), the Worker Vice-Chairperson proposed the addition, after the words "sustainable enterprises", of the words "conducive to realizing labour rights", and the addition, at the end of the subparagraph, of the words "and SSE entities (see section 2.4)". The Employer Vice-Chairperson could agree to the addition of the reference to SSE entities, but would prefer the text without the wording "conducive to realizing labour rights", which was already amply covered. However, in view of the insistence by the Workers' group, she proposed the alternative wording "and decent work creation". It was so agreed.
162. In subparagraph 64(l), the Government Vice-Chairperson proposed the deletion of the word "private". It was so agreed.

2.9. A just transition towards a job-rich circular economy

163. In the title to the section, the Employer Vice-Chairperson proposed the following rewording: "A just transition towards environmentally sustainable economies and societies for all". The Worker Vice-Chairperson preferred the original title with its reference to a job-rich circular economy. The Government Vice-Chairperson did not have a preference with regard to the title. The Employer Vice-Chairperson proposed the alternative wording "A just transition towards sustainable enterprises and decent work creation in the circular economy". The Government Vice-Chairperson pointed out that the section was indeed about a just transition, particularly in the circular economy. The Employer Vice-Chairperson could compromise by retaining the original title, but did not consider that the term "job-rich" would be appropriate in the text that followed. It was so agreed.
164. Before paragraph 65, the Government Vice-Chairperson proposed the addition of the following new paragraph: "A just transition maximizes the social and economic opportunities of climate and environmental action in a way that is inclusive, by creating decent work opportunities, reducing inequality and by leaving no one behind." It was so agreed.
165. In paragraph 65, the Worker Vice-Chairperson proposed the addition, in the second sentence, after the words "To safeguard social justice", of the words ", this transition must be governed by public policies that uphold international labour standards". The sentence would end there and the rest of the text would be in a new sentence starting "It is critical...". He also proposed the addition, after the words "that the transition works for all and", of the words ", with particular attention to workers in the informal economy so". In the first amendment, the Employer Vice-Chairperson proposed to replace the words "that uphold international labour standards" by the words "in line with the ILO 2015 Guidelines on a just transition". It was so agreed.

- 166.** Following paragraph 66, the Worker Vice-Chairperson proposed the addition of the following new paragraph: “Should ensure a just transition to protect the livelihoods of workers in the informal economy who are at risk of losing their jobs (for example, workers in dumpsites, shipbreaking sites).” A Workers’ adviser representing WIEGO recalled the very high levels of informality in the sector and the harsh working conditions, which were compounded by the very significant changes that were occurring due to the action taken in relation to climate change, including with regard to landfill sites. Over half of all recycling workers on dumpsites in Africa and Latin America lacked any protective measures to safeguard their health and safety. The Employer Vice-Chairperson understood the point that was being made, but proposed the replacement of the proposed text by wording taken from the 2015 Guidelines, which would read as follows: “Coherent policies also need to provide a just transition framework for all to promote the creation of more decent jobs including, as appropriate, anticipating impacts on employment, adequate and sustainable social protection for job losses and displacement, skills development and social dialogue, including the effective exercise of the right to organize and bargain collectively.” It was so agreed.
- 167.** In paragraph 67, the Employer Vice-Chairperson proposed the replacement, in the first sentence, of the words “job-rich”, by the words “environmentally sustainable”, and the addition, in the second sentence, after the words “social dialogue”, of the words “in all its forms”. The Worker Vice-Chairperson proposed the replacement of the words “in all its forms” by the words “and collective bargaining”. The Employer Vice-Chairperson believed that the wording “social dialogue in all its forms” was broader than the reference to collective bargaining, which was unlikely to happen in informal activities. However, in a spirit of compromise, the wording “social dialogue including collective bargaining” would be acceptable. It was so agreed and it was also agreed to accept the proposal by the Government Vice-Chairperson to add, at the end of the paragraph, the following new sentence: “Active engagement and collaboration with local government, including through city-networks and multi-level partnership initiatives, is critical to delivering inclusive climate action and promoting decent work in recycling.”

3. Rights at work

- 168.** In the title, the Employer Vice-Chairperson proposed the addition of the words “Fundamental principles and”, explaining that the following paragraphs all related to fundamental principles and rights at work. The Worker Vice-Chairperson opposed the change in the title as rights at work were broader than fundamental principles and rights at work, and included international labour standards on many other issues that were covered in the paragraphs in the section. It was so agreed.
- 169.** In paragraph 69, the Employer Vice-Chairperson proposed to replace the words “sustainable enterprises” by “sustainable, productive and competitive enterprises”. She emphasized that, particularly in the recycling industry, enterprises needed to be not only sustainable, but also productive and competitive. The Worker Vice-Chairperson proposed the addition, at the end of the paragraph, of the following words: “, due to non-standard forms of employment, special regimes with less protection, or deliberate omission of their employment relationship by waste sector actors”. The Employer Vice-Chairperson proposed an alternative wording, namely “, as they are likely to work in the informal sector where decent work deficits prevail”. In response, the Worker Vice-Chairperson proposed the wording “because of decent work deficits in the informal economy”. It was so agreed.
- 170.** Following paragraph 72, the Employer Vice-Chairperson proposed the addition of the following new paragraph: “Fundamental principles and rights at work are universal human rights and immutable in nature. They are inseparable, interrelated and mutually reinforcing. They are key to human dignity and well-being and to the foundation of inclusive and just societies. They are

important for ensuring that economic and social progress advance together in the pursuit of social justice. Fundamental principles and rights at work are rights and enabling conditions that are necessary for the full realization of the strategic objectives of the International Labour Organization (ILO).” She explained that the text came from the 2024 ILC Conclusions concerning the third recurrent discussion on fundamental principles and rights at work and it was important to include such an explanatory text in the present section of the guidelines. It was so agreed.

3.1. Freedom of association and the effective recognition of the right to collective bargaining

- 171.** In paragraph 73, the Employer Vice-Chairperson proposed to replace the words “Freedom of association and the effective recognition of the right to collective bargaining are enabling rights that contribute to” by the words “The right to freedom of association and the effective recognition of the right to collective bargaining are rights and enabling conditions that contribute to”. She also proposed the deletion of the final sentence: “Their exercise has a major impact on work and living conditions and on economic and social development.” She explained that the definition was contained in the previous paragraph that had just been adopted, and it was no longer necessary to retain it in the present paragraph. The Worker Vice-Chairperson emphasized the importance of the rights to freedom of association and collective bargaining, which had a major effect on the living and working conditions of workers. He therefore preferred the original text. In response to a request for clarification, the Executive Secretary recalled that the description of freedom of association and collective bargaining as enabling rights was language that had been used for many years. In reply to a suggestion by the Employer Vice-Chairperson that the wording could be changed to “rights and enabling conditions”, the Worker Vice-Chairperson saw no reason to change long-established language. The Employer Vice-Chairperson explained that the wording came from the 2024 ILC Conclusions concerning the third recurrent discussion on fundamental principles and rights at work, in paragraph 1. The Government Vice-Chairperson felt strongly that it was important to keep to the language used in the past. In light of the discussion, the Executive Secretary confirmed that the wording “freedom of association and the effective recognition of the right to collective bargaining are rights and enabling conditions” was contained in the 2008 Declaration on Social Justice for a Fair Globalization, which emphasized that the right of freedom of association and the effective recognition of the right to collective bargaining were particularly important to enable the attainment of the four strategic objectives of the Decent Work Agenda. The term was also used in other ILO texts, as well as in the United Nations Guiding Principles on Business and Human Rights and the MNE Declaration. The United Nations Commission on Human Rights in 2022 had declared that freedom of association was one of the essential elements of democracy. The Employer Vice-Chairperson noted that the only place that the original text could be found in ILO-agreed language, was in the agri-food guidelines. The normal terminology used was that freedom of association and the effective recognition of collective bargaining were not enabling rights, but were rights and enabling conditions. The Worker Vice-Chairperson noted that the Centenary Declaration, in section IIA(vi), referred to the two rights as enabling rights. The Employer Vice-Chairperson emphasized that the two concepts of enabling rights and the contribution of freedom of association and the effective recognition of collective bargaining should be split and proposed the following wording: “Freedom of association and the effective recognition of the right to collective bargaining are rights and enabling conditions that contribute to the promotion of democracy, the efficient governance of labour markets and decent work. Their exercise has a major impact on work and living conditions and on economic and sustainable development. Promoting workers’ rights was a key element for the attainment of inclusive and sustainable growth and should focus on freedom of association and the effective recognition of the right to collective bargaining as enabling rights.” The Worker Vice-Chairperson said that it was

necessary to stay with the original text in order to uphold the values of trade unions. The Employer Vice-Chairperson proposed a further wording based on the 2024 ILC Conclusions on the recurrent discussion on fundamental principles and rights at work: “Governments, employers and workers should protect, promote and respect the right to freedom of association and the effective recognition of the right to collective bargaining in light of their particular importance to enable the attainment of the four strategic objectives of the Decent Work Agenda, notably social dialogue and tripartism.” In light of the discussion, the Executive Secretary proposed the following sentence from the 2008 Report of the Director-General to the ILC: “Protecting and promoting respect for the right to freedom of association and the effective recognition of the right to collective bargaining are particularly important to enable the attainment of the four strategic objectives of the Decent Work Agenda, notably social dialogue and tripartism.” It was agreed to adopt the text proposed by the Executive Secretary.

172. In paragraph 74, the Employer Vice-Chairperson proposed to add, at the beginning of the paragraph, the words “Social dialogue, including collective bargaining”. She explained that collective bargaining was a fundamental part of social dialogue, but not the only element, and there was now a move towards broader aspects of social dialogue, especially in relation to the informal economy, where informal workers did not have access to collective bargaining. Social dialogue in its broader sense offered many alternative ways of resolving conflicts and holding discussions within the informal economy. The Government Vice-Chairperson emphasized that the Government experts present in the Meeting were knowledgeable about the circular economy, but felt uncomfortable on the matters currently under discussion. Collective bargaining was certainly one of the elements needed to achieve decent work in recycling. She preferred the terminology traditionally used in the context of the ILO. The Executive Secretary confirmed that most of the language used in the guidelines in the present paragraph was based on already agreed texts. In light of the discussion, the Employer Vice-Chairperson withdrew her proposed amendment and it was agreed to retain the original text of the paragraph.
173. In paragraph 75, the Employer Vice-Chairperson proposed: the addition, in the first sentence, before the words “bargain collectively”, of the words “effective recognition to”; the addition, in the second sentence, before the words “inadequate legislative protection”, of the words “elevated levels of informality, lack of good governance,”; and the deletion, in the fourth sentence, of the words “elevated levels of informality”. The Worker Vice-Chairperson rejected the first proposed amendment, recalling that the title of Convention No. 98 referred to the right to organize and collective bargaining. The Employer Vice-Chairperson recalled that the 1998 Declaration on Fundamental Principles and Rights at Work referred to the right to freedom of association and the effective recognition of the right to collective bargaining. An ILO expert said that, when drafting the respective paragraphs, the references made were to the two Conventions that enshrined the right to freedom of association and collective bargaining, rather than to the 1998 Declaration. The Employer Vice-Chairperson, while withdrawing the first amendment, emphasized that she was only doing so to remain close to the titles of the respective Conventions. However, it was still necessary to refer to the effective recognition of collective bargaining, not access to collective bargaining. With regard to the second amendment, the Worker Vice-Chairperson could accept the changed position of the words “elevated levels of informality”, but questioned the need to add “lack of good governance”. The Employer Vice-Chairperson explained that the lack of good governance was directly related to the quality of business performance and was one of the biggest barriers to the effective recognition of the right of association and collective bargaining. The Government Vice-Chairperson said that the concept was rather vague, but could be an acceptable addition. The Executive Secretary added that good governance was a widely used term that related to political and institutional processes and outcomes that were necessary to achieve socio-economic and development goals. It was often

correlated to delivering on commitments to human rights as well as civil, cultural, economic, political and social rights. It was probably the case that in countries where good governance was lacking, workers, including recycling workers, tended to suffer worse conditions. The paragraph was adopted, as amended.

174. In subparagraph 76(a), the Employer Vice-Chairperson proposed the addition, after the words “ratify and effectively implement fundamental”, of the words “principles and rights at work”. She noted that the language was consistent with the wording adopted throughout the guidelines. The Worker Vice-Chairperson rejected the amendment and wished to retain the reference to fundamental and other ILO instruments. The Government Vice-Chairperson believed that the use of the word “fundamental” lead to the belief that the subparagraph was referring to fundamental principles and rights at work, when it was actually related to the specific instruments, including the fundamental instruments. An ILO expert said that the current subparagraph was focused on the Conventions that set out those specific rights, as were the respective paragraphs on forced and child labour, discrimination and OSH. The Employer Vice-Chairperson said that it was still important to refer to the fundamental principles and rights at work in order to cover governments that had not ratified the respective Conventions, but which still had to implement the fundamental principles and rights at work. The Government Vice-Chairperson said that one solution would be to refer to the ratification and effective implementation of fundamental principles and rights at work and then to the ratification and effective implementation of other ILO instruments relating to freedom of association. The Executive Secretary pointed out that section 3 started by referring to the requirement for ILO Members to give effect to fundamental principles and rights at work, which was then followed by separate subsections on each of the five fundamental rights. An ILO expert added that it would not be accurate to call for the ratification of fundamental principles and rights at work, as the ratification process only related to the respective Conventions. In light of the discussion, it was agreed to adopt the subparagraph as originally worded.
175. In subparagraph 76(b), the Employer Vice-Chairperson proposed the addition, before the words “right to collective bargaining”, of the words “effective recognition of the”, which mirrored the language in the title to the subsection. The Government Vice-Chairperson considered that the shortest reference to collective bargaining would cover all the aspects set out in the various laws and their enforcement. The Chairperson noted that there was no legal impediment to the inclusion of the proposed wording. It was so agreed.
176. In subparagraph 76(d), the Worker Vice-Chairperson proposed the addition, in the second sentence, after the words “organize their administrative activities”, of the words “bargain collectively on behalf of their members”. It was so agreed.
177. In subparagraph 76(e), the Worker Vice-Chairperson proposed the addition, before the words “establishing rapid appeal procedures”, of the words “prohibiting such discrimination explicitly in law”. He explained that in some countries discrimination was contained explicitly in the law. It was so agreed.
178. In subparagraph 76(f), the Worker Vice-Chairperson proposed the addition, at the end of the subparagraph, of the words “and to be represented by trade unions, including for the purpose of collective bargaining”. It was so agreed.
179. In subparagraph 76(h), the Employer Vice-Chairperson proposed the addition, before the words “collective bargaining”, of the words “effective recognition of the right to”. It was so agreed.
180. In paragraph 77, in the chapeau, the Employer Vice-Chairperson proposed the deletion of the words “and their”. It was so agreed.

- 181.** In subparagraph 77(a), the Worker Vice-Chairperson proposed the replacement of the words “recycling facilities and enterprises” by the word “workplaces”, and the deletion of the words “, provided that there is no interference with the work being carried out and subject to appropriate precautions being taken for the protection of the property, while respecting the freedom to hold meetings”. He explained that the word “workplaces” was more comprehensive than “recycling facilities and enterprises”. The words that it was proposed to delete were contrary to the freedoms of workers’ and employers’ organizations set out in Article 3 of Convention No. 87, which also provided that the public authorities shall refrain from any interference which would interfere with that right. The Employer Vice-Chairperson agreed with the word “workplaces”, but noted, with respect to the proposed deletion, that while employers were called upon to facilitate the access to workplaces of independent trade unions, they needed to ensure that such access did not interfere with the work that was being carried out. A Worker expert from Australia said that the wording gave rise to concerns because it allowed employers to claim that there had been interference with the work, when that was not the case. Such wording was often used to prevent trade unions from organizing effectively and from having legitimate access to workers. The Employer Vice-Chairperson proposed wording from the compilation of decisions of the Committee on Freedom of Association, paragraph 1588, namely “access to employers facilities should not be exercised to the detriment of the efficient functioning of the enterprise concerned”. The Worker Vice-Chairperson proposed alternative wording, from paragraph 1590 of the compilation of decisions “and guarantee the access of trade union representatives to workplaces, with due respect for the rights of property and management, so that trade unions can communicate with workers in order to apprise them of the potential advantages of unionization”. It was so agreed.
- 182.** In subparagraph 77(c), the Worker Vice-Chairperson proposed the addition, after the words “make no attempt to”, of the words “use the existence of elected representatives to undermine the position of the trade union or their representatives, or to”. The Employer Vice-Chairperson noted that very similar language was being proposed for a new subparagraph to follow the present subparagraph, and was not required in subparagraph 77(c). The Worker Vice-Chairperson withdrew the proposed amendment.
- 183.** Following subparagraph 77(c), the Worker Vice-Chairperson proposed the addition of the following new subparagraph: “refrain from acts of interference and from any act prejudicial to Workers’ representatives, including dismissal, based on their status or activities as a Workers’ representative or on union membership or participation in union activities, in so far as they act in conformity with existing laws or collective agreements or other jointly agreed arrangements”. The language was very closely based on Article 1 of the Workers’ Representatives Convention, 1971 (No. 135). The Employer Vice-Chairperson proposed the addition, at the end of the proposed new subparagraph, of the words “in accordance with national legislation”, while the Worker Vice-Chairperson could agree with the wording “in accordance with international Conventions”. The Employer Vice-Chairperson raised the problem of the situation in countries which had not ratified Convention No. 135, which had only been ratified by 85 Member States. An ILO expert recalled that Article 1 of Convention No. 135 had its origins in Conventions Nos 87 and 98, which were fundamental Conventions, although protection against acts of interference and any prejudicial act was extended to Worker representatives, which was the big difference in Convention No. 135. The Government Vice-Chairperson expressed concern at the increasing length of the text of the guidelines. The Employer Vice-Chairperson proposed alternative wording, based on Article 2 of Convention No. 98: “workers’ and employers’ organizations shall enjoy adequate protection against any acts of interference by each other or each other’s agents or members in their establishment, functioning or administration. In particular, acts which are designed to promote the establishment of workers’ organizations under the domination of employers or employers’

organizations, or to support workers' organizations by financial or other means, with the objective of placing such organizations under the control of employers or employers' organizations, shall be deemed to constitute acts of interference." It was so agreed, and it was agreed that the text would be adopted as a separate paragraph following paragraph 75.

184. In subparagraph 77(d), the Employer Vice-Chairperson proposed the addition, after the words "with such facilities", of the words ", in accordance with national legislation in force and the operational capacities of each enterprise,". Moreover, the content of the sentence at the end of the subparagraph was covered by the new subparagraph that had just been adopted, and could therefore be deleted. The Worker Vice-Chairperson preferred the original text, without amendment. The call for facilities to be provided to trade unions in accordance with national legislation would be difficult to apply in the case of MNEs. The Executive Secretary recalled that the last sentence of the subparagraph was based on Article 2(3) of Convention No. 135. It was agreed to adopt the subparagraph without amendment.
185. The Employer Vice-Chairperson proposed the deletion of subparagraph 77(e), which was not consistent with the terms of Convention No. 87. It was not the role of employers' organizations to strengthen the capacity of trade unions, and indeed that could be perceived as interference. The Executive Secretary indicated that the wording was based on the 2023 Policy guidelines for the promotion of decent work in the agri-food sector. It was agreed to delete the subparagraph.
186. In paragraph 78, in the chapeau, it was agreed to delete the words "and their".

3.2. Elimination of all forms of forced or compulsory labour

187. In paragraph 81, the Employer Vice-Chairperson proposed the addition, in the first sentence, after the words "Recycling work", of the words "in the informal economy". The Worker Vice-Chairperson considered that the sense should not be limited to the informal economy. For example, all migrant workers in the sector faced difficulties. He proposed, in the second sentence, the addition, following the words "Migrant workers", of the words ", regardless of their status,". The Employer Vice-Chairperson said that workers in the formal economy were not marginalized and questioned the existence of data to support the statement, in the second sentence, that migrant workers were more than three times as likely to be engaged in forced labour. The statement that workers in the sector were often marginalized cast a negative light on the sector. The point to be emphasized was the relationship between forced labour and the informal economy. The Government Vice-Chairperson agreed that workers in the informal economy had a higher rate of marginalization, but proposed the deletion, in the second sentence, of the words "than three times as". The Executive Secretary indicated that the figure of three times higher had been taken from the 2021 Global Estimates of Modern Slavery. Research showed the existence of forced labour in both the formal and informal economies even, in some cases, in highly developed economies. During the discussion, various different wordings were proposed, including "When in the informal sector, they are more vulnerable to the risk of forced labour" by the Employer Vice-Chairperson, and "They may be more vulnerable to the risk of forced labour, especially if they are in the informal economy", by the Government Vice-Chairperson. While the Employer Vice-Chairperson considered it important to keep the reference to the informal economy, the Worker Vice-Chairperson opposed the distinction made in that respect between the informal and formal economies and the Government Vice-Chairperson emphasized that, alongside informal work, the protection of migrant workers, not only in the informal economy, was one of the major problems in the sector. Following further consultation, agreement was reached on the following wording for the paragraph: "Recycling work is often undertaken by people who are marginalized by society and experience discrimination and who can be more vulnerable to the risk of forced

labour, particularly in the informal economy. Migrant workers, upon whom the industry commonly relies, are more likely to be engaged in forced labour.”

188. In subparagraph 82(b), the Worker Vice-Chairperson proposed the addition, after the words “lack of social protection”, of the words “lack of labour regulation and enforcement and unemployment”. The Employer Vice-Chairperson proposed the wording “effective implementation of fundamental principles and rights at work”, instead of the text proposed by the Worker Vice-Chairperson, and emphasized that unemployment was a consequence of the failure to enforce fundamental principles and rights at work. The Government Vice-Chairperson also emphasized the importance of enforcement, without which regulation was ineffective. However, the links between forced labour and unemployment were very complex, and it might be better not to raise the issue in the text. An adviser to the Workers’ group noted that, at the international level, migrant workers could often find themselves in situations in which their passports were confiscated and they were at serious risk of forced labour. Such workers tended to migrate due to the lack of opportunities for decent work in their home countries, which meant that unemployment was therefore one of the root causes of forced labour. The Deputy Secretary-General considered that there was a lack of clarity in the paragraph that was emerging concerning the absence of enforcement of fundamental principles and rights at work and the existence of forced labour. In light of the discussion, it was agreed to adopt the original text of the subparagraph, without amendment.
189. In subparagraph 82(f), the Worker Vice-Chairperson proposed the addition, after the words “effective monitoring”, of the words “to all workplaces, including”, and the addition at the end of the subparagraph of the words “ensuring their free access and without previous notice to all workplaces liable to inspection and their training on international labour standards”. In light of the observation by the Employer Vice-Chairperson that it would not be possible to give previous notice in all workplaces if the text included the informal economy, it was agreed to retain the original text of the subparagraph.
190. In subparagraph 82(m), the Employer Vice-Chairperson proposed to replace the words “in line with” by the words “taking into account”. It was so agreed.
191. In paragraph 83, in the chapeau, it was agreed to retain the words “and their”.
192. In subparagraph 83(a), the Employer Vice-Chairperson proposed to replace the words “as outlined in” by the words “taking into account”. It was so agreed.
193. In subparagraph 83(a)(iv), the Worker Vice-Chairperson proposed the replacement of the text of the subparagraph by the words “ensure that workers’ identity documents or contracts are never confiscated, destroyed or retained”. Although the Government Vice-Chairperson supported the proposed amendment, the Employer Vice-Chairperson could not understand how employers’ organizations could be made responsible for the protection of workers’ identity documents and contracts. The word “ensure” was not appropriate. The Worker Vice-Chairperson emphasized that the content of the subparagraph was the responsibility of employers, not their organizations, and that the chapeau to paragraph 83 should read “Employers and their organizations, where appropriate, should”. The Employer Vice-Chairperson did not accept the addition of the words “where appropriate” in the chapeau to the paragraph. It was agreed to adopt subparagraph 83(a)(iv) without amendment.
194. In subparagraph 83(c), the Worker Vice-Chairperson proposed the replacement of the subparagraph by the following, simplified, wording: “respect national law and collective agreements in relation to overtime”. It was so agreed.
195. In paragraph 84, in the chapeau, the Employer Vice-Chairperson proposed the deletion of the words “and their”. It was so agreed.

196. In subparagraph 84(a), the Employer Vice-Chairperson proposed the addition after the word “ratification”, of the words “and effective implementation”. The Worker Vice-Chairperson objected to this addition, stating that the paragraph concerned workers and their organizations, which could only contribute to the effective implementation of international labour standards. It was agreed to adopt the subparagraph without amendment.

3.3. Effective abolition of child labour

197. In subparagraph 88(e), the Employer Vice-Chairperson proposed, in the first sentence, to replace the words “invest in measures to increase the productivity and incomes” by the words “promote the increase of productive, formalization levels and income”. The Worker Vice-Chairperson proposed to add, at the end of the subparagraph, the following new sentence: “These measures should also prioritize the formalization of jobs and the strengthening of family incomes as a structural condition for the eradication of child labour.” He noted that the crucial point of the subparagraph consisted of the investment in measures. The amended text proposed by the Employer Vice-Chairperson therefore changed the whole meaning of the subparagraph. An adviser to the Workers’ group explained that the purpose of the proposed additional sentence was to ensure that efforts were made to address the root causes of child labour, and particularly poverty. An example of a programme that had been effective in that regard was the Bolsa Familia in Brazil which, through the provision of a small income to poor households, had ensured that many children had been withdrawn or protected from child labour. The Employer Vice-Chairperson understood the points made concerning the first sentence of the subparagraph and withdrew her amendment. However, she did not approve of the proposed additional sentence, which related more closely to social protection. The Government Vice-Chairperson agreed that the proposed addition would be better placed in the section on social protection. Following further discussion, it was agreed to accept the words “These measures should also prioritize the formalization of jobs”, without the second half of the proposed additional sentence. It was so agreed.
198. In subparagraph 88(f), the Employer Vice-Chairperson proposed the replacement of the words “unemployment protection” by the words “social protection”. The Government Vice-Chairperson considered that, although unemployment protection was indeed a part of social protection, the change in the wording took away from the specific issue under consideration. The Executive Secretary noted that the logic behind the subparagraph was to refer to the principle of social protection and then minimum standards in relation to specific forms of social protection. It was agreed to adopt the subparagraph without amendment.
199. In subparagraph 88(k), the Employer Vice-Chairperson proposed the deletion of the second sentence, expressing concern at the involvement of governments in anything to do with prices and the whole issue of price control mechanisms. The Worker Vice-Chairperson called for the retention of the original wording. The Government Vice-Chairperson could understand the concern expressed with regard to piece-rate wage systems and ensuring fair pricing, in which governments played a minimal role in any case, but preferred to retain the wording on wages, in which governments played a more significant role. It was agreed to retain the second sentence, with the deletion of the words “ensuring fair pricing”.
200. In paragraph 89, in the chapeau, the Employer Vice-Chairperson proposed the deletion of the words “and their”, and added that many employers could not be expected to take the action set out in the various subparagraphs. The Worker Vice-Chairperson emphasized the importance of keeping the original wording, as the action covered by the paragraph concerned both employers and their organizations. It was so agreed.

201. In subparagraph 89(a), the Employer Vice-Chairperson proposed the replacement of the word “conduct” by the words “promote that their members conduct”, explaining that an employers’ organization most probably could not conduct human rights due diligence itself, and could only promote this to its members. The Worker Vice-Chairperson preferred to keep the original text. The Employer Vice-Chairperson proposed, as an alternative, to keep the word “conduct” but to add the words “in line with national legislation”. Following a discussion, the Worker Vice-Chairperson expressed his preference for the Employer Vice-Chairperson’s original proposed amendment. It was so agreed.
202. The Worker Vice-Chairperson proposed the addition of the following new subparagraph: “support MSMEs to comply with fundamental principles and rights at work”. It was so agreed and this subparagraph was inserted following subparagraph 89(b).
203. In subparagraph 89(c), the Worker Vice-Chairperson proposed the replacement of the words “adequate wages” by the words “living wages”. In light of the proposed new subparagraph, the wording “decent wages” was agreed.
204. Following subparagraph 89(c), the Employer Vice-Chairperson proposed the addition of the following new subparagraph: “promote the conclusions of the ILO Meeting of Experts on wage policies, including living wages, held in February 2024”. It was so agreed.
205. In subparagraph 89(d), the Employer Vice-Chairperson proposed to replace the words “fair pricing” by the words “competitive commercial practices”. She noted that the term “fair” raised many issues. The Worker Vice-Chairperson proposed the wording “adequate prices”, and in response, the Employer Vice-Chairperson proposed the wording “transparent and market-based pricing”. The Worker Vice-Chairperson proposed the addition, at the end of the subparagraph, of the words “, and by incorporating clauses prohibiting the use of child labour”. Following further discussion, it was agreed to replace the words “fair pricing” by the words “fair trade”. While accepting the compromise wording, the Worker Vice-Chairperson noted that fair trade was related more closely to the mandate of the World Trade Organization than that of the ILO.
206. In paragraph 90, in the chapeau, it was agreed to retain the wording “Workers and their organizations should:”.
207. In subparagraph 90(a), the Employer Vice-Chairperson proposed to replace the words “fair pricing” by the words “and advocate for fair trade and promote minimum and living wages, and competitive commercial practices”. The Worker Vice-Chairperson could accept the wording “minimum and living wages”, but wished to retain “fair pricing” to promote the operationalization of living wages, and did not accept the wording “competitive commercial practices”. The Employer Vice-Chairperson proposed instead the wording “decent wages”. The problem with the term “fair pricing” was that it might pave the way for price controls, and indeed price negotiations and collusion, which was contrary to competition law. An adviser to the Workers’ group representing WIEGO reaffirmed that the principle followed by associations and cooperatives of recyclers was to be able to accumulate their waste to make a collective sale, for which they would be able to obtain better prices. That was an important principle behind the operation of SSE entities, based on generating redistribution in the value chain. It could not be interpreted as anything illegal. The Secretary-General proposed the wording “adequate wages and waste material prices”. The Employer Vice-Chairperson considered that it would be difficult to adopt that wording without a clear definition of adequate wages, which could change rapidly. Following further discussion, and in a spirit of compromise, the Worker Vice-Chairperson proposed the replacement of the words “fair pricing” by the words “sustainable livelihoods”. It was so agreed.

- 208.** In subparagraph 90(d), the Employer Vice-Chairperson proposed to replace the words “adequate minimum/living wages, free, quality” by the words “adequate minimum wages that take into account both the needs of workers and their families and economic factors, in line with the conclusions of the ILO Meeting of Experts on wage policies, including living wages (February 2024), access to free, public, quality”. The Worker Vice-Chairperson preferred the original text, but could accept the addition of the word “public”. Following further discussion, the Worker Vice-Chairperson withdrew the proposed addition, following minimum wages, of the words “determined through social dialogue, including collective bargaining”, and proposed the wording “living wages” instead of “minimum wages”. It was so agreed.

3.4. Elimination of discrimination in respect of employment and occupation

- 209.** In paragraph 92, the Worker Vice-Chairperson proposed the addition, in the first sentence, after the words “legal constructs” of the words “and social policies”. It was so agreed.
- 210.** In paragraph 93, the Worker Vice-Chairperson proposed the addition, in the first sentence, after the words “comprehensive legislation”, of the words “and implementation frameworks”. The Employer Vice-Chairperson proposed instead the words “implementation strategies”. However, the Worker Vice-Chairperson said that the meaning was different and it was decided to adopt the subparagraph without amendment.
- 211.** In paragraph 98, the Worker Vice-Chairperson proposed the addition, at the end of the paragraph, of the following new subparagraph: “invest in public wages and recycling utilities infrastructure, decent job creation and formalization programmes with a focus on women”. The Employer Vice-Chairperson believed that the proposed text fell more easily under the scope of gender-sensitive policies. An adviser to the Workers’ group recalled that there were other sections on infrastructure and formalization, but that it was considered important to bring together the measures reviewed beforehand, but now with the focus on women. The Government Vice-Chairperson could accept the proposed text, with its particular focus on women. It was so agreed.
- 212.** In paragraph 99, in the chapeau, the Employer Vice-Chairperson proposed to delete the words “and their”. However, the Worker Vice-Chairperson emphasized the importance of the chapeau including both employers and their organizations. It was so agreed.
- 213.** In subparagraph 99(a), the Employer Vice-Chairperson proposed to: replace, in the first sentence, the words “develop and effectively implement policies to address” by the words “engage in social dialogue for the development and effective implementation of policies to prevent”; replace, in the second sentence, the words “develop, update or translate”, by the words “provide access to”; and replace the words “receive appropriate training” by the words “have access to appropriate training”. The Worker Vice-Chairperson could accept the proposed changes and the Government Vice-Chairperson, despite the feeling that they weakened the text, believed that the paragraph was a matter for agreement between the social partners. It was so agreed.
- 214.** In subparagraph 99(b), the Worker Vice-Chairperson proposed the addition, at the end of the subparagraph, of the words “and equal access to OSH provisions”. A Worker expert from the Netherlands explained that there should be no difference between people working in a company, whether they were on full, temporary or any other type of contract, and they should all have equal access to measures to ensure that they were safe at work. The Employer Vice-Chairperson considered that the addition should be placed elsewhere in the section on OSH. She also proposed the replacement of the word “ensure” by the word “promote”, but withdrew the suggestion in response to the strong opposition of the Workers’ group. Following further discussion, it was proposed to retain the original text of the subparagraph.

- 215.** In subparagraph 99(d), the Employer Vice-Chairperson proposed to replace the words “expand policies for the provision of” by the words “promote the development of”, and to delete the words “promotion of”. She explained that the subparagraph was more closely related to the action taken by governments, except in cases where provision for paid care leave was contained in collective agreements. She proposed the alternative wording: “promote the provision of adequate paid care leave and a more balanced sharing of work and family responsibilities;”. The Worker Vice-Chairperson would be prepared to accept that wording if the term “promote” was replaced by “contribute to”. It was so agreed, and it was agreed that the subparagraph would be moved to a more appropriate section related to government action.
- 216.** In subparagraph 100(d), the Worker Vice-Chairperson proposed the replacement of the words “trade unions” by the words “workers’ organizations” and the addition, at the end of the paragraph, of the words “, including the implementation of internal gender and diversity quotas, training programmes, and the creation of gender, migration and cultural diversity policies”. It was so agreed.

3.5. The right to a safe and healthy working environment

- 217.** In paragraph 102, the Employer Vice-Chairperson proposed to replace the paragraph with the following text: “When OSH principles are not in place or applied, recycling workers can be exposed to a wide variety of biological, chemical, ergonomic, physical and psychosocial and radiation hazards. These hazards however vary significantly, depending on the type of operation, whether the enterprise or worker operates in the informal or formal economy, the specific recycling work involved, the type of waste being recycled and the scale of operations.” She believed that the proposed new text was shorter and best reflected what happened when the appropriate principles were not applied, and it avoided the unhelpful singling out of sectors in the original text. The Worker Vice-Chairperson preferred the original text. The Government Vice-Chairperson could work with the proposed replacement text, but wished to retain the first sentence of the original paragraph, while omitting the sectoral references, which would then read: “The waste industry, of which recycling is a part, is a hazardous sector in terms of fatalities, injuries and work-related ill-health.” Next to informality, the frequent occurrence of fatalities and exposure to risks was one of the major problems faced by the sector. The Worker Vice-Chairperson emphasized from personal experience the hazards in the shipbreaking sector, which had been identified by the ILO as the most hazardous sector. Mining was also very hazardous. Both sectors should be referred to in the text. The Employer Vice-Chairperson would prefer the wording “can be a hazardous sector”, which would not cast it in such a negative light as the original text. Moreover, the harm occurred when normal OSH prescriptions were not followed, and there was a reference to shipbreaking later in the guidelines. Following further discussion, the Worker Vice-Chairperson proposed to return to the original text of the paragraph. The Employer Vice-Chairperson objected to the references to other sectors, but could accept them if the words “remains one of the most” were replaced by “can be a”. It was so agreed.
- 218.** In subparagraph 103(l), the Worker Vice-Chairperson proposed the addition, before the words “recycling workers”, of the word “all”, and the addition, at the end of the subparagraph, of the words “regardless of their employment status”. In response to the reaction by the Employer Vice-Chairperson that she could accept the reference to all recycling workers, but not the words “regardless of their employment status”, the Worker Vice-Chairperson proposed the wording “, including in the informal economy”. The Government Vice-Chairperson agreed that the provision of services, including inspection, for workers in the informal economy was more difficult, although it was something that governments tried to do, for example through the identification of workers

without contracts. She proposed the wording “all waste and recycling workers”, with the deletion of the proposed addition at the end of the subparagraph. It was so agreed.

219. In subparagraph 103(q), the Worker Vice-Chairperson proposed the addition, after the first sentence, of the following sentence: “Contact with waste should be minimized to reduce workers’ exposure.” He also proposed the addition, in the second sentence, after the words “chemical substances”, of the words “dust particles”. The Employer Vice-Chairperson did not agree with the proposed amendments and asked how it was possible to reduce exposure to unknown substances. A Worker expert from the Netherlands said that direct contact with waste should be avoided whenever possible. Risk assessment for hazardous substances typically considered exposure to a single known chemical under standard conditions, but that was not the reality in practice. Waste workers in recycling tended to face physical labour with heavy breathing, sweating and skin contact, often in dusty and poorly ventilated environments, combined with exposure to multiple substances, many of which would be unknown, broken down or recombined in unpredictable ways. The only rational approach to that was to minimize contact with waste through effective ventilation, the reduction of dust at the workplace, appropriate filters, protective clothing, PPE, the separation of work and canteen facilities and the provision of suitable washing facilities. It was necessary to protect workers by reducing risk and redesigning processes, starting from a basis of prevention. The Government Vice-Chairperson agreed with the approach outlined and the additional sentences. It was clear that the work involved exposure to waste, but that exposure should be kept to a minimum. The Employer Vice-Chairperson, in light of the discussion, said that emphasis should be placed on reducing exposure to hazards, and proposed the wording “to reduce workers’ exposure to hazardous substances as per risk assessment.” The Worker Vice-Chairperson proposed the addition of the following sentence: “Where sufficient information is not available, the competent authorities should elaborate guidelines, procedures and precautionary measures, when indicated and applicable, for both known and unknown substances.” The language came from the 2022 Technical guidelines on biological hazards. A Government expert from Ghana emphasized that data should be available before a new substance was introduced and should be made available, for example, through safety data sheets. The Employer Vice-Chairperson recalled that the ILC would be discussing instruments on biological hazards, and its discussion should not be pre-empted. The Executive Secretary recalled that most of the points raised were covered by the original text of the subparagraph, which could be amended through the addition of the wording “and limiting the time they are exposed”. Following further discussion, it was agreed to retain the original text of the subparagraph.
220. In paragraph 103, the Worker Vice-Chairperson proposed the addition, at the end of the subparagraph, of the following new subparagraph: “ensure adequate testing and oversight of new and existing recycling and waste management technologies:”. It was so agreed.
221. In paragraph 103, the Worker Vice-Chairperson proposed the addition, at the end of the subparagraph, of the following new subparagraph: “establish confidential reporting channels and protection systems for workers who report OSH violations, including migrant, informal and non-unionized workers, in coordination with the judicial, environmental and public health systems.” The Employer Vice-Chairperson proposed the deletion of the words “including migrant, informal and non-unionized workers, in coordination with the judicial, environmental and public health systems”. It was so agreed.
222. In paragraph 104, in the chapeau, the Employer Vice-Chairperson proposed the deletion of the words “and their”. It was so agreed.
223. In subparagraph 104(a), the Worker Vice-Chairperson proposed: the deletion of the words “, so far as is reasonably practicable”; the addition, after the words “adequate protective clothing”, of

the words “including personal”; and the addition, at the end of the subparagraph, of the words “contact with waste should be minimized to reduce exposure to identified and non-identified hazards”. The Employer Vice-Chairperson proposed to replace the word “ensure” by the word “promote” and to delete the proposed addition at the end of the paragraph, which was covered elsewhere in the guidelines. A Government expert from Ghana recalled that hazardous chemicals could take the form of dust particles in the air. The text should contain a reference to risk assessments to categorize the degree of risk to the various substances. Following further discussion, the Employers’ group’s proposed amendment was accepted, along with the Workers’ group’s proposed deletion of “, so far as is reasonably practicable” and the addition of “including personal”. The Worker Vice-Chairperson agreed to withdraw the reference to contact with waste. It was so agreed.

224. In subparagraph 104(c), the Worker Vice-Chairperson proposed the addition, after the words “workplace OSH committees”, of the words “, with the participation of workers and/or their representatives,”. It was so agreed.
225. In subparagraph 104(j), the Employer Vice-Chairperson proposed the deletion of the text following the words “are provided with” and the addition of the following words “the same conditions as national workers”. After the Worker Vice-Chairperson expressed a preference for the original text, the Employer Vice-Chairperson said that it would be acceptable with the deletion of the words “medical assistance”. The Worker Vice-Chairperson said that access to health and safety and medical assistance was crucial. In a spirit of compromise, the Employer Vice-Chairperson could accept the original wording of the subparagraph with the addition of the words “as well as access to” before the words “medical assistance”. It was so agreed.
226. In subparagraph 104(k), the Employer Vice-Chairperson considered that much of the substance of the original subparagraph was already covered and did not come under the direct responsibilities of enterprises, and therefore proposed the following shorter text: “promote awareness and provide guidance to members on meeting occupational safety and health standards, including access to facilities such as drinking water, sanitation, shelter during adverse weather and separate sanitary facilities for men and women, in accordance with national legislation.” The Worker Vice-Chairperson preferred the original text, which set out some very basic responsibilities of employers. The Government Vice-Chairperson, while not wishing to interfere in matters that were essentially subjects for agreement between the social partners, considered that the proposed new text watered down the original subparagraph, and particularly regretted the omission of the provision of breastfeeding and day-care facilities, which were a very direct responsibility of employers. In response, the Employer Vice-Chairperson proposed replacing the first sentence in the original version by the words “promote that all workers have access to welfare facilities”. The Executive Secretary specified that the original text had been taken from paragraph 35 of the 2023 Guidelines on the agri-food sector. In light of the discussion, the Employer Vice-Chairperson proposed to revert to the original text starting with the word “promote”, deleting the words “day-care facilities”, and adding the words “in accordance with national legislation”. The Worker Vice-Chairperson could agree if the word “ensure” was reinstated. It was so agreed.
227. In paragraph 104, at the end of the paragraph, the Worker Vice-Chairperson proposed the addition of the following new subparagraph: “ensure the establishment of emergency response systems to enable appropriate intervention in cases of emergencies, such as exposure to hazards.” The Government Vice-Chairperson agreed that enterprises should have emergency response systems in place, for example in the event of fire or exposure to hazardous substances. A Government expert from Fiji emphasized that, although governments were seen as regulators and custodians of the legislation, it was everyone’s responsibility to ensure safety in the

workplace. The Employer Vice-Chairperson proposed the wording “effectively implement”, instead of “ensure the establishment of”, and the addition, after the words “emergency response systems”, of the words “based on national legislation”. It was so agreed.

- 228. In paragraph 105, in the chapeau, the Employer Vice-Chairperson proposed the deletion of the words “and their”. It was so agreed.
- 229. In subparagraph 105(c), the Worker Vice-Chairperson proposed the addition, before the words “the appropriate use of PPE”, of the words “precautionary measures”. The Employer Vice-Chairperson proposed the replacement of the word “encourage” by the word “ensure”, and the addition, before the words “participation in”, of the words “compliance with OSH policies and legislation and”. It was so agreed.
- 230. In paragraph 105, the Worker Vice-Chairperson proposed the addition, following subparagraph (c), of the following subparagraph: “promote OSH training and negotiate OSH improvements for workers at the workplace”. It was so agreed.

4. Social and labour protection

4.1. Universal social protection

- 231. In paragraph 107, the Employer Vice-Chairperson proposed the replacement, in the second sentence, of the words “many of whom work in recycling”, by the words “in the recycling industry”, and the replacement of the words “social protection coverage” by the words “access to social protection floors”. She noted that social protection floors were defined in the Social Protection Floors Recommendation, 2012 (No. 202), as nationally defined sets of basic social security guarantees which secured protection aimed at preventing or alleviating poverty, vulnerability and social exclusion. The Government Vice-Chairperson proposed the wording “access to social protection”. It was so agreed.
- 232. In subparagraph 109(b), the Worker Vice-Chairperson proposed the replacement of the words “heterogeneous nature of the workforce” by the words “conditions of precarity in the sector”. The Employer Vice-Chairperson instead proposed the wording “decent work deficits”. It was so agreed.
- 233. In subparagraph 109(c), the Employer Vice-Chairperson proposed to replace the word “appropriate” by the word “sustainable”, noting that Recommendation No. 202 referred to sustainable social protection systems. She also proposed to replace “so that everyone in both the formal and informal economy” with “promote the formalization of the industry and provide adequate protection to formal labour markets,” and later withdrew this proposal. It was so agreed.
- 234. In subparagraph 109(e), the Worker Vice-Chairperson proposed the addition, at the end of the subparagraph, of the following sentence: “These measures should guarantee equal treatment, document simplification, automatic extension of access to risk groups, and retroactive recognition of pension rights in cases of historically informal work.” A Worker expert from Argentina emphasized the importance of providing social protection in retirement for the many workers in the informal economy who had not contributed to pension systems. The Government Vice-Chairperson expressed strong doubts as to the feasibility of such measures as the retroactive recognition of pension rights. The Executive Secretary agreed that that was a complex matter that would require actuarial analyses, and it was not certain that such an approach had been adopted in practice in any country. In light of the discussion, it was decided to adopt the original text of the subparagraph, without amendment.

- 235.** In subparagraph 109(h), the Employer Vice-Chairperson proposed the deletion of the subparagraph, as it was not easy to understand how governments could encourage compliance by informal workers. The Worker Vice-Chairperson proposed to add, at the end of the subparagraph, the words “and training labour inspectors to identify and address specific labour issues”. The Government Vice-Chairperson emphasized the central importance of the enforcement of legislation, which would be social security legislation. She therefore welcomed the reference to the training of labour inspectors. However, the difficulty arose in the combination of encouraging compliance and strengthening enforcement. The Employer Vice-Chairperson would be able to support the text, as amended by the Worker Vice-Chairperson, if the final amendment read “and training labour inspectors to identify, address and support compliance with the legislation”. It was so agreed.
- 236.** In subparagraph 109(i), the Worker Vice-Chairperson proposed to replace the words “in particular”, in the first sentence, by the word “including”. It was so agreed.
- 237.** In subparagraph 109(j), the Worker Vice-Chairperson proposed the addition, at the end of the subparagraph, of the following sentence: “Develop cross-financing mechanisms and compensatory funds, supported by resources from the context appropriate extended producer responsibility (EPR) system, environmental taxes and international climate funds to ensure the sustainability of social protection schemes for recycling workers;”. The Employer and Government Vice-Chairpersons preferred to omit such detail in a text that was already long. The amendment was withdrawn and the subparagraph was adopted without amendment.
- 238.** In paragraph 110, in the chapeau, the Employer Vice-Chairperson proposed the deletion of the words “and their”. It was so agreed.
- 239.** In subparagraph 110(d), the Employer Vice-Chairperson proposed the addition, after the words “effective implementation”, of the words “through social dialogue”. It was so agreed.

4.2. Conditions of work

- 240.** In paragraph 112, the Worker Vice-Chairperson proposed the addition, after the words “just transition”, of the words “towards formalization in”. The Employer Vice-Chairperson proposed the wording “promoting a just transition and formalization to the circular economy”. The Worker Vice-Chairperson wished to retain the wording “ensuring a just transition”. The Government Vice-Chairperson agreed and preferred the original text. The Employer Vice-Chairperson noted that the 2023 Conclusions on a just transition used the wording “advancing a just transition”. In light of the discussion, it was decided to adopt paragraph 112 without amendment.
- 241.** In paragraph 113, the Government Vice-Chairperson proposed the deletion of the words “female and male”, as what was important was to ensure that all persons with family responsibilities were covered. It was so agreed.

4.2.1. Terms of employment

- 242.** In paragraph 115, the Worker Vice-Chairperson proposed the addition, after the words “middle agents”, of the words “self-employed workers”, and the addition, at the end of the paragraph, of the following new sentence: “The conditions of employment of salaried workers vary considerably, and many are hired under atypical, temporary or indirect schemes that mask permanent employment relationships.” During the discussion, the first amendment was accepted, and the proposed final sentence was withdrawn. The Executive Secretary drew attention to a contradiction in the text of the paragraph, which referred to employment relationships being formed with self-employed workers, which was not possible, as employment relationships only applied to

employees. It was therefore proposed to replace the words “employment relationships” by the words “work arrangements”, which were used in the Centenary Declaration and also encompassed employment relationships. It was so agreed.

243. In subparagraph 117(a), the Worker Vice-Chairperson proposed the addition, at the end of the subparagraph, of the words “, including those intermediated, outsourced or within the SSE”. Although the addition was acceptable to the Government Vice-Chairperson, the proposed amendment was withdrawn in light of the opposition of the Employer Vice-Chairperson.
244. In subparagraph 117(c), the Worker Vice-Chairperson proposed to replace the words “migrant workers and refugees” by the words “all workers, including those in vulnerable situations, migrants and other vulnerable workers, regardless of their status”. Following a brief discussion on alternative wording, including “all workers”, it was decided to adopt the original text without amendment.
245. In paragraph 117, the Employer Vice-Chairperson proposed the addition of the following new subparagraph: “provide technical assistance and access to incentives to support enterprises to adapt their operations in an economically and environmentally sustainable manner.” A Government expert from Kenya proposed the wording “provide access to technical assistance and incentives”. The Worker Vice-Chairperson proposed the addition, at the end of the subparagraph, of the words “with creation of decent work”. It was so agreed.

4.2.2. Hours of work

246. In paragraph 119, the Worker Vice-Chairperson proposed the addition, at the end of the paragraph, of the words “and increased vulnerabilities to gender-related safety risks”. The Employer Vice-Chairperson felt that the proposed text might be better placed in the section on violence and harassment. The Worker Vice-Chairperson explained that long hours of work often brought increased safety risks, especially for women. One of the specific risks to women from longer hours of work was an increased risk of breast cancer, especially from night work. In light of the explanation, the Employer Vice-Chairperson proposed the wording “increased gender-related health risks”. It was so agreed,
247. In paragraph 120, the Worker Vice-Chairperson proposed the addition, after the words “hours per day and per week”, of the words “, as well as regulations regarding working during night hours and ensuring sufficient uninterrupted rest periods”. The Employer Vice-Chairperson could accept the proposed amendment with the addition of the words “in accordance with national legislation” at the end of the paragraph. It was so agreed.
248. In paragraph 122, in the chapeau, it was agreed to maintain the wording “Employers and their organizations”.
249. In subparagraph 122(c), the Worker Vice-Chairperson proposed the addition, after the words “overtime work”, of the words “and night shifts”. The Employer Vice-Chairperson proposed the addition, at the end of the subparagraph, of the words “according to national legislation”, and the Worker Vice-Chairperson proposed the further addition of “and relevant collective bargaining agreements”. It was so agreed.
250. In subparagraph 122(f), the Worker Vice-Chairperson proposed the addition, after the words “how night work can be”, of the words “avoided, and if not, how it can”. It was so agreed.
251. In paragraph 123, the Worker Vice-Chairperson proposed the addition, at the end of the paragraph, of the following new subparagraph: “monitor working hours in recycling, report on violations, and cooperate with labour inspectors on law enforcement and/or other relevant government authorities to ensure compliance with labour law actions.” The Employer Vice-Chairperson proposed the further

addition, after the words “report on violations”, of the words “in accordance with national mechanisms or national legislation”. The Worker Vice-Chairperson said that workers would prefer to respect international labour standards, which were often higher than national legislation. Workers always endeavoured to promote and follow fundamental rights and to negotiate collective agreements that were better than the provisions of the national legislation. He could not therefore accept the proposal by the Employer Vice-Chairperson. Following further discussion, it was agreed to remove the words “on law enforcement”. It was so agreed.

4.2.3. Decent wages and incomes

252. In paragraph 124, the Worker Vice-Chairperson proposed the deletion of the sentence: “Overall, recycling employees typically earn lower wages than other workers.” The Government Vice-Chairperson noted that the sentence was factually correct at present, but might not remain so. She could therefore accept the deletion. It was so agreed.
253. In paragraph 125, the Employer Vice-Chairperson proposed to replace the word “Raising” by the words “Achieving decent”, and to replace the words, at the end of the paragraph, “that the critical role of recycling workers in caring for the planet is recognized and ensuring a just share for all of the fruits of progress” by the words “just transition towards environmentally sustainable economies and societies for all (ILO 2015 Guidelines)”. The Government Vice-Chairperson regretted the deletion of the text referring to the critical role of recycling workers, but could accept decent wages which, in her understanding, meant that in some cases it was necessary to raise wages. The Worker Vice-Chairperson emphasized the importance of raising wages, but could adopt the compromised text. Following further discussion, it was agreed that the paragraph would begin with the words “Achieving decent wages and incomes”. It was so agreed.
254. In subparagraph 126(c), during a discussion of the various amendments proposed, the Worker Vice-Chairperson emphasized that a living wage was very closely related to minimum wages, but preferred to replace the term “minimum wage” with “living wage”. The Government Vice-Chairperson understood the concept of a living wage as a wage that allowed everyone to lead a decent life. The terms “living wage” and “decent wage” therefore covered the same concept, while a minimum wage related more to the wage agreed at the national level and set through collective bargaining. Minimum wages, whether statutory or negotiated, could well be below a decent or living wage, or indeed below the poverty level in some countries. It was probable that government action would be limited to the setting of minimum wages. The Executive Secretary noted that the first line of paragraph 125 on raising wages and incomes as an important means of reducing poverty and inequalities had been taken from paragraph 3 of the 2024 Conclusions of the Meeting of Experts on wage policies, including living wages. The Employer Vice-Chairperson wondered if agreement could be reached around a new subparagraph to follow subparagraph 126(c), which would read as follows: “efforts to operationalize living wages, taking into consideration the needs of workers and their families, as well as national economic factors, need to be in line with the conclusions of the ILO Meeting of Experts on wage policies, including living wages, held in February 2024.” The division into two subparagraphs was important, as the first focused on minimum wages and the second, as proposed, on living wages. The Worker Vice-Chairperson considered that the proposed new subparagraph was saying the same thing as subparagraph 126(e), which also referred to the 2024 Meeting of Experts.
255. The discussion also focused on the factors to be taken into account in the setting of the minimum wage level which, according to the Worker Vice-Chairperson, should include economic and social factors and, according to the Employer Vice-Chairperson, would consist of national circumstances and economic factors, but not social factors. The Executive Secretary pointed out that the terminology constantly used by the 2024 Meeting of Experts was the needs of workers and their

families and economic factors. In light of the discussion, it was finally agreed to retain the original text of the subparagraph and not to adopt the new subparagraph proposed by the Employer Vice-Chairperson.

256. In subparagraph 126(d), the Worker Vice-Chairperson proposed the deletion, in the last line, following the words “the levels of productivity and”, of the words “the desirability of”. The Government Vice-Chairperson did not think that the proposed deletion changed the meaning of the text, and that it could therefore be deleted. It was so agreed.
257. In paragraph 127, in the chapeau, the Employer Vice-Chairperson proposed the deletion of the words “and their”. It was so agreed.
258. The Employer Vice-Chairperson proposed the deletion of subparagraph 127(b). The Worker Vice-Chairperson said that, if the term “fair pricing” was not acceptable to the Employers, perhaps “adequate pricing” might be easier for them to accept. The Government Vice-Chairperson noted that pricing was quite far from the core concerns of the ILO and the Employers and Workers should be free to decide whether or not to refer to the matter. The Employer Vice-Chairperson said that the reference to fair pricing was a red line issue. Nor could she accept other wording, such as “adequate value for materials”, as proposed by the Worker Vice-Chairperson. The Worker Vice-Chairperson could accept the deletion of the subparagraph from the section on employers and their organizations, but wished to retain it in the section on workers and their organizations. It was agreed to delete the subparagraph.
259. In paragraph 128, in the chapeau, it was agreed to retain the wording “Workers and their organizations should”.
260. In subparagraph 128(a), the Employer Vice-Chairperson proposed a rewording of the subparagraph which would read as follows: “participate directly and on an equal footing in the fixing and operationalization of minimum wages, whether statutory or negotiated, according to national legislation;”. She also proposed the addition of the following three subparagraphs: “promote effective social dialogue, including collective bargaining;” “promote the Conclusions of the ILO Meeting of Experts on wage policies, including living wages, held in February 2024;” and “advocate for equal pay for work of equal value.” The Worker Vice-Chairperson could not accept the phrase “according to national legislation”, as workers preferred to respect international labour standards. As for the three new proposed subparagraphs, he considered that they were not only the duty of workers and, if they were accepted, they should also be included in the corresponding paragraph concerning employers and their organizations. The original text was clearly preferable. The Worker Vice-Chairperson also proposed the addition of a further subparagraph: “promote fair pricing with buyers and manufacturers in order to support living incomes.”
261. The Employer Vice-Chairperson explained that living wages were a benchmark, which were to be negotiated taking into account the needs of workers, their families, national circumstances and economic factors, and in particular productivity, the capacity of employers to pay and formalization, as set out in the 2024 Conclusions. The benchmark would not be defined by collective bargaining, but could be used in negotiations, where they existed, for the negotiation of the living wage. The proposal for subparagraph (a) was therefore: “participate directly and on an equal footing in minimum wages, whether statutory or negotiated, engage in collective bargaining over wages, taking into account the Conclusions of the ILO Meeting of Experts on wage policies, including living wages, held in February 2024;”. The text on equal pay for work of equal value could either be added to the subparagraph, or set out in a separate subparagraph. The Worker Vice-Chairperson did not understand why the terms “fixing and operation of minimum wages” were being deleted, and recalled that unions were already members of tripartite national wage committees. Moreover, the crucial pricing negotiation in the sector was collective

bargaining over wages and pricing, particularly for waste pickers and recycling workers. The Government Vice-Chairperson considered that the deletion of the words “fixing and operation” of minimum wages meant that the text no longer had meaning. Following further consideration, the Worker Vice-Chairperson proposed after “participate directly in negotiations for adequate wages”, the wording “and sustainable livelihoods” instead of fair pricing, which would be followed by the wording “and promote the operationalization of living wages”. It was so agreed.

4.2.4. Welfare and well-being facilities

262. In paragraph 129, the Worker Vice-Chairperson proposed the addition, at the end of the paragraph, of the following new sentence: “These measures are part of an integrated approach to occupational and community health in recycling areas, considering that housing precariousness and the lack of basic services are also structural risk factors for health.” The Employer Vice-Chairperson preferred the original wording of the paragraph, but the Worker Vice-Chairperson emphasized the importance of including a reference to the Home Work Convention, 1996 (No. 177), which also contained provisions on housing. He could withdraw the proposed addition if a reference could be included to the Convention. The Employer Vice-Chairperson noted that Convention No. 177 had only been ratified by 13 countries and should not therefore be referred to in the guidelines. The Government Vice-Chairperson agreed that home-based workers gave rise to special problems, but noted that the issue of housing was referred to in paragraph 132. It was agreed to retain the original text of the paragraph.
263. In subparagraph 132(a), the Worker Vice-Chairperson proposed the addition, after the words “recycling workers”, of the words “with designated budget allocations and territorial priority criteria”. The Government Vice-Chairperson, while not opposing the amendment, requested specific examples of designated budget allocations and territorial priority criteria. The amendment was withdrawn.
264. In paragraph 133, in the chapeau, it was decided to maintain the wording “Employers and their organizations”.
265. In subparagraph 133(a), the Employer Vice-Chairperson proposed the deletion of the subparagraph, and explained that it needed to be borne in mind that the national legislation in every country did not necessarily contain all the items listed in the subparagraph. There was no need for such a long list, as most of the items would already be provided. The Worker Vice-Chairperson wished to retain the original text. Following further consideration, the Employer Vice-Chairperson proposed the retention of the original text with the following modifications: the replacement of the word “provide” by the word “promote”; the replacement of the words “the following facilities, which should be kept clean and maintained” by the words “clean and well-maintained facilities, in line with national legislation. These”; the deletion, in indent (v), of the words “and childcare”; and the deletion, in indent (vi), of the word “living”. It was so agreed.
266. In subparagraph 134(b), the Employer Vice-Chairperson proposed the replacement of the words “housing for workers” by the words “accommodation for workers when travelling for work”. The Worker Vice-Chairperson indicated that the word “accommodation” would be acceptable, but not its limitation to when travelling for work. The Employer Vice-Chairperson explained that it was normal for employers to provide accommodation when workers were travelling for work, but not for them to provide housing on a constant basis. The Government Vice-Chairperson understood the wording differently as a call for broader awareness campaigns to promote good access to housing and facilities as an enabling factor in being able to obtain and remain in work, and in remaining healthy and productive. Decent housing and education made a large contribution to participation in the labour market. The Employer Vice-Chairperson said that the issue of housing

went well beyond the ILO's mandate. While ILO instruments on migrant workers refer to the living conditions of workers, they related to workers who were far from home. The Executive Secretary explained the intent behind the subparagraph, which was to indicate that workers' organizations could, if they so wished, engage in awareness-raising campaigns to promote the provision of adequate welfare facilities and housing for workers. References to workers' housing were contained in ILO texts, such as the Declaration of Philadelphia, which, in section III(i), called for the provision of adequate nutrition, housing and facilities for recreation and culture. The present text came from the 2023 Policy guidelines for the promotion of decent work in the agri-food sector, paragraph 91. Following further consideration, it was agreed to retain the original text of the subparagraph, with the replacement of the word "housing" by the word "accommodation".

- 267.** In paragraph 134, the Worker Vice-Chairperson proposed the addition, at the end of the paragraph, of the following new subparagraph: "monitor welfare and well-being facilities in recycling, report on violations, and cooperate with labour inspectors, or other relevant government authorities to ensure compliance with labour law." It was so agreed.

4.2.5. Violence and harassment at work

- 268.** In paragraph 135, the Worker Vice-Chairperson proposed to add, before "recycling workers", the words "waste and". It was so agreed.
- 269.** In subparagraph 138(c), the Worker Vice-Chairperson proposed the addition, after the words "world of work, such as", of the words "ombudsmen and other". It was so agreed.
- 270.** In subparagraph 138(e), the Employer Vice-Chairperson proposed to replace the words "are empowered to" by the words "have been adequately trained to". It was so agreed.
- 271.** In subparagraph 139(c), the Employer Vice-Chairperson proposed to replace the words "formulate and implement" by the words "engage in formulating and implementing". It was so agreed.
- 272.** In paragraph 140, the Worker Vice-Chairperson proposed the addition, at the end of the paragraph, of the following new subparagraph: "monitor violence and harassment at work in recycling, report on violations, and cooperate with labour inspectors, or other relevant government authorities to ensure compliance with labour law." It was so agreed.

5. Social dialogue and tripartism

5.1. Social dialogue

- 273.** In paragraph 145, in the chapeau, it was agreed to retain the wording "Employers and their organizations".
- 274.** In subparagraph 145(b), the Employer Vice-Chairperson proposed: the deletion of the word "bipartite"; the addition, after the words "social dialogue", of the words "in all its forms, with governments and/or"; and the deletion of the words ", as well as in tripartite social dialogue with governments". It was so agreed.
- 275.** In subparagraph 145(c), the Employer Vice-Chairperson proposed the addition, after the words "impede the rights of", of the words "employers and". It was so agreed.
- 276.** In subparagraph 145(e), the Employer Vice-Chairperson proposed the addition, at the end of the subparagraph, of the words ", especially to MSMEs". The Worker Vice-Chairperson proposed the modification ", including to MSMEs and SSEs". The Employer Vice-Chairperson explained that employers and their organizations did not include SSE entities among their members, and therefore proposed the alternative wording ", including MSMEs". It was so agreed.

- 277. In paragraph 146, in the chapeau, the Employer Vice-Chairperson proposed the deletion of the words “and their”. It was so agreed,
- 278. In subparagraph 146(a), the Worker Vice-Chairperson proposed the deletion, in the second sentence, of the word “digital”. It was so agreed.
- 279. In subparagraph 146(d), the Worker Vice-Chairperson proposed the addition, at the end of the subparagraph, of the words “at the national and global levels”. It was so agreed.
- 280. In paragraph 146, the Worker Vice-Chairperson proposed the addition, at the end of the paragraph, of the following new subparagraph: “consider best practices from the industries that actively promote social dialogue”. The Employer Vice-Chairperson proposed the wording “effective social dialogue”. It was so agreed.

5.2. Strengthening institutional capacity

- 281. In paragraph 147, the Worker Vice-Chairperson proposed the addition, at the end of the first sentence, of the words “, but structural barriers, such as insufficient resources, underfunding, fragmentation and informality may limit their effectiveness”. The beginning of the second sentence would then read “These institutions are ...”. The Employer Vice-Chairperson proposed to replace the word “underfunding” by the words “inefficient resource allocation”. The Worker Vice-Chairperson expressed a preference for the wording “insufficient resources”. The Employer Vice-Chairperson considered that the important issue was how resources were allocated, while the Worker Vice-Chairperson emphasized the insufficiency of the resources available. The Government Vice-Chairperson said that it could be both the insufficiency of resources and their inefficient allocation, which could be reflected in the wording “such as insufficient resources and/or their inefficient allocation”. It was so agreed.

5.2.1. Labour administration and inspection

- 282. In paragraph 151, the Worker Vice-Chairperson proposed to replace the words “well-functioning” by the words “well-funded and functioning”. The Government Vice-Chairperson proposed the wording “well-funded and well-functioning”. It was so agreed.
- 283. In subparagraph 153(f), the Employer Vice-Chairperson proposed the addition, in the second sentence, after the words “in the informal economy”, of the words “to support their formalization”. It was so agreed.

5.2.2. Employers’ and workers’ organizations

- 284. In paragraph 155, the Worker Vice-Chairperson proposed the addition, in the first sentence, before the words “recycling workers”, of the words “waste and”. It was so agreed.
- 285. In paragraph 157, in the chapeau, the Employer Vice-Chairperson proposed the deletion of the words “and their”. The Government Vice-Chairperson noted that some of the actions outlined in the paragraph were intended for employers and workers, rather than their organizations. It was agreed to delete the words “and their”.

Appendix

- 286. In the title to the appendix, the Worker Vice-Chairperson proposed the addition of the words “resolutions and guidelines”. It was so agreed.
- 287. The Employer Vice-Chairperson agreed to the inclusion of the Declarations and fundamental Conventions, but proposed the deletion of the governance instruments and many of the technical

instruments. In her view, the appendix should only include instruments and documents that were specifically referred to by their titles in the text of the guidelines. In response, the Worker Vice-Chairperson said that the purpose of the document was to provide guidance and that the appendix should therefore include as many instruments and documents as would be useful to readers, in the hope that they would also make use of the standards and recommendations referred to in the appendix. The Government Vice-Chairperson agreed that the document should be seen from the viewpoint of future users. There were so many instruments and tools available through the ILO and it would be a pity not to make them available through the links in the appendix. All of the instruments referred to in the appendix were the product of tripartite agreement, so there would be no danger of surprises. The appendix could be referred to as a non-exhaustive reference list for further reading of instruments and documents that it was felt could be of use to future readers.

- 288.** Further to the discussion, it was agreed to include reference to the 2007 ILC resolution concerning the promotion of sustainable enterprises, the 2022 ILC resolution concerning decent work and the social and solidarity economy and the 2015 ILC Conclusions concerning a just transition towards environmentally sustainable economies and societies for all. It was also agreed, under the heading “ILO guidance” to add the 2024 Conclusions of the Meeting of Experts on wage policies, including living wages, and the 2015 Guidelines for a just transition towards environmentally sustainable economies and societies for all. Under “Other international instruments”, it was agreed to include the 2011 United Nations Guiding Principles on Business and Human Rights. And, under “Other guidance”, it was agreed to include the ILO-IOE Child labour guidance tool for business.
- 289.** The Executive Secretary raised the question of whether the 2022 Code of practice on safety and health in construction and the 2004 Guidelines on safety and health in shipbreaking should be included in the appendix. He noted that they had been referred to in the Guidelines. The Worker Vice-Chairperson favoured the inclusion of those texts, but the Employer Vice-Chairperson expressed opposition to the inclusion of texts that specifically covered other sectors.
- 290.** Following further discussion, the Employer Vice-Chairperson agreed to the inclusion of the governance and technical instruments in the appendix.
- 291.** Following the completion of the discussions on the text of the guidelines, the Meeting proceeded to their adoption, section by section.

► III. Closure of the Meeting

- 292.** The Secretary-General gave thanks to the Chairperson, for her able stewardship, tenacity and perseverance, the Vice-Chairpersons and all the participants for their constructive spirit of seeking consensus, even under difficult circumstances.
- 293.** The Employer Vice-Chairperson congratulated all the participants on the adoption of a very good set of guidelines and thanked all those who had provided valuable support during the Meeting, including the Office and the Employers’ group. She thanked her fellow Officers, who could feel proud of the work accomplished.
- 294.** The Worker Vice-Chairperson thanked the Chairperson for her expert handling of the Meeting, the Office for the good initial draft of the guidelines and its support throughout the Meeting, his fellow Officers and the Workers’ group team, who represented very many waste and recycling workers. The union movement had been waiting for the adoption of the guidelines and would

work steadfastly for their implementation. His previous experience of the Guidelines on shipbreaking offered a very good example of the effect of such guidance. In India, based on the guidance provided, workers in the shipbreaking industry were now becoming organized in an industry that was becoming formalized and in which union representatives were now recognized for the purposes of collective bargaining. He hoped that the guidelines adopted by the present Meeting would have a similar effect in the recycling industry and that workers in the industry would soon be able to exercise their right to freedom of association and collective bargaining.

- 295.** The Government Vice-Chairperson welcomed the real sense of purpose and commitment among the participants in the Meeting and congratulated them on the adoption of ambitious and complete guidelines on many aspects required for the achievement of decent work in a very complex sector. She wished to acknowledge the expertise shown by the participants representing all the partners at the Meeting, and particularly her colleagues representing Governments, who had demonstrated true passion for OSH.
- 296.** The Chairperson gave heartfelt thanks to all the participants and staff for their great commitment and declared the Meeting closed.