Committee on the Application of Standards

Date: 15 May 2026

Governments appearing on the list of individual cases have the opportunity, if they so wish, to supply written information to the Committee.

Information on the application of ratified Conventions supplied by governments on the list of individual cases

Uruguay (ratification: 1954)

Right to Organise and Collective Bargaining Convention, 1949 (No. 98)

The Government has provided the following written information.

With regard to the views of the Committee of Experts that "all collective agreements establishing conditions of employment shall result from an agreement between employers or employers' organizations, and workers' organizations", it should be noted that in Uruguay there is full freedom of association and collective bargaining at all levels (sector, enterprise, establishment and so forth), and across all forms of bargaining (tripartite in Wage Boards and bilateral through collective agreements), there is 71 per cent collective bargaining coverage of the active labour force in the private and public sectors.

When this communication was being prepared, the second phase of the 11th round of meetings of Wage Boards was under way; these tripartite bodies, organized by branch of activity, have fixed the minimum wage since 1943. Since their reactivation in 2005, the meetings of the Wage Boards have taken place every two or three years, in line with the duration of the respective decisions.

It should be reiterated that the system of collective labour relations in Uruguay ensures the "free and voluntary nature of collective bargaining", in as much as the Executive does not intervene whatsoever in the negotiation of collective agreements and that, with regard to collective bargaining in Wage Boards (the second form of collective bargaining in the country), its intervention is limited to fixing minimum wages by job category and by branch or sector of activity – a legal mechanism through which the country complies with the Minimum Wage-Fixing Machinery Convention, 1928 (No. 26), and the Minimum Wage Fixing Convention, 1970 (No. 131).

In this context, it should be emphasized that working conditions can only be agreed in this tripartite setting where there is an agreement between the employers' and workers' organizations, as clearly laid out in section 12 of Act No. 18.566. The Executive cannot intervene in the determination of the content of the agreements, which are left to the collective autonomy of the social actors of the world of work.

In view of this information, it is important to add that, to date, most of the 11th round Wage Board meetings have taken place, involving 167 bargaining units across the 24 activity groups.

Specifically, while it is true that the Wage Boards are organized into 24 activity groups, in practice, bargaining is carried out in a partially decentralized manner, coordinated in "bargaining units or committees" within each group, so as to take better account of the differences among enterprises.

Of the 167 units or committees convened, 162 have completed the bargaining process, which required over 890 meetings. Overall, there was a very high rate of consensus in the decisions of the Wage Boards, reaching 83.95 per cent of the bargaining units or committees.

The agreements represented in that 83.95 per cent are broken down as: (a) 104 cases with tripartite agreements (unanimous); (b) 30 cases with agreements between employers' and workers' organizations, with the Executive Branch abstaining, which demonstrates the level of collective autonomy held by employers' and workers' organizations; and (c) two collective agreements adopted, bringing the total to 136 bargaining units, which fully accounts for the 83.95 per cent rate of agreements already reported.

Of these 136 units in which consensus was reached, 73 negotiated only minimum wages, 24 included tripartite agreements on adjustments to wages above the minimum rate for the relevant job category, and the remaining 39 units referred to base, nominal or general wages.

Given that Wage Boards have been the traditional way of fixing minimum wages in tripartite settings in our country since the adoption of Act No. 10449 of 12 November 1943, in those minority cases in which a unanimous agreement is not reached (7.40 per cent of the bargaining units), a vote had to be organized in accordance with the provisions of section 14 of the above Act. With regard to the composition of the vote, in 6.17 per cent of cases, the vote was cast by the Executive with the employers, and 1.23 per cent by the Executive and the workers, with the remaining 8.64 per cent by the Executive with a dissenting vote and abstention by the social partners.

It is important to reiterate that the vote in the Wage Boards as a form of resolution has never been extended to decisions on working conditions since, by explicit legal provision, the Wage Boards are not competent to set such arrangements, which remains exclusively the purview of the employers' and workers' organizations (section 12 of Act No. 18566). As recognized by all parties, the vote on the minimum wage falls within the scope of Conventions Nos 26 and 131.

In cases where the employers' and workers' organizations independently agreed on matters relating to working conditions (always without the intervention of the Executive), the analysis as of February 2026 shows that out of 127 committee meetings finalized at that time by agreement among the social partners, 51 per cent included references to duties such as caregiving, shared responsibility and conciliation (leave, funding for childcare centres, support for assistance or schooling), 33 per cent to gender equality and 25 per cent to situations of violence or harassment. Likewise, 29 per cent of the committees incorporated provisions related to mental health, and in other cases, the social actors chose to include occupational categories or vocational training, such as the establishment of working committees to address productivity and sectoral improvement, including technological and migratory issues.

In 90.5 per cent of the cases agreed by the employers' and workers' organizations without the intervention of the Executive, provisions on mechanisms of conflict prevention or peace provisions were included.

The practice of negotiating working conditions at the meetings of the Wage Boards is pursued traditionally by the employers' and workers' organizations. With a view to verifying their legitimacy, it should be noted that these same sectoral organizations propose and promote this negotiation.

Thus, at the 11th round of Wage Board meetings, which is currently under way and on which we are reporting, the workers' organizations included in their platforms proposals to address the issues relating to the reduction of working time (the legal limit in our country remains at 48 hours per week), while the employers also proposed topics unrelated to the minimum wage.

For example, it should be noted that the business sector's platforms for discussions with workers' organizations at the current round of meetings of the Wage Boards included, in some cases, issues related to mental health – as is the case with the pasta-making industry *(fideerías)* committee (Group 1.7.2), where the business sector proposed the "promotion of mental health and occupational well-being (access to psychological support; workshops on stress management and promotion of emotional wellness; self-care campaigns on exercise, healthy eating and mental health"), while in other cases, they proposed revisions of categories and aspects related to the organization of work, as well as aspects regarding the regulation of trade union activity (assemblies, conflicts and so forth).

Other examples that should be mentioned concerning proposals for non-wage provisions put forward by employers' organizations included:

Chamber of Commerce (CNCS)

- a proposal to strengthen the provisions relating to conflict prevention and resolution by assigning a more active role to the Wage Boards;
- establishment in Group 10 (General Commerce) of mechanisms for opting out, that is to say for partial non-application of a decision of the Wage Board owing to difficulties for one or several enterprises of a specific sector;
- consideration of economic, geographic and size realities of the enterprises incorporated into the subgroup; and
- regulation of the Domestic Workers' Social Fund (Group 21).

Chamber of the Dairy Industry of Uruguay (CILU)

- the need to include peace provisions and conflict-prevention mechanisms;
- similarly, inclusion of provisions on technological innovation;
- inclusion of additional adjustments for hidden wages and leave for gender-based violence (these two points were in response to a proposal by the Dairy Workers' Federation (FTIL));
- inclusion of a provision on installing video surveillance cameras;
- provision for trade union security guards;
- inclusion of opt-out clauses;
- discussion of categories related to productivity; and

- revision of awards for new workers based on each enterprise's minimum wage and special systems for sugarcane harvesting work (individual and commercial).

Although at first (Act No. 10449 of 1943) the Wage Boards were (and still are) empowered to fix the minimum wages by category and activity sector, gradually, in practice when bargaining, the employers' and workers' organizations incorporated other provisions – as happened with working conditions – which were agreed outside of the original legal framework of powers.

Act No. 18566 of 2009 legalized this practice by making it possible for Wage Boards to determine working conditions but by clearly setting out a completely different system for their decision: **section 12 of the above Act only allows for decisions on this matter in cases of agreement between employers' and workers' organizations. Freedom to bargain is thereby not infringed nor is the will of the social partners violated. On the contrary, the national law and practice followed in our labour relations system shows an extraordinary legitimacy and acceptance by the parties, to the degree that it is the same parties that introduce proposals to reach agreements on a wide range of labour issues on their platforms**, which explains the very high rate of agreements reached at each meeting.

Freedom of association and collective autonomy, and freedom and the voluntary nature of collective bargaining (Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and Article 4 of Convention No. 98) are therefore entirely protected in a system that achieves a very high degree of consensus.

Access to Wage Boards and Collective Bargaining: https://www.gub.uy/ministerio-trabajo-seguridad-social/tematica/consejos-salarios-negociacion-colectiva (Spanish only).