

**Global Dialogue Forum on Initiatives to Promote
Decent and Productive Work in the Chemical Industry**Geneva
26–28 November 2013**Points of consensus ¹****Point 1: Promoting decent and productive work
in the chemical industry**

1. The chemical industry is an engine for the recovery from the economic crisis, because it creates employment across the value chain. Decent and productive work ² are both a prerequisite for, and a consequence of, economic success, and promote sustainable and socially responsible enterprises, both within the chemical industry and in the supply chains of chemical production processes.
2. The competitiveness of the industry requires adaptability to new technologies and changing economic conditions, while it shall ensure decent working conditions. The chemical industry plays an important role in restoring pre-crisis employment levels. Vocational education and training and social dialogue represent investments in the development of decent and productive work, by developing and harnessing the knowledge of the workers. Human resource policies should be administered in an integrated manner. Technical evolution should be embraced and used to increase productivity, create employment and improve working conditions without distinguishing between the status of employment relationships.
3. Social dialogue ³ is paramount in the promotion of decent work and good working conditions, since it allows for inclusive implementation of international labour standards.

¹ These points of consensus, included in the report of the Forum, will be submitted to the March 2014 session of the Governing Body of the ILO for its consideration.

² Decent work is a broad concept, enshrined in the *ILO Declaration on Social Justice for a Fair Globalization*. It was enunciated by the Director-General in 1999 as “opportunities for women and men to obtain decent and productive work, in conditions of freedom, equity, security and human dignity”. The Decent Work Agenda encompasses four strategic objectives, with gender equality as a cross-cutting objective: creating jobs, guaranteeing rights at work, extending social protection and promoting social dialogue. The four strategic objectives are inseparable, interrelated and mutually supportive. The failure to promote any one of them would harm progress towards the others.

³ The 102nd Session (2013) of the ILC, Sixth item on the agenda, on the recurrent discussion on social dialogue, concluded (in part): “[S]ocial dialogue has many forms, and collective bargaining is at its heart. Consultations, exchanges of information, and other forms of dialogue between social partners and with governments are also important.”

Social dialogue also allows the social partners to consider national conditions in the promotion of decent and productive work. Employers' and workers' organizations should work together on further improvement of working conditions in the chemical industry and vocational education and training practices.

4. There is a need for structured training for employers and workers, including small and medium-sized enterprises (SMEs). Governments and social partners⁴ are jointly responsible for such training, and should take into account national conditions and industry requirements.
5. Enforcement of laws and regulations is the responsibility of governments. Social partners have the primary responsibility of complying with laws, and are prepared to collaborate with the governments towards the more effective implementation of the laws.
6. It is important that governments legislate and stimulate the formalization of the informal economy and working conditions throughout the sector and its supply chain. As part of this process, social protection should be extended to all workers, irrespective of contractual status and size of the enterprise.
7. Elimination of corruption is an important element in achieving the goals in promoting decent and productive work in the industry.

Point 2: Addressing occupational safety and health in the chemical industry

8. Occupational safety and health (OSH) is one of the highest priorities for governments, employers' and workers' organizations in the chemical industry. Governments, employers and workers and their representative organizations each have roles and responsibilities in OSH, including providing safety and health training to all workers.
9. OSH is a recognized form of social protection and an important component of corporate social responsibility (CSR), which should be promoted at all levels by governments and social partners. The promotion of good practices can support these efforts if they are adjusted appropriately to national conditions.

The under-reporting of industrial accidents and illnesses is an obstacle to enforcement of OSH in the chemical industry.

10. Public officials, particularly labour inspectors, need to receive specialized training as compliance officers in the chemical industry, and there should be adequate conditions to avoid the loss of trained OSH inspectors to the private sector.
11. The most important tools to improve OSH are the general awareness to OSH training, prevention, research, training, jointly elaborated policies, joint OSH programmes and periodical audits. It requires constant work and turning organizational cultures towards risk reduction. Governments and social partners are jointly responsible for elaborating and implementing these policies through mutually agreeable mechanisms.
12. Legislation and regulation to these ends should not constitute or advance protectionist policies.

⁴ For the purposes of these Points of consensus, the term "social partners" usually refers to workers' and employers' organizations.

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13. Training on chemical safety systems such as Safety Data Sheets, the Globally Harmonized System of Classification and Labelling of Chemicals (GHS) and other chemical management systems, should be widely promoted among all the relevant stakeholders in order to improve the compliance of the laws and regulations in the supply chains of the chemicals at global and national levels.
 14. The chemical industry's voluntary initiatives have contributed to the improvement of health and safety performance and environmental impact. Successful implementation of voluntary initiatives can be obtained through the meaningful engagement of workers, and respect for the workers' rights to know, to refuse⁵ dangerous work and to participate in OSH processes.
 15. SMEs, with government support, require simple guidelines to meet their OSH obligations, without additional burden, to improve risk management and OSH training.
 16. As agreed at the 2011 tripartite meeting:⁶ where the use of contract and agency labour becomes necessary, chemical and pharmaceutical firms should at all times ensure that national OSH laws, regulations and good practice are applied to this category of workers in accordance with the ILO's fundamental principles and rights at work and relevant international labour standards. Contract and agency workers should enjoy the same fundamental rights at work as the firm's directly recruited workers.

**Point 3: Promotion of decent work and sustainability
in the chemical industry through voluntary
initiatives and corporate social responsibility**

17. Voluntary initiatives and CSR provide the means for the chemical industry to benefit society beyond their legally binding obligations and short-term economic benefits. Sustainability is a holistic concept integrating environmental, social and economic dimensions. CSR contributes to sustainability, both in multinational enterprises (MNEs) and SMEs. Employers' organizations continue to provide assistance to enable SMEs to participate in CSR and voluntary initiatives despite their limited resources. Workers' participation in such initiatives in the chemical industry provides CSR with valuable information and accountability.
18. Social dialogue is a dynamic process that allows stakeholders to participate in, and add value to, CSR, including environmental and technological policies. Social dialogue includes all types of negotiation including collective bargaining and global framework agreements, consultation and exchange of information between, or among, representatives of governments, employers and workers on issues of common interest. Each one of these modalities can play a role in successful CSR by allowing information to flow freely within the industry and providing opportunities for social dialogue.

⁵ Article 13 of the Occupational Safety and Health Convention, 1981 (No. 155), states: "A worker who has removed himself from a work situation which he has reasonable justification to believe presents an imminent and serious danger to his life or health shall be protected from undue consequences in accordance with national conditions and practice."

⁶ Conclusions of the Tripartite Meeting on Promoting Social Dialogue on Restructuring and its Effects on Employment in the Chemical and Pharmaceutical Industries (Geneva, 24–27 October 2011), para. 7.

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19. Governments and social partners share equal responsibility for making social dialogue and CSR work at all levels and within organizations of all sizes. Governments should create favourable environments for both mechanisms; employers should recognize the role of workers' organizations, and to engage workers in the design and formulation of voluntary initiatives from the outset; and workers are encouraged to take initiatives in the formulation and implementation of the diverse voluntary initiatives and collective agreements. Effective social dialogue depends on the respect for the fundamental rights of freedom of association and collective bargaining; strong, independent workers' and employers' organizations with the technical capacity and knowledge required to participate in social dialogue; political will and commitment to engage in social dialogue on the part of all parties; and appropriate institutional support.
 20. The ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration), *OECD Guidelines for Multinational Enterprises* and the UN's Guiding Principles on Business and Human Rights are important instruments for establishing credible CSR and social dialogue, given the changing infrastructure and emerging supply chains in the chemical industry.

Point 4: Recommendations for future actions by the International Labour Organization and its Members

21. In view of the discussion at the Global Dialogue Forum on Initiatives to Promote Decent and Productive Work in the Chemical Industry, the future actions below were recommended.

Recommendation for action by

22. Governments:

- (a) should ensure an appropriate and enforceable legislative and regulatory framework for social dialogue and to respect human and labour rights;
- (b) are encouraged to ratify and implement ILO instruments including but not limited to: the Chemicals Convention, 1990 (No. 170); the Prevention of Major Industrial Accidents Convention, 1993 (No. 174); and the Occupation Safety and Health Convention, 1981 (No. 155); the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187); and the Asbestos Convention, 1986 (No. 162);
- (c) are encouraged to implement the ILO Decent Work Agenda;
- (d) should implement specific and specialized training programmes for government inspectors, workers and SMEs to ensure enforcement of laws and improve social dialogue;
- (e) should establish forums for sharing of information and benchmarking on new technological changes and innovations.

23. Employers' and workers' organizations:

- (a) should make voluntary initiatives in the chemical industry the subject of constructive social dialogue at all appropriate levels;

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- (b) are encouraged to seek and promote a common understanding of sustainability in the chemical industry recognizing its economic, environmental, and social dimensions;
 - (c) reaffirm their commitment to the Conclusions of the Tripartite Meeting on Promoting Social Dialogue on Restructuring and its Effects on Employment in the Chemical and Pharmaceutical Industries (Geneva, 24–27 October 2011);
 - (d) recognize the importance of a sustainable supply chain in the chemical industry and are committed to seek opportunities for progress.

24. International Labour Office:

- (a) The ILO recognizes and appreciates global level social dialogue in the chemical industry, using all appropriate tools.
- (b) The ILO should promote the establishment of tripartite working groups at regional level to promote the points of consensus of this Forum, to contribute to their implementation by exchanging best practices, taking into account the specific conditions in the region concerned, and to work towards shared commitments to sustainability. ILO regional offices should play an important support role for these regional working groups.
- (c) The Director-General of the ILO is invited to bear in mind, when drawing up proposals for future work, the recommendations of this Global Dialogue Forum, as well as the conclusions and recommendations made by previous sectoral meetings in the chemical industry, notably the Conclusions of the Tripartite Meeting on Promoting Social Dialogue on Restructuring and its Effects on Employment in the Chemical and Pharmaceutical Industries (Geneva, 24–27 October 2011) and the Recommendations of the Meeting of Experts to Examine Instruments, Knowledge, Advocacy, Technical Cooperation and International Collaboration as Tools with a view to Developing a Policy Framework for Hazardous Substances (Geneva, 10–13 December 2007).
- (d) The ILO should include a perspective on the promotion of decent work in the chemical industry supply chain in the preparations and background reports for the general discussion at the 2016 ILC on the promotion of decent work in global supply chains with the guidance of international labour standards and the Ruggie Principles and existing documents such as the ILO MNE Declaration, the UN Guiding Principles on Business and Human Rights, and the revised *OECD Guidelines for Multinational Enterprises*.
- (e) The ILO should produce guidelines for the implementation of the MNE Declaration to make it more concrete at the regional and sectoral levels.
- (f) In light of the upcoming tripartite meeting of experts on cross-border social dialogue, the ILO should include the perspective and experiences of the chemical industry.
- (g) The ILO should improve the database and knowledge base of the ILO, including good practices and policies concerning OSH in the chemical industry, concerning developing countries with such industries.
- (h) The ILO should continue to provide technical assistance and cooperation, and provide training, including via the ITC, towards promoting decent and productive work in the chemical industry.

Appendix

The ILO, in keeping with the programme of sectoral work for 2014–15, as endorsed by the Governing Body at its 317th Session (March 2013), will:

- (i) organize a regional workshop in Latin America to discuss the restructuring and its effect on employment in the chemical and pharmaceutical industries;¹
- (ii) conduct a research study to analyse technological progress and its impact on employment structure in the glass industry;²
- (iii) as part of its recurrent and statutory work,³ support tripartite constituents in their efforts to promote the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up (1998) and the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration). The ILO will continue to promote the ratification and effective implementation of the ILO international standards relevant to the chemical industry.

¹ GB.317/POL/5 (appendix – Sectoral advisory body recommendations, para. 6).

² GB.317/POL/5 (appendix – Sectoral advisory body recommendations, para. 7).

³ GB.317/POL/5, para. 15.