



Governing Body

332nd Session, Geneva, 8–22 March 2018

GB.332/LILS/3

Legal Issues and International Labour Standards Section
International Labour Standards and Human Rights Segment

LILS

Date: 16 February 2018

Original: English

THIRD ITEM ON THE AGENDA

Proposed form for reports to be requested under article 19 of the ILO Constitution in 2019 on a number of instruments on employment promotion through the regulation of the employment relationship

Purpose of the document

In the present document, the Governing Body is invited to request governments to submit in 2019, under article 19 of the ILO Constitution, reports on certain instruments relevant to the strategic objective of employment: the Employment Policy Convention, 1964 (No. 122), the Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159), the Home Work Convention, 1996 (No. 177), the Vocational Rehabilitation and Employment (Disabled Persons) Recommendation, 1983 (No. 168), the Employment Policy (Supplementary Provisions) Recommendation, 1984 (No. 169), the Home Work Recommendation, 1996 (No. 184), the Employment Relationship Recommendation, 2006 (No. 198), and the Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204), with a view to the preparation of the General Survey by the Committee of Experts on the Application of Conventions and Recommendations in 2019 and its discussion by the Conference Committee on the Application of Standards in 2020; and to approve the corresponding report form (see the draft decision in paragraph 5).

Relevant strategic objective: All.

Main relevant outcome/cross-cutting policy driver: Outcome 2: Ratification and application of international labour standards; cross-cutting policy drivers: gender equality and non-discrimination; social dialogue.

Policy implications: None.

Legal implications: None.

Financial implications: The usual implications related to the preparation of a General Survey.

Follow-up action required: Implementation of Governing Body decisions.

Author unit: International Labour Standards Department (NORMES).

Related documents: GB.328/PV, para. 25(1)(iii); GB.331/LILS/3; GB.331/PV/Draft.

1. At its 331st Session (October–November 2017), the Governing Body had before it a paper on the choice of Conventions and Recommendations on which reports should be requested under article 19 of the ILO Constitution in 2019, with a view to the preparation of the annual General Survey in 2019 by the Committee of Experts on the Application of Conventions and Recommendations (CEACR), for discussion by the Conference Committee on the Application of Standards in 2020.¹ The paper presented two options aimed at aligning the topic of the General Survey with the corresponding recurrent item discussion scheduled for 2021 on the strategic objective of employment, in accordance with the 2016 resolution on Advancing Social Justice through Decent Work.²
2. The Governing Body decided that the General Survey to be prepared by the CEACR in 2019 and submitted to the International Labour Conference in 2020 should focus on the second option, covering certain instruments relevant to the employment relationship and the promotion of decent jobs, and should include an examination of alternative employment arrangements, which have become increasingly relevant due to transformations in the world of work stemming from globalization and technological changes. It was further decided that a particular focus should be included on groups of workers that are vulnerable to decent work deficits and exclusion and are often concentrated in non-standard forms of employment, such as young women and men, homeworkers and persons with disabilities.
3. The Governing Body therefore requested the International Labour Office to prepare, for consideration at this session, a draft report form for the General Survey concerning the following three Conventions and five Recommendations: Employment Policy Convention, 1964 (No. 122), the Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159), the Home Work Convention, 1996 (No. 177), the Vocational Rehabilitation and Employment (Disabled Persons) Recommendation, 1983 (No. 168), the Employment Policy (Supplementary Provisions) Recommendation, 1984 (No. 169), the Home Work Recommendation, 1996 (No. 184), the Employment Relationship Recommendation, 2006 (No. 198), and the Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204).
4. The proposed questionnaire aims to take into account the different views and concerns expressed at the 331st Session of the Governing Body. The Office therefore proposes the requested report form (see appendix) to the Governing Body for its consideration and approval.

Draft decision

5. *The Governing Body:*

- (a) *requests governments to submit reports for 2019, under article 19 of the Constitution, on the instruments listed in paragraph 3 of document GB.332/LILS/3; and*
- (b) *approves the report form concerning these instruments set out in the appendix of the same document.*

¹ GB.331/LILS/3.

² Paras 15.1 and 15.2(b) of the 2016 [resolution on Advancing Social Justice through Decent Work](#), adopted by the International Labour Conference at its 105th Session (May–June 2016).

Appendix

Appl. 19

C.122, C.159, C.177, R.168, R.169, R.184, R.198 and R.204

INTERNATIONAL LABOUR OFFICE

REPORTS ON
UNRATIFIED CONVENTIONS AND RECOMMENDATIONS

*(article 19 of the Constitution of the
International Labour Organisation)*

REPORT FORM FOR THE FOLLOWING INSTRUMENTS:

Employment Policy Convention, 1964 (No. 122)

Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159)

Home Work Convention, 1996 (No. 177)

Vocational Rehabilitation and Employment (Disabled Persons) Recommendation, 1983 (No. 168)

Employment Policy (Supplementary Provisions) Recommendation, 1984 (No. 169)

Home Work Recommendation, 1996 (No. 184)

Employment Relationship Recommendation, 2006 (No. 198)

Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204)

Geneva

2018

INTERNATIONAL LABOUR OFFICE

Article 19 of the Constitution of the International Labour Organisation relates to the adoption of Conventions and Recommendations by the Conference, as well as to the obligations resulting therefrom for the Members of the Organization. The relevant provisions of paragraphs 5, 6 and 7 of this article read as follows:

5. In the case of a Convention:

...

- (e) if the Member does not obtain the consent of the authority or authorities within whose competence the matter lies, no further obligation shall rest upon the Member except that it shall report to the Director-General of the International Labour Office, at appropriate intervals as requested by the Governing Body, the position of its law and practice in regard to the matters dealt with in the Convention, showing the extent to which effect has been given, or is proposed to be given, to any of the provisions of the Convention by legislation, administrative action, collective agreement or otherwise and stating the difficulties which prevent or delay the ratification of such Convention.

6. In the case of a Recommendation:

...

- (d) apart from bringing the Recommendation before the said competent authority or authorities, no further obligation shall rest upon the Members, except that they shall report to the Director-General of the International Labour Office, at appropriate intervals as requested by the Governing Body, the position of the law and practice in their country in regard to the matters dealt with in the Recommendation, showing the extent to which effect has been given, or is proposed to be given, to the provisions of the Recommendation and such modifications of these provisions as it has been found or may be found necessary to make in adopting or applying them.

7. In the case of a federal State, the following provisions shall apply:

- (a) in respect of Conventions and Recommendations which the federal government regards as appropriate under its constitutional system for federal action, the obligations of the federal State shall be the same as those of Members which are not federal States;
- (b) in respect of Conventions and Recommendations which the federal government regards as appropriate under its constitutional system, in whole or in part, for action by the constituent states, provinces or cantons rather than for federal action, the federal government shall:

...

- (iv) in respect of each such Convention which it has not ratified, report to the Director-General of the International Labour Office, at appropriate intervals as requested by the Governing Body, the position of the law and practice of the federation and its constituent States, provinces or cantons in regard to the Convention, showing the extent to which effect has been given, or is proposed to be given, to any of the provisions of the Convention by legislation, administrative action, collective agreement, or otherwise;
- (v) in respect of each such Recommendation, report to the Director-General of the International Labour Office, at appropriate intervals as requested by the Governing Body, the position of the law and practice of the federation and its constituent states, provinces or cantons in regard to the Recommendation, showing the extent to which effect has been given, or is proposed to be given, to the provisions of the Recommendation and such modifications of these provisions as have been found or may be found necessary in adopting or applying them.

In accordance with the above provisions, the Governing Body of the International Labour Office examined and approved the present report form. This has been drawn up in such a manner as to facilitate the supply of the required information on uniform lines.

REPORT

to be made no later than 28 February 2019, in accordance with article 19 of the Constitution of the International Labour Organisation by the Government of, on the position of national law and practice in regard to matters dealt with in the instruments referred to in the following questionnaire.

Workers' and employers' organizations may send comments no later than 30 June 2019.

* * *

Context and scope of the questions

The questionnaire has been prepared in the light of the ILO Declaration on Social Justice for a Fair Globalization and its Follow-up. Account has been taken of the fact that: "This follow-up seeks to make the fullest possible use of all the means of action provided under the Constitution of the ILO to fulfil its mandate. Some of the measures to assist Members may entail some adaptation of existing modalities of application of article 19, paragraphs 5(e) and 6(d), of the ILO Constitution, without increasing the reporting obligations of member States" (annex, paragraph I(b)). For instance, by grouping and focusing on instruments related to a specific strategic objective, General Surveys may provide an overview on the law and practice in ILO member States concerning certain instruments and feed into the recurrent discussions with relevant information on the trends and practices in relation to a given strategic objective.

* * *

The following questions relate to issues covered by Conventions Nos 122, 159 and 177 and Recommendations Nos 168, 169, 184, 198 and 204. **As appropriate, please give a specific reference (web link) or include information relating to the provisions of the relevant legislation, regulations and policies, as well as electronic copies thereof.**

Article 19 report form on certain instruments related to the strategic objective of employment

Notes:

1. Governments of countries which have ratified one or several of the Conventions and from which a report is due under article 22 of the Constitution will use the present form only with regard to the Conventions not ratified, if any, and the Recommendations. It will not be necessary to repeat information already provided in reports under article 22 in connection with the Conventions ratified. *The questions contained under the title "Possible need for standards-related action and for technical assistance" are addressed to all member States.*
2. When reference is made to "national laws and regulations" or "provisions", this should be understood as including laws, regulations, policies, collective agreements, court decisions or arbitration awards.
3. Where the national legislation or other provisions do not cover issues raised in this questionnaire, please provide information on current and emerging practices.

NATIONAL POLICY FOR THE PROMOTION OF FULL, PRODUCTIVE AND FREELY CHOSEN EMPLOYMENT		
1.	Please indicate whether an active national policy for the promotion of full, productive and freely chosen employment as a major goal has been declared and pursued. If so, how was the policy introduced? Please indicate the manner in which it was developed and determined. If such a policy has been declared and pursued, please specify whether and how the policy aims to ensure that: (a) there is work for all who are available and seeking work; (b) work is as productive as possible; and (c) there is free choice of employment and occupation for all. If the policy integrates one or all of these objectives, please provide information on the challenges identified and on how the measures taken, if any, support achievement of these objectives.	Art. 1(1) and (2)(a)–(c) of C.122; Paras 1–3, 5, 7, 15–17, 29(1), 30 and 39 of R.169; Para. 14 of R.204.

2.	Please provide detailed information on any measures taken in the framework of the national employment policy, where one exists, to respond to the needs of all categories of persons who face difficulties in finding lasting employment, including, for example, women, young women and men, women and men with disabilities, ¹ older workers, the long-term unemployed, female and male migrant workers lawfully within the territory, workers concentrated in alternative working arrangements and other disadvantaged groups, such as workers in the informal economy. ²	Paras 9, 15 and 17 of R.169; Paras 1, 7(i) and 15(h) of R.204.
3.	Are the national employment policy and related plans and programmes developed, reviewed and revised in the framework of a coordinated economic and social policy? If so, please explain.	Art. 2(a) of C.122; Para. 2 of R.169.
4.	Please describe the programmes, if any, established within the framework of the national employment policy to implement its provisions.	Art. 2(b) of C.122.
5.	Please specify whether and to what extent the national employment policy takes account of the needs of small undertakings (including small traditional undertakings, cooperatives and associations, and micro-, small and medium-sized enterprises) as employers and their contribution to economic growth.	Para. 30 of R.169; Paras 11(g), 15(c) and 25 of R.204.
6.	Please provide information on any measures taken or envisaged to encourage multinational enterprises to undertake and promote the employment policies set out in the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy.	Para. 12 of R.169.
7.	Please indicate whether any measures have been taken or are envisaged to facilitate the re-employment of workers who have lost their jobs due to structural and technological changes. If so, please explain.	Para. 10(a) of R.169.
NATIONAL POLICY AND PROTECTION FOR WORKERS IN AN EMPLOYMENT RELATIONSHIP		
8.	Is there a national policy that provides for the review at regular intervals of relevant laws and regulations with a view to ensuring effective protection for workers in an employment relationship? If so, please indicate whether and how the scope of relevant laws and regulations has been modified or clarified as a result of the review. In particular, please indicate whether any challenges have arisen in relation to ensuring that standards applicable to all contractual arrangements establish allocation of responsibility for labour protections, including with regard to alternative working arrangements, such as, for example, in the “gig” or “platform” economy. ³ If so, please explain.	Paras 1, 2 and 4(c) and (d) of R.198.

¹ In relation to Convention No. 159 and its Recommendation No. 168, the term “disabled persons” is replaced throughout this text by the term “persons with disabilities”, in accordance with changes in usage as reflected in ILO instruments such as in Paragraphs 1 and 13 of the HIV and AIDS Recommendation, 2010 (No. 200), Paragraph 5 of Recommendation No. 198, Paragraph 7(i) of Recommendation No. 204 and the comments of the Committee of Experts on the Application of Conventions and Recommendations (CEACR).

² When questions are made on the basis of provisions in Recommendation No. 169, which refers to the “informal sector”, this should be understood as relating to the “informal economy” within the meaning of Paragraph 2 of Recommendation No. 204, which provides that “the term ‘informal economy’: (a) refers to all economic activities by workers and economic units that are – in law or in practice – not covered or insufficiently covered by formal arrangements; and (b) does not cover illicit activities ... as defined in the relevant international treaties”.

³ For the purpose of this questionnaire, the terms “gig” or “platform” economy concerns work or services that are mediated through online businesses. Typically there are three parties in the relationship: the crowdsourcer (often referred to as the client or requester), the intermediary (the platform) and the workers. For more details see V. De Stefano: *The rise of the “just-in-time workforce”: On-demand work, crowdwork and labour protection in the “gig-economy”*, Conditions of Work and Employment Series, No. 71 (Geneva, ILO, 2016) and J. Berg: *Income security in the on-demand economy: Findings and policy lessons from a survey of crowdworkers* (Geneva, ILO, 2016).

9.	Does the national policy include measures to guide employers and workers in effectively establishing the existence of an employment relationship and on the distinction between employed and self-employed workers? If so, please explain.	Para. 4(a) of R.198.
10.	Does the abovementioned policy address disguised employment relationships? If so, does it provide for measures to combat such practices and remove incentives that may exist to disguise an employment relationship, particularly in the context of alternative contractual arrangements that may hide the true legal status of the parties? If so, please explain.	Paras 4(b) and 17 of R.198.
11.	Is dependent self-employment recognized as a legal category that is distinct from self-employment and work carried out in the context of an employment relationship? If so, please explain.	Paras 1 and 4(a) of R.198.
12.	Please indicate whether and how the national law and practice ensures that all workers, including those in dependent self-employment, enjoy the protections to which they are entitled, regardless of the type of contractual arrangement under which they are working (this could include temporary, part-time or on-call work and multi-party arrangements, such as, for example, relationships known as dispatch, brokerage and labour hire as well as temporary agency work and subcontracted labour arrangements)? If so, please provide information, including in relation to any protection gaps identified.	Paras 4(a)–(d), (f) and 5 of R.198; Para. 9 of R.204.
DETERMINATION OF THE EXISTENCE OF AN EMPLOYMENT RELATIONSHIP		
13.	Please indicate whether and how the national law, regulations or court decisions define: (a) employer; (b) self-employed person; and (c) employee.	Paras 4(a), 10–13 of R.198.
14.	Is the principle of primacy of facts applied for the determination of the existence of an employment relationship? If so, please specify the criteria or indicators established by national law, regulation, court decisions or other competent bodies for this purpose.	Paras 9, 11, 12 and 13 of R.198.
15.	Is there provision for a legal presumption that an employment relationship exists where one or more relevant indicators is present? If so, please explain.	Para. 11(b) of R.198.
16.	Please provide information on any measures taken or envisaged to ensure that workers and employers have access to appropriate, speedy, inexpensive, fair and efficient procedures and mechanisms to settle disputes concerning the existence and terms and conditions of an employment relationship.	Paras 4(e) and 14 of R.198.
PERSONS WITH DISABILITIES		
17.	Please specify whether the national legislation provides for a definition of persons with a disability. If so, please describe.	Art. 1 of C.159; Para. 1 of R.168.
18.	Please indicate whether there is a national policy for the employment of persons with disabilities. If so, please describe and indicate its scope of application.	Art. 2 of C.159; Para. 5 of R.198; Para. 15 of R.168; Para. 7(i) of R.204.
19.	Does the national policy, if it exists, contain provisions to ensure that appropriate vocational rehabilitation measures are made available to all categories of women and men with disabilities? Does the policy promote employment opportunities for persons with disabilities in the open labour market?	Art. 3 of C.159; Paras 11(a), (b), (e) and 12–13 of R.168.

20.	Is the national policy for the vocational rehabilitation and employment of persons with disabilities based on the principle of equality of opportunity and treatment in employment and occupation? If so, please explain if and how the policy ensures respect for equality of opportunity and treatment for workers with disabilities, particularly in relation to vocational rehabilitation and employment assistance.	Art. 4 of C.159; Paras 7–10 of R.168; Art. 1(2)(c) of C.122; Para. 5 of R.198.
21.	Please describe whether and how vocational guidance, training, placement, employment and related services are made available to persons with disabilities to assist them in securing, retaining and advancing in employment. Please also indicate if and how adjustments to such services are available to enable persons with disabilities to access them.	Art. 7 of C.159, Paras 2, 5, 11–14 of R.168.
22.	Please provide information on whether and, if so, how, measures have been taken or are envisaged to promote the establishment and development of vocational guidance, rehabilitation and employment services for women and men with disabilities in rural areas and remote communities.	Art. 8 of C.159; Paras 20 and 21 of R.168.
23.	Please indicate whether and, if so, how it is ensured that there is training and availability of specialized and qualified staff for the provision of vocational guidance, training, placement and employment of persons with disabilities.	Art. 9 of C.159; Paras 22–29 of R.168.
HOMEWORKERS		
24.	Does your national legislation contain a definition of “employee” and “employer” in the context of home work? If so, please explain.	Art. 1(a)–(c) of C.177; Para. 1 of R.184.
25.	Please indicate whether there is national legislation or policy affecting the situation of homeworkers and, if so, specify its scope and whether it is periodically reviewed. Please indicate whether the national legislation also applies to homeworkers working in the “gig economy”.	Arts 1–3 of C.177; Paras 1 and 2 of R.184.
26.	Please provide information on any measures taken or envisaged to ensure equality of treatment between homeworkers and other workers, particularly in relation to: (a) homeworkers’ right to establish or join organizations of their own choosing and to participate in the activities of such organizations; (b) protection against discrimination in employment and occupation; (c) protection in the field of occupational safety and health; (d) remuneration; (e) statutory social security protection; (f) minimum age for admission to employment or work; (g) access to training; and (h) maternity protection.	Arts 4 and 7 of C.177; Paras 10, 11(a), 17, 25–26 and 29(1)(d) of R.184.
27.	Please indicate whether any measures have been adopted or are envisaged to encourage collective bargaining as a means of determining the terms and conditions of home work. If so, please describe.	Para. 12 of R.184.
28.	Is the use of intermediaries in home work permitted under national law and practice? If so, please indicate whether and how the respective responsibilities of employers and intermediaries are determined and allocated. Please also indicate whether the intermediary and the employer are jointly and severally liable for payment of the remuneration due to homeworkers.	Art. 8 of C.177; Para. 18 of R.184.
29.	Is the registration of employers of homeworkers and of intermediaries required under national law? If so, please explain.	Para. 6 of R.184.

30.	Are there provisions in place to ensure that homeworkers are informed of their terms and conditions of work in writing and/or in an accessible format, as well as a requirement that employers keep records? If so, please explain.	Paras 5 and 7(1)–(4) of R.184.
31.	Do national laws and regulations on the protection of wages, including in respect of wage deductions and the regular payment of wages, apply to homeworkers? In addition, please specify whether minimum wage rates are fixed for home work. If so, please explain.	Paras 13, 14 and 17 of R.184.
32.	Please indicate whether and, if so, how the remuneration of piece-rate homeworkers is regulated in your country.	Para. 15 of R.184.
33.	Please specify the measures adopted or envisaged, if any, to ensure that a deadline to complete a work assignment does not deprive a homemaker of the possibility to have periods of daily and weekly rest comparable to those enjoyed by other workers. In addition, please provide information regarding the conditions, if any, under which homeworkers benefit, in the same manner as other workers, from paid public holidays, annual paid leave and paid sick leave.	Paras 23 and 24 of R.184.
34.	Please indicate whether and, if so, how provision is made for a system of labour inspection to ensure compliance with laws and regulations concerning home work, including whether the system provides for access to the home or to other private premises where home work is performed. Please also provide information on any penalties or other remedies, if any, applied in the event of violation of relevant laws and regulations.	Art. 9(1) and (2) of C.177; Para. 8 of R.184.
TRANSITION FROM THE INFORMAL TO THE FORMAL ECONOMY		
35.	Please describe any measures taken or envisaged to enable the progressive transition from the informal economy to the formal economy of: (a) women and men workers; and (b) enterprises.	Para. 9 of R.169; Paras 1(b), 7 and 15(b) and (c) of R.204.
36.	Has your country developed or does it envisage developing an approach to formalization of the informal economy that aims to ensure that an integrated policy framework to facilitate the transition to the formal economy is included in national development strategies or plans as well as in poverty reduction strategies and budgets? If so, is your approach embedded in a national employment policy?	Para. 10, 14–15 of R.204.
37.	With respect to the formalization of micro and small economic units, has your country or is your country envisaging to: (a) undertake business entry reforms; (b) reduce compliance costs; (c) promote access to public procurement; (d) improve access to inclusive financial services; (e) improve access to entrepreneurship training, skills development and tailored business development services; and (f) improve access to social security coverage? Please explain.	Para. 25 of R.204.
38.	Are there policies or strategies that provide for protection of human rights and fundamental principles and rights at work in the context of the informal economy (freedom of association and collective bargaining, protection from child labour, forced labour and discrimination)? If so, please explain.	Para. 7(e), (f), (h) and (i) of R.204.

39.	Please indicate whether any measures have been taken or are envisaged to progressively extend social security, maternity protection and decent working conditions to all workers in the informal economy. If so, please explain.	Paras 16–19 of R.204.
40.	Are there policies or strategies that address workers who are especially vulnerable to the most serious decent work deficits in the informal economy, including but not limited to women, young people, migrants, older people, indigenous and tribal peoples, persons living with HIV or affected by HIV or AIDS, persons with disabilities, domestic workers and subsistence farmers? If so, please describe.	Para. 7(e), (f), (h) and (i) of R.204.
EQUALITY OF OPPORTUNITY AND TREATMENT SPECIAL CATEGORIES OF WORKERS		
41.	Does the national policy provide for effective protections for those workers particularly affected by uncertainties as to the existence of an employment relationship, which may include: (a) women workers; (b) young women and men; (c) older workers. (d) women and men in the informal economy; (e) female and male migrant workers; and (f) women and men with disabilities. If so, please explain.	Para. 5 of R.198.
42.	Please indicate whether national laws and policies effectively address the gender dimension in certain occupations and/or sectors where women are concentrated and where there is a high proportion of disguised employment relationships, or where there is lack of clarity with regard to the employment relationship. If so, please provide detailed information in this regard.	Para. 6(a) and (b) of R.198.
43.	Please indicate any measures taken or envisaged after consultation with the social partners to provide effective protection for and prevent abuses of male and female migrant workers in your territory who may be affected by uncertainty as to the existence of an employment relationship.	Para. 7(a) of R.198.
44.	Please provide information on any bilateral (or other) agreements entered into to prevent abuses and fraudulent practices concerning women and men workers recruited in one country for work in another, which are intended to evade existing arrangements for the protection of workers in an employment relationship.	Para. 7(b) of R.198.

SOCIAL DIALOGUE AND THE ROLE OF EMPLOYERS' AND WORKERS' ORGANIZATIONS		
45.	Please indicate whether consultations are held concerning the development, implementation and review of employment and social policies with: (a) representatives of employers and workers; and (b) representatives of the persons affected by the measures to be taken, including women and other categories of persons vulnerable to decent work deficits and exclusion. If so, please specify the extent to which their experience and views have been taken into account and their cooperation secured in formulating and supporting such policies.	Art. 3 of C.122, Paras 5, 15–17 and 19 of R.169; Para. 15 (a)–(i) of R.204.
46.	Please indicate whether any measures have been taken or are envisaged to consult with employers' and workers' organizations with regard to questions related to the scope of the employment relationship at national level and to promote collective bargaining and social dialogue at the national, sectoral or undertaking levels with regard to the social consequences of the introduction of new technologies. If so, please describe.	Paras 23–26 of R.169; Para. 18 of R.198.
47.	Please indicate whether any measures have been taken to: (a) consult with employers' and workers' organizations with regard to small undertakings, to improve working conditions and the access of such undertakings to product markets, credit, technical expertise and advanced technology; and (b) promote employment in underdeveloped areas that have not benefited satisfactorily from national development. If so, please explain.	Paras 31, 33–34 of R.169.
48.	Please provide information on any consultations on the development, implementation and review of policies and programmes for vocational rehabilitation and the employment of persons with disabilities that have been held with: (a) representative organizations of employers and workers; and (b) representative organizations of and for persons with disabilities.	Art. 5 of C.159; Paras 30, 32–33 of R.168.
49.	Please indicate whether consultations on home work have been held with the most representative employers' and workers' organizations and/or with the organizations concerned with homeworkers and those of employers of homeworkers, where these exist.	Art. 3 of C.177; Para. 3(2) and (3) and 29 of R.184.
50.	Please indicate whether your country has made use of tripartite mechanisms to: (a) identify the nature and extent of the informal economy and its relationship to the formal economy with a view to its formalization; and (b) regularly review the effectiveness of the policies and measures, if any, to facilitate transition to the formal economy. If so, please explain, and indicate whether these mechanisms include membership-based organizations and economic units in the national economy.	Paras 6 and 39 of R.204.
STATISTICAL DATA		
51.	Please indicate whether collection of statistical and other data concerning the size and distribution of the labour force, the nature and extent of unemployment and underemployment and trends in these areas, including data disaggregated by sex or other criteria, are compiled and analysed as part of the development, review and revision of a coordinated economic and social policy. If so, please provide detailed information in this regard.	Art. 2(a) of C.122; Para. 21(a) of R.169; Paras 6, 8 and 36(a) of R.204.

52.	Please provide information regarding any statistical data and research undertaken on changes in the patterns and structure of work at the national and sectoral levels, taking into account the distribution of men and women and other relevant factors. Please indicate whether such data and research is sex-disaggregated and, if so, describe any resulting gender-responsive analysis undertaken on this basis.	Para. 21 of R.198.
53.	Please indicate whether data and other information is compiled and analysed, including data disaggregated by age and sex, on the nature, size and characteristics of home work in your country.	Art. 6 of C.177; Para. 4 of R.184.
MONITORING AND IMPLEMENTATION		
54.	Please describe any measures taken to ensure respect for and implementation of laws and regulations concerning the employment relationship, for example, through labour inspection services and their collaboration with the social security administration and tax authorities.	Paras 4(c)–(g) and 15 of R.198; Paras 9, 22–24 and 26–27 of R.204.
55.	Please indicate any measures taken by the national labour administration and associated services, ensuring that special attention is paid to occupations and sectors with a high proportion of women workers when monitoring uncertainties in regard to the employment relationship and lack of labour protections.	Para. 16 of R.198.
56.	Please indicate whether any measures have been taken or are envisaged, in consultation with employers' and workers' organizations, to give effect to the provisions of Recommendation No. 204 and ensure the regular review of the effectiveness of policies and measures to facilitate formalization.	Paras 38–39 of R.204.
IMPACT OF ILO INSTRUMENTS/PROSPECTS OF RATIFICATION		
57.	Please indicate whether any modifications have been made or are envisaged to national laws, regulations or practice, with a view to giving effect to all or some of the provisions of the instruments that are the subject of this questionnaire.	
58.	Please provide information regarding any prospects of ratification and identify any challenges or obstacles with regard to the possible ratification of Conventions Nos 122, 159 and 177, where these exist.	
59.	Please indicate the representative employers' or workers' organizations to which copies of the present questionnaire have been communicated in accordance with article 23(2) of the ILO Constitution and indicate whether you have received observations from such organizations concerning the effect given, or to be given, to any of the instruments to which this questionnaire relates. If so, please communicate a copy of the observations received together with any comments that you may consider useful.	
POSSIBLE NEED FOR STANDARDS-RELATED ACTION AND FOR TECHNICAL ASSISTANCE		
60.	Please provide your country's views regarding any existing gaps or inconsistencies that should be addressed by future standard setting in regard to the instruments to which this questionnaire relates, particularly with regard to the promotion of employment and decent jobs for all in alternative working relationships and any required labour protections.	
61.	Has your country formulated any requests for technical assistance by the ILO to assist it in giving effect to all or some of the provisions of the instruments covered by this questionnaire? If not, please indicate the manner in which the ILO could best provide appropriate assistance within its mandate to support country efforts to ensure effective promotion of employment and protection for workers covered by the instruments that are the subject of this questionnaire, including under alternative working arrangements.	