

Committee on the Application of Standards

Date: 7 June 2023

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

Costa Rica (ratification: 1966)

Employment Policy Convention, 1964 (No. 122)

The Government has provided the following written information.

The Government has given priority to the public policy to promote an appropriate ecosystem to facilitate the labour market integration of vulnerable persons (including women, young persons and persons with disabilities) and develop a better matching of occupational demand and the vocational and technical training of workers through the current National Development and Public Investment Plan (2023–26). The Government considers it essential to indicate that, for some years, Costa Rica has been developing a series of strategies and active labour market programmes with a view to having a positive impact. These efforts have resulted not only in specific programmes and legislative reforms, which have changed procedures for labour mediation, but have strengthened the relations that existed between labour market needs and the supply of institutional programmes.

In this regard, it would be baseless to claim that the Government has not made significant efforts in this field. Employment is one of the priority themes of the current Government and is part of the strategic agenda of the Ministry of Labour and Social Security and the National Training Institute, among other public institutions, of which the ILO is one of the principal partners.

It should be noted that the ILO itself advised the Government to begin with the development of one of the central planks of its general policy, in order to build bridges and develop trust in participatory tripartite processes with a view to achieving more fluid progress in future years. In this respect, it should be noted that the Government is currently benefiting from technical assistance from the ILO Office for Central America, Haiti and the Dominican Republic, as recommended by the Committee of Experts in its 2023 report, for the design and development of the National Strategy of Employability and Human Skills.

It also draws attention to the fact that Costa Rica has been included in the preliminary list of 40 cases before the Committee, even though the Committee of Experts has noted with

interest measures and action taken by Costa Rica within the framework of other Conventions, as indicated in the 2023 annual report. In this respect, it draws attention to the fact that the Committee of Experts has noted with interest the information and measures reported by the Governing in relation to the Employment Service Convention, 1948 (No. 88). More specifically, the Committee of Experts noted with interest the adoption of the executive decree establishing the National Employment System (SNE) “to respond both to the dynamics of the labour market and to the needs of jobseekers or persons already in employment in order to retain their work or improve their conditions of work, giving priority to those in conditions of vulnerability”.

Aspects directly related to the Government’s strategic action in the field of employment

1. National Strategy of Employability and Human Skills: With the support of the ILO, this is being developed through a process of participation and consultation with the social partners, as it has been submitted to the Employment Council, which is of tripartite composition (the Executive, the private sector and trade unions) The purpose of the National Strategy of Employability and Human Skills is also to strengthen the governance of the SNE and the National Employment Agency, a platform which is an important landmark, as it has been built up from zero based on the Government’s conviction of the added value that will be provided to the public employment system not only by reinforcing the employment service, but also by improving the employability of those who are already in work.

2. Consolidation of the SNE: This is built on a model that corresponds to the vision of the public employment system, by not only dealing with employment placement, but by converting it into a more robust system that provides more services and is broader in scope. And it is the outcome of an articulated, inter-institutional and participatory process responding to the need to align education with labour market requirements. The approach adopted allows the SNE to provide more focused services and facilitate the access of persons in any part of the country. Its establishment was based on social dialogue through a process involving the Executive, the private sector and the unions, which are members of the Employment Council, which is the body with the highest authority in the system. In operational terms, reference should be made to the National Employment Agency (ANE) and Employment Units. The ANE is a technical and operational body, which is national in scope, public and free-of-charge, which organizes employment services, the network of employment units, the electronic information platform and other means of serving people and enterprises, and which harmonizes administration, processes, procedures and protocols in a single window. The ANE operates 24 hours a day through contact centres, which are a free public tool and connect people and enterprises with employment services, in accordance with the policies established by the Employment Council. As of May 2023, the ANE had concluded 45 cooperation agreements to improve the capacities of the offices and branches of the network of employment units with various municipal authorities and private bodies to facilitate the access of the population to the services provided through the SNE. These units not only register persons, but also activate the coordination of the programmatic supply of employment so that services are provided to improve employability, as well as employment placement. Up to now, there are around 5,114 active enterprises registered, over 128,000 people have been placed in employment since the tool was established and over 19,000 jobseekers are registered.

3. Inclusion of the system of financing by results of the Labour Market Observatory and the coverage of migrant workers by employment services.

4. The Dual Education and Training Act: The Advisory Committee for the Promotion of Dual Technical and Vocational Education and Training (EFTP-Dual), in the Ministry of Public Education, is operational and brings together the various social partners involved in this new

mode of education, namely: the Ministry of Labour and Social Security (MTSS), the National Training Institute (INA), the Costa Rican Federation of Chambers and Associations of Private Enterprise (UCCAEP), the Association of Enterprises in Export Processing Zones of Costa Rica (Azofras), and unions in the education, cooperative and solidarist sectors. It is also important to indicate that, in April 2020, the General Regulations were published of Act No. 9728 on dual vocational and technical education and training, which specify even further the rules for participation in dual-training processes. Moreover, emphasis should be given to the EFTP-Dual in Costa Rica, which has various similarities with dual-training systems in other parts of the world, including the principle of alternance, training in enterprises, shared financing and social dialogue. However, one significant difference from other countries lies in the nature of the relationship between those engaged in training (in Costa Rica they are not called apprentices), educational centres and enterprises.

5. National Skills Framework: A nationally recognized structure, which sets standards for qualifications and the associated skills on the basis of a series of technical criteria set out in descriptors with a view to guiding training, classifying occupations and jobs and facilitating the mobility of people at the various levels, all in relation to labour market dynamics. Some of the benefits of the articulation between training and labour market needs promoted by the MNC-EFTP-CR include:

- facilitating and clarifying the articulation of the education system, by setting qualification levels and establishment links between them;
- making it possible to create spaces for cooperation between the social partners in relation to technical and vocational education and training (TVET), namely: employers, training centres, public and private bodies and civil society;
- establishing parameters for training and the assessment of skills in relation to levels of qualification;
- providing employers with clarity on the competences associated with qualification levels, as provided by training centres;
- facilitating access to TVET by the population in terms of the skills they will acquire, the route to be followed to have access to training and employment opportunities;
- ensuring that the participation of enterprises and organizations in the development of qualification standards is representative at the sectoral level.

6. Implementation of the Act respecting export processing zones outside the Great Metropolitan Area (GAM), No. 10234 of 2022, under which at least 11 initiatives have been developed so that enterprises can see opportunities for investment outside the GAM, such as: the inclusion of new categories for export processing zones (human health services, inputs and sustainable adventure parks); the strengthening of the single investment window to facilitate transactions; rules which urge the INA to promote programmes that correspond to the technical and occupational needs of enterprises; and the strengthening of formal employment. The generation of new jobs is key to the recovery of the labour market. The Act seeks to contribute to the generation of favourable conditions to increase investment that has a direct impact on competitiveness throughout the territory, economic growth and the generation of employment outside the GAM through reforms and certain additions to specific laws adapted to the real situation in these areas of the country. This series of reforms and additions will have a direct impact on the decisions taken by national and foreign enterprises which, in compliance with certain conditions pre-established by the regime for export processing zones, can invest

in zones outside the GAM. All of the above is in line with the indications provided, and shows not only the existence of political will and multiple good practices at the national level that are deserving of recognition, but also that the Government of Costa Rica retains the conviction to continue taking action to ensure the welfare and quality of life of workers in Costa Rica, within the framework of participatory processes and dialogue with partners, without which it would not be possible to implement these Government efforts. The commitment of this Government includes the prioritization of strategic interventions in relation to economic, social, environmental and citizens' security challenges, which give rise to priorities such as the modernization of State institutions, economic recovery and a reduction in the cost of living, unemployment, poverty, inequality and territorial differences, among others. Through an integrated and modern approach to public policies, these will be able to have a real impact on areas that lie within the scope of State governance with a view to stimulating action on these challenges, thereby achieving the well-being of the population of Costa Rica.