

Terms of reference for consultancy

Trade Union Actions to Promote Decent Work for Persons with Disabilities

Study and follow-up actions in Montserrat

Background and Rationale

Achieving non-discrimination and establishing equality, equity and fairness at work is a long-standing goal of the ILO. Discrimination, including its intersectional forms, remains a persistent and pervasive dimension and a contributor to inequalities in the world of work. The ILO¹ states that it manifests in a lack of career and job opportunities in the labour market, especially for women, people with disabilities and other vulnerable populations, unequal pay for work of equal value, inaccessibility to social protection, and, barriers especially for women workers in entering, remaining and progressing in the labour market, while continuing to bear most of the responsibility for unpaid care work. According to the ILO (2021)², discrimination and inequalities in the world of work constitutes the greatest threats to decent work, the undermining of women's dignity, autonomy, and independence and can cause significant human, social and economic cost regardless of occupation, position, or sector.

The 109th session of the International Labour Conference (ILC) of 2021 adopted two sets of conclusions and reports, one which focused particularly on "[Inequalities and the world of work.](#)" The strategy on inequalities and the world of work is intended to assist ILO member States to accelerate action to reduce and prevent inequalities in the world of work and ensure that no one is left behind. More particularly, focus will be placed on combined and coordinated action in seven areas:

1. promoting employment creation;
2. fostering equal opportunity;
3. ensuring adequate protection for all workers;
4. accelerating the transition to formality;
5. ensuring gender equality and non-discrimination, promoting equality, diversity and inclusion;
6. realizing universal social protection; and
7. promoting trade and development for a fair globalization and shared prosperity.

Moreover, the continued COVID-19 crisis provides impetus on the urgent need to end discrimination, inequalities, and inequities in the world of work and for prompt action in achieving social justice and to build better going forward, while ensuring that no one is left behind.

In 2017, the ILO Bureau for Workers' Activities (ACTRAV) conducted research and organized a Conference on Trade Union Actions on Decent Work for Persons with Disabilities (PWDs). One of the agreed follow-up actions was to further support trade union action on decent work for PWD at regional and national levels. It highlights the need for trade unions to evaluate the national system of decent work organization and to identify the institutional gaps for PWD in the implementation of international labour norms, employment, social protection and social dialogue. The ILO Social Justice Declaration stresses this holistic and integrated approach by recognizing that these four objectives are "inseparable, interrelated and mutually supportive", ensuring the role of international labour standards as a useful means of achieving all of them.

¹ Reports of the General Discussion Working Party: Inequalities and the world of work, International Labour Conference – 109th Session, 2021

² https://www.ilo.org/brussels/WCMS_830721/lang--en/index.htm

In 2021 Montserrat Civil Service Association requested the ILO's support in dealing with two cases of discrimination of persons with disabilities. This request was supported by the Public Services International in the Caribbean and resulted in a series of consultations that took place.

Hence, it is in this context that the ILO will undertake a series of interventions to assist trade unions' actions on decent work for PWDs in Montserrat.

The approach will be to begin with a study on trade unions' current actions in the national framework and identify ways to include disability in their agendas at all levels. The study will focus on labour and social institutions gaps in both the public and private sectors, context, and potential partnerships. The second stage will include a validation workshop with trade unions, a general sensitisation workshop with a broader group of stakeholders (employers, including the public sector, Government representatives, CSOs) and the development of a long-term trade union strategy and mid-term action plan.

Objective

The overall objective is to strengthen the capacity of trade unions, in particular Montserrat Civil Service Association, to be able to address related challenges to decent work³ for PWDs.

Expected outcome

Trade Unions, in particular Montserrat Civil Service Association, are equipped to be at the forefront of promoting and ensuring internally and externally decent work for PWDs.

Scope

While the study and follow-up will focus on workers in public sector, there will be consideration given on how actions taken by the trade unions in the public sector would benefit all the workers.

Tentative deliverables

1. Study on the national disability inclusion landscape and trade unions' current and potential actions to ensure the respect of labour rights in law and practice of workers with disabilities. Study content should include but not be limited to:
 - Overview of national legislation and international treaties, particularly the ones that the country is signatory to and identifying institutional gaps, if any, in the protection in law and practice of the labour rights of persons with disabilities. The overview is to follow the Decent Work Agenda four pillars or focus on the intersecting dimensions of discrimination against PWDs (unequal pay for work of equal value, inaccessibility to social protection, and, barriers, especially for women workers in entering, remaining, and progressing in the labour market, while continuing to bear most of the responsibility for unpaid care work). The consultant is to present the approach in the proposal. The index of employment in the public services and private sector of PWDs and sectoral, occupational and sex disaggregated figures are to be sought for the overview;
 - Overview of current trade union structures in the country, and their current actions to protect the labour rights of PWDs;
 - Identifying existing and potential entry points for trade unions to enhance their work on protection of the labour rights of PWDs;
 - Identifying other actors (CSOs) who could become trade union allies;
 - Proposing a roadmap for trade union actions on decent work for PWDs, based on the indicators defined for the study.
2. Facilitation of discussion and presentation at the validation workshop with trade union executive to discuss the findings of the study and to identify priority areas for the development of a long-term trade union strategy and mid-term action plan;
3. Preparation of the report of the validation workshop and draft trade union strategy and action plan on decent work for PWDs;

³ Promoting jobs and enterprise, guaranteeing rights at work, extending social protection and promoting social dialogue are the four pillars of the ILO Decent Work Agenda, with gender as a cross-cutting theme.

4. Facilitation of discussion and presentation at the validation workshop with trade union executive to adopt trade union strategy and action plan on decent work for PWDs;
5. Presentation at sensitisation workshop with trade union members and a broader group of stakeholders (employers, including the public sector, Government representatives, CSOs) to present the study findings and trade union strategy on decent work for PWDs.

Methodologies

For the preparation of the study, a mix of desk reviews and interviews is recommended.

Timing

All deliverables should be developed and delivered between 20 November 2022 and 31 January 2023.

Budget

Deliverable	Timeframe (days)	Rate per day (USD)	Cost
1. Study on the national landscape of decent work for PWD and trade union current and potential actions to ensure the respect of rights in law and practice of workers with disabilities.	14	250	3500
2. Validation workshop with trade union executive to discuss the findings of the study and to identify priority areas for the development of a long-term TU strategy and mid-term action plan	2	250	500
3. Report of the validation workshop and draft TU strategy and action plan on decent work for PWD	2	250	500
4. Validation workshop with trade union executive to adopt TU strategy and action plan on decent work for PWD	2	250	500
5. Sensitisation workshop with trade union members and a broader group of stakeholders (employers, including public sector, government representatives, CSOs) to present the study findings and TU strategy on decent work for PWD.	2	250	500
TOTAL	22		5500