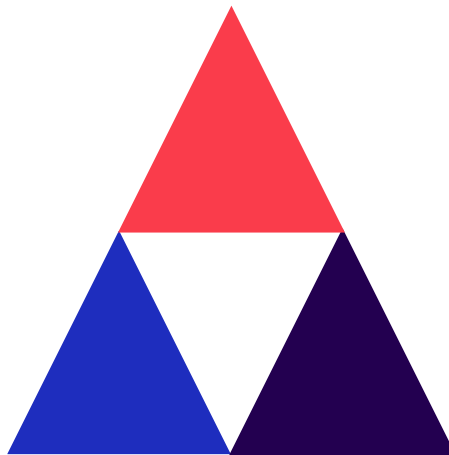




▶ The future of decent and sustainable work in urban transport services

Technical meeting on the future of decent and sustainable work in urban transport services

Note on the proceedings
(Geneva, 30 August–3 September 2021)



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▶ Introduction

The [Technical meeting on the future of decent and sustainable work in urban transport services](#) was held in hybrid format from 30 August to 3 September 2021. The Governing Body of the International Labour Organization (ILO) decided at its 335th Session (March 2019) to convene the meeting and at its 337th Session (October–November 2019), that the purpose of the meeting would be to discuss challenges and solutions relating to the future of decent and sustainable work in urban passenger transport (UPT) operations and services, with the aim of adopting conclusions, including recommendations for future action. In light of the travel restrictions due to the COVID-19 pandemic, it was subsequently decided to postpone the meeting until 30 August–3 September 2021.

At its first sitting, the Meeting adopted the timetable (TMDWTS/2021/3) and the points for discussion (TMDWTS/2021/4). The Meeting held four plenary sittings, including three devoted to the discussion of the points for discussion.

In accordance with article 6 of the [Standing orders for technical meetings](#), the Chairperson of the meeting was Ms S. M. Janahi (Employer, Bahrein). At its first sitting, the Meeting elected three Vice-Chairpersons as follows:

Government group

Vice-Chairperson: Ms S. G. Luna Camacho (Mexico)

Assisted by: Mr S. Akiyama (Office)

Ms A. Cruz Ross (Office)

Employers' group

Vice-Chairperson: Mr K. de Meester (Belgium)

Assisted by: Mr M. Espinosa (International Organisation of Employers (IOE))

Workers' group

Vice-Chairperson: Ms W. Liem (Republic of Korea)

Assisted by: Ms M. Llanos (International Trade Union Confederation (ITUC))

Mr R. Subasinghe (International Transport Workers' Federation (ITF))

Ms D. Cibrario (Public Services International (PSI))

The Secretary-General of the Meeting was Ms A. van Leur (Director of the Sectoral Policies Department), the Deputy Secretary-General was Mr S. Akiyama. Mr B. Wagner, as the head of the Maritime and Transport Unit, provided overall guidance and support during the Meeting, the Executive Secretary was Ms A. Cruz Ross, and the Coordinator of secretariat services was Mr M. Taher Mohammad. The representative of the Office of the Legal Adviser was Mr T. Geckeler.

The hybrid meeting was attended by 146 participants, including 77 Government representatives and advisers (from 41 countries), together with 20 Government observers (from 10 countries), as well as 14 Employer and 21 Worker representatives and advisers, and 14 observers from intergovernmental organizations (IGOs) and invited international non-governmental organizations. Women represented 37 per cent of the total participants.

▶ Consideration of the agenda items

I. Opening speeches

1. The Chairperson emphasized the importance of UPT services for economic growth, job creation, service delivery and green future. UPT services and operations could facilitate the achievement of several of the Sustainable Development Goals (SDGs), as well as being an enabler of economic, social and cultural rights, and playing a key role in building sustainable cities and communities. Urban mobility access could redress inequality and promote environmental justice, health, social justice and gender equality. Technological innovation could bring about significant changes to employment, working conditions and labour markets; in that regard, UPT services could be a powerful driver of equity and sustainability, ensuring a just transition by harnessing transformative technologies, demographic opportunities, globalization and the green economy. The COVID-19 pandemic had, however, caused significant economic, environmental and social challenges for the sector. Recovery would require active promotion of decent work to build more resilient transport systems for a green and socially sustainable future.
2. The Secretary-General of the Meeting underscored the importance of UPT as a driver and a marker of development, which could enable individuals, communities and cities to rise out of poverty and overcome social exclusion. It was a labour-intensive sector, which provided jobs and livelihoods to millions of workers worldwide and had a key role in the attainment of SDGs 8 and 11. At the same time, UPT had a large environmental footprint, which, along with concerns about working conditions, had brought about increasing pressure for change. The COVID-19 pandemic, which had severely affected the sector, had come at a time when the passenger transport industry was already being forced to change to accommodate technical advances, climate change, demographic shifts and globalization. The present Meeting afforded an opportunity to explore UPT services and operations through the lens of decent work, which was all the more urgent to mitigate the impacts of the ongoing COVID-19 pandemic, and to reach a consensus that would guide work in the sector for years to come.
3. The meeting viewed a [video](#) prepared by the Office. The Executive Secretary provided [an overview](#) of the Meeting report (TMDWTS/2021/1) that had been prepared as the basis for discussion for the technical meeting.
4. The Employer Vice-Chairperson said that the COVID-19 pandemic constituted an unprecedented, multifaceted challenge to movement in and around cities. It was estimated that, worldwide, public transport ridership had dropped by 90 per cent during the first phase of the pandemic. Moreover, travel needs, travel options, border control and commuter behaviour had changed in an attempt to limit the spread of COVID-19, and to meet physical distancing protocols. The pandemic had shown, however, that UPT was essential: it facilitated mobility for frontline workers, enabling them to access their workplaces and, more generally, ensured the continued movement of populations. The Meeting was an opportunity to identify ways to build back better and ensure long-term sustainability of urban mobility. UPT was a crucial sector at the crossroads of mobility, connectivity, land use, economic development, public health and environmental change. UPT services could be delivered under public or private operations; there was no correlation between efficiency and quality of UPT services and decentralization or privatization. With more than 80 per cent of global GDP generated in cities, urbanization and efficient transport systems contributed to sustainable growth by increasing overall productivity. Efficient

transport systems could help overcome constraints on growth faced by large urban areas, such as land and housing availability, air quality and congestion.

5. The conclusions to be adopted by the Meeting should be precise, specific and concise, and refrain from comment on cross-sectoral or national issues. A focused and succinct document, based on tripartite consensus, would support action-oriented guidance, implementable at national level. The Employers' group was optimistic about the UPT sector and its potential for digitalization and new mobility solutions. COVID-19 could also be viewed as a trigger for opportunity for investment to create efficient, sustainable, equitable and safe UPT systems. Since social dialogue was the best tool for overcoming challenges and taking advantage of opportunities, the Employers' group was fully committed to ensuring a successful outcome to the discussions.
6. The Worker Vice-Chairperson said that, although the COVID-19 pandemic had shown the importance of UPT services as a public good, a basic service and a key part of the solution to economic and environmental crises, UPT workers globally were in a precarious situation. Some governments had granted emergency funding to keep services running throughout the pandemic, thereby enabling frontline workers to work and vulnerable groups to access healthcare and other vital public services, connecting rural and urban areas, and fostering social inclusion and sustainable development. The pandemic had shone a light on the importance of a rights-based approach to UPT, with equal access being understood as a guarantee of the right to freedom of movement. There was a significant body of evidence to show the important role that UPT could play in responding to climate change and creating green jobs. Yet UPT workers faced uncertainty, increasing economic pressure and often threats to their livelihood. The outcome of the present Meeting would determine the future direction of the sector.
7. The Workers' group was concerned about widespread informality, which was particularly prevalent in low- and middle-income developing countries. Informality caused decent work deficits, including the denial of fundamental principles and rights at work, insufficient opportunities for quality employment, inadequate social protection, the absence of social dialogue, and lack of adequate labour protection and inspection systems or means for redress in the case of violations. The Workers' group intended to propose a resolution calling for an inclusive process for formalization and just transition. Downward pressure on wages and working conditions, safety, accessibility and service quality as a result of deregulated private operations, contracting out and subcontracting, gave cause for concern. Non-standard forms of employment, in particular the gig or platform economy, were also worrying; workers' fundamental rights, in particular to collective bargaining, equal pay, adequate working conditions and health and safety, must be protected.
8. Workplace gender discrimination and occupational segregation must be addressed; women represented less than 15 per cent of the UPT workforce. Technological change and innovation could result in job losses, unsustainable work intensity and increased surveillance, and could have with negative impacts for psychological and physical health and safety. Social dialogue, including collective bargaining, on the use and impacts of technological innovation and the regulation of workers' data, was therefore crucial. UPT was a vital decarbonization infrastructure and thus had a key role in enabling a sustainable and resilient recovery from the climate crisis. Decent work and access to mobility required inclusive formalization and integration of informal services, as well as large-scale investment in UPT. Constituents should be supported in their efforts to improve and expand UPT services and employment in the context of COVID-19 recovery and climate response. The Workers' group would present a second draft resolution in that regard.

9. The Government Vice-Chairperson observed that, despite the key role of the UPT sector in the functioning of economies and societies globally, challenges to financing ambitious urban mobility persisted in many countries due to fiscal limitations. Infrastructure costs, technology and the transition to more climate-responsive modes of transport were increasing the financial pressure on UPT services. UPT systems, and their regulation, varied widely around the world; the conclusions of the Meeting would need to be flexible and adaptable to diverse local contexts. The sector, which had been undergoing a profound transformation owing to technological advances, demographics, and climate change, had faced a sudden drop in service demand as a result of the COVID-19 pandemic. On the one hand, the pandemic had cost many UPT workers their jobs, while on the other – for those who had continued working – it had cost many their health or even their lives.
10. The Government group was committed to identifying opportunities and challenges to achieve decent work, and to taking steps to invest in sustainable and decent work, formalization, a just transition, training and professionalization of workers, and better regulation. ILO standards and texts, constituted a solid foundation on which to build consensus for achieving inclusive, sustainable, safe and resilient UPT services, as well as decent work for all UPT workers.
11. The Government representative of Brazil observed that differences in UPT systems structure, regulation, and formalization required distinct approaches. Since UPT services were not only operated by public authorities but could also be subcontracted to private operators, the State should remain engaged in both scenarios. Subcontracting arrangements should be transparent and comprehensive, and should include clauses on compliance with national law, especially labour provisions, as well as redress and accountability mechanisms. Informality and non-traditional forms of employment were particularly prevalent in the UPT sector. When informality resulted from a fraudulent scheme to cover up traditional forms of employment, it should be fought. When it resulted from a natural process in which individuals, seeking ways of survival, tried to establish themselves in a competitive market, however, governments should assist in the transition to formality.
12. A representative of the United Nations Economic Commission for Europe (UNECE) explained that UNECE and the World Health Organization (WHO) Regional Office for Europe constituted the secretariat for the Transport, Health and Environment Pan-European Programme, which had long been exploring jobs in relation to transport and mobility. Green and healthy jobs should satisfy three criteria: be part of a wider solution to climate change, help to reduce emissions and improve energy efficiency; contribute to promoting and using safer, cleaner, more active modes of transport; and provide “decent work” according to the ILO definition. A recent ILO/UNECE report, *Jobs in green and healthy transport: Making the green shift*, had revealed that a doubling of investment in public transport could lead to five million new jobs, half in the European region and half elsewhere. To make full use of the employment opportunities associated with greening the transport sector, a comprehensive range of policies was needed, including on skills development, social protection, labour market policies and the promotion of social dialogue and fundamental principles and rights at work.
13. A representative of the United Nations Human Settlements Programme (UN-Habitat) said that transport had a key role in reducing poverty by affording access to education, social services and healthcare. Safe, affordable and sustainable transport systems must therefore be accessible for all, in line with SDG target 11.2. Transport was also an important source of employment. UN-Habitat supported local authorities and transport operators in providing

decent, formal jobs for workers who had previously been engaged in informal transport operations. Employers and workers should be integral to establishing new business models, while government should have greater control over the public transport sector. The disruption caused by the COVID-19 pandemic afforded an opportunity to make public transport safe, affordable and efficient, using low-carbon, non-motorized and shared transport modes. UN-Habitat hoped that the conclusions of the Meeting would result in clear action points, policies and recommendations for decent and sustainable work in urban transport services.

- 14.** A written statement, submitted by WHO, was delivered by the Head of the Transport and Maritime Unit. In the context of WHO's work on road safety, and the designation by the General Assembly of the United Nations, through resolution A/RES/74/299, of 2021–30 as the second Decade of Action for Road Safety, the WHO was due to launch a Global Plan of Action on Road Safety. The Plan recognized the role that transport service providers, public and private, played in ensuring road safety, and called on them to take action that included: specifying vehicle safety levels for fleets used in provision of procured services; requiring user training for all transport drivers; expecting suppliers to perform road safety performance self-assessment and reporting; and setting standards for scheduling and planning procured driving operations and practices to manage driver fatigue, use of low-risk roads, use of lower risk vehicles, and improved times for travel. All stakeholders were encouraged to implement those recommendations. A high-level meeting of the General Assembly of the United Nations on road safety was scheduled to take place in 2022.
- 15.** A representative of the World Bank emphasized the importance of public transport as a public good, especially for those with low income who needed to leave their homes to access employment, education, healthcare and other essential services. Informal and self-organized transport was a critical subsector, comprising tens of millions of vehicles and workers in the developing world. While formalizing public transport services required investment and increased operational costs, such investment had potential benefits, including mobility and accessibility for workers, lower emissions, improved safety outcomes and social inclusion, as well as affordability and sustainability. The COVID-19 pandemic had caused significant financial deficits and operational challenges for public transport services around the world, while also changing travel patterns. The Meeting should recognize that urban planning, sustainable investment, good governance and new technologies were essential to improve transport systems.
- 16.** A representative of the International Transport Forum explained that her organization's work focused on five transport priority areas: accessibility; connectivity; digitalization; decarbonization; and safety and security, all of which had implications for the future of decent and sustainable work. The process of decarbonizing the transport sector must be inclusive and just, and leave no one behind. Ambitious decarbonization targets announced by governments and non-state actors implied a significant acceleration in the shift towards clean and digital mobility technology, which would impact jobs and the skill sets required to do them. Governments must anticipate those impacts and develop policies and programmes for training and upskilling to ensure that affected workers were supported, and that the benefits the transition to sustainable mobility were equal for all. Transport workers would need to have the knowledge, skills and experience to design and staff transport services of the future.
- 17.** Gender equality in the transport workforce must also be improved for greater sustainability, inclusivity and resilience. Redressing the gender balance in the global transport workforce would require education and training for women workers, and an integrated and

collaborative approach to closing data gaps. Better policies for all workers must be evidence-informed; reliable data was essential. The International Transport Forum hoped to include discussions on decent and sustainable work in the transport and climate change policy dialogue at the forthcoming United Nations Climate Change Conference, COP26, and to foster a stronger partnership with the ILO to identify areas of mutual interest as the transport sector became more digitalized, automated and decarbonized.

18. A video message was transmitted from the International Association of Public Transport (UITP), describing the Association's work, which had been forced to adapt rapidly and significantly to support the UPT sector in meeting the challenges of the COVID-19 pandemic. The Association's work programme prioritized building resilient urban and public transport, providing decarbonized and low-emissions urban mobility, advancing systems and services for better urban mobility, and redefining public transport to support a greater range of alternatives to the private cars. UPT was recognized as a healthy and sustainable way of life for all. Every effort was being made to ensure people-centred transport systems, with the workforce at the centre. UPT workers were the "guardians of mobility", and had played a vital role in society in particular during periods of lockdown.
19. The work of the UITP was closely aligned with several of the SDGs, and the Association had identified areas for further cooperation, in particular on SDGs 8 and 11. Social dialogue was not only essential to ensuring optimum services and the well-being of workers, but was a fundamental component of sustainable development. The UITP worked closely with the ITF and the European Transport Workers' Federation, in particular on fostering a common position on gender issues in the transport sector and other aspects of decent work, safe work and climate change. UPT had a key role in social and economic development, which in turn would foster sustainable and decent work.

II. Point by point discussion

Discussion of point 1

What decent work challenges and opportunities have arisen in urban passenger transport operations and services? What have been the key drivers of change, aside from the coronavirus disease (COVID-19) pandemic?

20. The Employer Vice-Chairperson said that focusing on opportunities would yield more positive results than discussing challenges, although challenges must, of course, be acknowledged. The first opportunity to be seized was to build the connection between greener and healthier urban transport. The COVID-19 pandemic had thrown a spotlight on the importance of air quality, which could only be improved by greening transport systems. While the transition to environmentally-friendly transport was tightly linked to technological innovation, it was not merely a question of electrification or reducing exhaust emissions from vehicles; energy production itself must be green, otherwise the environmental impact was simply displaced to a different industry. The transition must also be supported by new, green, decent jobs.
21. Other opportunities for workers and transport users included digitalization, which would improve driver safety, not only by boosting vehicle efficiency, but also by improving physical working conditions, such as ventilation, visibility and comfort, all of which would improve road safety in general. Supplier, contractor and value chains were all linked by digital technologies, from which urban transport systems could also benefit. Digitalization could also be used as a tool for routing and rerouting drivers, as well as preventive maintenance

of vehicles, which would improve road safety. Urban transport had always been a fertile ground for innovation and creativity. In modern societies, the need for shared and collective mobility solutions would increase, bringing opportunities for new, formal employment solutions. All partners, public and private, must come together to ensure sufficient investment in both greening and digitizing transport. The concept of “Society 5.0”, to create balance in all functions within urban society from the design stage, would also provide opportunities to develop better, safer and more sustainable public transport.

22. Challenges persisted, in particular the impact of COVID-19-related restrictions on the continuity of transport services, which threatened their sustainability and viability. The image and perception of public transport also added to the problem of garnering sufficient investment to ensure that opportunities could be seized. The gender dimension must also be addressed; a more sustainable, viable and attractive public transport system required diversity in the workforce.
23. The Worker Vice-Chairperson said that without discussing the challenges to decent work, it was difficult to consider how to truly harness opportunities. UPT was a basic service to which all should have equal access, yet there was a growing trend towards privatization, which had been shown to pose challenges for workers, governments, transport authorities and passengers. Privatization often failed to lead to the savings anticipated, and posed problems of lack of public accountability and transparency, and poor governance, as well as creating barriers to efficiency. Privatization in Colombia, India, the United Kingdom of Great Britain and Northern Ireland and the United States of America had been shown to raise fare prices and lead to unstable and confusing services, resulting in a reduction in ridership. Outsourcing and subcontracting could fracture services, negatively impact health and safety, and weaken collective bargaining. Women tended to be disproportionately employed in jobs that were outsourced and thus faced pressure with regard to working conditions and remuneration. Despite the foregoing, international financial institutions were promoting private models for large-scale mass transit projects in developing countries.
24. The COVID-19 pandemic had highlighted challenges faced by informal workers; formal public transport had ceased operation in many countries, leaving informal workers to fill the gap, forced to choose between working in dangerous conditions or losing their livelihoods. Police harassment, extortion, gender discrimination and violence against women workers also posed challenges, as well as health and safety hazards for workers and passengers alike. Removing the target system for informal passenger transport and ensuring fair rates of pay would reduce pressure on workers and increase road safety. Disguised independent employment relationships and the introduction of e-hail platform companies were increasing informality and precarity, and complicating employment relationships, with workers lacking protection of their fundamental rights at work.
25. The gig economy was an undeniable reality in UPT, with the pursuance of unsustainable business models that led to misclassification of workers as self-employed or independent contractors, and resulted in denial of basic trade union rights, low pay, poor working conditions and threats to health and safety. The use of workers’ data and their economic rights over that data required regulation. Social dialogue was needed to resolve those challenges. Enormous downward pressures on wages and working conditions caused by the COVID-19 pandemic and informality were exacerbating problems of health and safety, gender equality, and the accessibility and quality of services. Without addressing those challenges, UPT could not function as a public good or basic service and would not be an

effective response to the climate crisis, or driver of employment and sustainable development.

- 26.** The Government Vice-Chairperson said that the UPT sector faced a multiplicity of challenges, which had been exacerbated by the COVID-19 pandemic. While a variety of concerns had been expressed thus far, it seemed that all parties to the discussion agreed on the importance of improving working conditions, and on the role the sector could play in advancing labour rights in general, and on attaining the SDGs. Flexibility was essential; challenges and solutions would depend heavily on the specificities of local context. Technological advances should be harnessed as a source of opportunity, not only for the efficiency of services, but also for improving quality of work and occupational safety and health. Informality was a major challenge for workers in the sector, which must be addressed to ensure decent work for all. Inclusivity and gender imbalance in the workforce also posed challenges. Demographic change was placing significant burden on transport systems. The sector's sustainable recovery from the impacts of the COVID-19 pandemic would require sustainable financing.
- 27.** The public-private ownership balance was complex and varied from country to country. The Meeting should also consider non-conventional employment modalities affecting the sector. Working conditions, including with relation to the platform economy, weakening of social dialogue and issues related to subcontracting, must also be addressed. Occupational safety and health was a multifaceted matter, and must be considered from several perspectives, including exhaustion and extended working hours, protection of workers against violence and harassment, and maintenance and renewal of fleets and infrastructure. Noncommunicable diseases, burnout and stress must be tackled, as well as the dangers to workers associated with working through the COVID-19 pandemic.
- 28.** The Government representative of Argentina underscored the key role that efficient transport services had played in the context of the COVID-19 pandemic. In Argentina, public transport was heavily subsidized to ensure that services were available and accessible to all. The majority of transport work was in the formal economy, with collective bargaining well established; during the pandemic, every effort had been made to ensure the safety of drivers and passengers at all times. The pandemic had shed light on technological and financial challenges already inherent in the urban transport system, which it had exacerbated. The Meeting should work on recommendations that could guarantee formal employment, and access for workers and users with disabilities. His Government also wished to see recommendations with regard to strengthening occupational safety and health, in particular hours of work and hours rest for workers. Freedom of association and collective bargaining must be guaranteed, and inclusivity for workers and users alike was particularly important. Clear guidance was needed to overcome the economic inequality that was posing an obstacle to decent work.
- 29.** The Government representative of Brazil emphasized challenges with regard to the multifarious forms of ownership of UPT operations. No matter who operated a service, the State must always be responsible for overseeing services to ensure that they functioned adequately and that decent work standards were upheld. When considering privatizing or subcontracting services, financial balance must be ensured; thus far, privatization and subcontracting had not yielded efficiency gains. Robust contracts must be in place to regulate operations, avoid unnecessary risks and establish the obligations and duties, as well as the rights, of all involved, in particular including specific provisions on occupational safety and health. Urban infrastructure posed a challenge; even the best designed transport system could not function optimally if the urban infrastructure was not appropriate.

Technological change and upgrading of systems was costly, and therefore particularly problematic in low- and middle-income countries. Financial impediments to vehicle and fleet maintenance and upgrading threatened worker safety. Violence against UPT workers was increasing, posing not only a physical danger but also causing long-term psychological trauma and cultivating a culture of fear and stress. Lastly, workforce training and capacity-building was often lacking, and must be strengthened. All of those challenges also represented opportunities for change and development, to boost the quality and efficiency of UPT systems and improve working conditions for transport workers.

- 30.** A Worker representative from Colombia explained that an ambitious plan was in place to electrify the urban transport system in Bogota by 31 December 2021. While the change of energy source was appropriate and necessary, the reform of the transport system would result in the loss of some 6,000 jobs for formal workers who were not being offered employment alternatives. Many did not meet the age and physical health requirements to work in the new system. A further 20,000 informal, low-income workers would also likely lose their livelihoods. The municipal authorities saw the energy transition from a purely economic perspective. It was neither fair nor just for transport workers, and a significant increase in fares would result in the exclusion of many passengers. Corruption was endemic: some 60 per cent of the funds supposedly allocated by the municipal authorities to mitigate the economic impacts of the COVID-19 pandemic on the citizens of Bogota had gone straight into the pockets of Bogota's transport companies. The pandemic, and in particular the resulting increase in use of scooters, motor scooters and motorcycles, had increased transport and traffic chaos. The Meeting must ensure a frank and open discussion, and take measures to ensure that any transport system upgrade took account of the rights and needs of all stakeholders.
- 31.** A Worker representative from Germany gave three examples of situations in which privatization and subcontracting had negatively impacted workers and passengers. In Washington DC, the circulator service had been contracted out to a company that violated sick leave legislation, penalizing employees for taking sick leave. Failure to properly maintain vehicles had resulted in serious malfunctions with a bus fleet, which had left passengers stranded and threatened the safety of workers and the public. In the United Kingdom, maintenance and infrastructure improvements on the London Underground had been privatized, and work had not been delivered on time. In Germany, despite a 24 per cent passenger increase over 20 years, the workforce had been cut by 18 per cent through cost cutting and subcontracting. Collective agreements had eroded and replaced, lowering labour standards and reducing wages, despite an increase in workload.
- 32.** A Worker representative from the United States said that a deliberate flooding of the UPT market had resulted in deregulation of vehicles and a reduction of income for drivers, who were only paid when carrying passengers. Under the guise of flexible working arrangements, with ever-decreasing wages, workers were forced to extend their working hours to make ends meet financially. Such business models did not constitute sustainable employment. A significant amount of data was collected on drivers, involuntarily and beyond their control, in particular through passenger review mechanisms, which was used against them and to obfuscate decision-making processes.
- 33.** A Worker representative from the United Kingdom described abuses and attacks against transport workers in the United Kingdom, in particular during the COVID-19 pandemic, which not only constituted harassment in the workplace but also had serious implications for occupational safety and health. Violence and harassment in the workplace must be eliminated. UPT workers had been at the forefront of the response to the pandemic, and

had been disproportionately exposed to the virus. As a result, many were contending with the health impacts of long COVID. Mental health had also been severely impacted. Prior to the pandemic, noncommunicable diseases such as heart disease and diabetes, as well as fatigue, had been found to be particularly prevalent in urban transport workers, which indicated systemic occupational health issues that must be addressed. Informal workers who had no social protection were even more vulnerable to all threats. The response to and recovery from the pandemic afforded an opportunity to strengthen and uphold the obligation to ensure occupational safety and health in the transport sector.

- 34.** The Employer Vice-Chairperson cautioned that reliance on anecdotal arguments undermined global social dialogue; the Meeting had been convened to focus on global challenges and opportunities to ensure decent work for all and sustainable UPT services. Urban public transport systems, while organized in public space, were not a public good by definition; there were many examples of such systems being managed by entities that were not public authorities. Yet all operators shared common goals with respect to ensuring efficient, sustainable and comprehensive transport systems that were connected, complementary, sustainable, accountable, transparent, inclusive and safe, irrespective of who organized them. Similarly, the Meeting was not an appropriate forum to discuss employment status. Each form of employment, whether traditional hierarchy or platform-driven, or autonomous peer-to-peer, had its own value and place in the future of work. UPT systems had been hit hard by the pandemic, the number of workers had been reduced and the reputation of the sector had been damaged. The Meeting must focus on improving the quality and sustainability of the sector, and recovering from the impacts of the pandemic.
- 35.** The Government Vice-Chairperson underscored the importance of the appropriate collection, analysis and use of data for organizing and scheduling UPT services to meet passenger needs, in particular in the context of the COVID-19 pandemic, to prevent overcrowding for the safety of passengers and workers alike. Further data and information should also be collected to enable effective analysis of trends in service usage. Training, retraining and capacity-building for transport workers was particularly crucial to enable them to adapt to the rapid technological changes that were impacting their work.
- 36.** The Government representative of the Philippines pointed out that aside from the many challenges already mentioned, one of the perils of the shift to environmentally-friendly vehicles was the displacement of workers. In South-east Asia, many independent vehicle owners would lose their livelihoods when their vehicles became obsolete. Modernization should be used as an opportunity to upgrade systems and comply with accessibility standards, in particular for persons with disabilities, to increase the inclusivity of transport services. Small industry players could be encouraged to organize into cooperatives or social solidarity enterprises to enable them to weather the storm of modernization. Assistance should be offered in that regard.
- 37.** The Worker Vice-Chairperson pointed out that the term “public good” was understood, as defined in the Oxford English Dictionary, as “a commodity or service that is provided without profit to all members of society either by government or by a private individual or organisation”. The concept of a public good, as thus defined, was used in the SDGs, and was not an indication of ownership.

Discussion of point 2

What policies, measures and practices have worked, what has not worked, and what needs to be done to address these decent work challenges and opportunities?

38. The Worker Vice-Chairperson emphasized the close agreement between the Workers' and Employers' groups with regard to views on gender discrimination and gender-based occupational segregation in the UPT sector. Addressing gender inequality also meant addressing unfair competition and the deterioration of standards. The Workers' group had provided not anecdotes but rather a substantial body of research demonstrating that public ownership and operation brought potential advantages, including the possibility of cross-subsidizing loss-making and socially necessary services, access to less expensive finance and the integration needed to run efficient, sustainable services with decent working conditions. The advantages of remunicipalization and insourcing were well-evidenced. Standards should therefore be in place to assess the appropriateness of contracting out, based on quality service and conditions, as well as the costs and benefits of insourcing.
39. Governments had a key role to play when services were contracted out to the private sector, in line with the Labour Clauses (Public Contracts) Convention, 1949 (No. 94) and its attendant Recommendation (No. 84), to ensure that downward pressure was not exerted on wages and working conditions. Labour and gender equality standards, and chain of responsibility principles must be applied to tendering processes and reflected in service contracts. Exemplary legislation was in place in that regard in Germany and the United States, and a variety of international documents provided guidance on due diligence, which could be used in the development of national action plans on business and human rights, setting out public procurement policies that should be applied at the national and subnational levels. UPT was a sector comprised of contracting chains, which meant that traditional concepts of government and social partners were not sufficient to protect standards. The Meeting should therefore refer to the ILO guidelines on the promotion of decent work and road safety in the transport sector, which outlined responsibilities for transport buyers and chain parties.
40. In many developing countries, UPT was defined by informal services; inclusive informalization meant integrating informal services into public transport, through sustainable enterprises, and in consultation with informal workers. Her group called for inclusive processes to ensure a just transition and the creation of decent work. Regarding non-standard forms of employment, the Committee on Freedom of Association had long held the view that the full range of fundamental principles and rights at work, including the right to collective bargaining, were applicable to all workers, irrespective of employment status. While digitalization and the use of artificial intelligence could have benefits, their current mode of use increased pressure on workers and caused privacy problems, which had a negative impact on health and well-being and thus affected road safety. The use of data and of workers' rights to data collected from their work must therefore be regulated. In the context of the COVID-19 pandemic, deteriorating debt sustainability was limiting fiscal space and the ability to invest in UPT, in developing countries in particular. Debt-relief programmes should therefore be expanded, based on real debt cancellation and development assistance that supported sustainable funding models for UPT. UPT had significant social benefits, including job creation and emissions reduction; funding could be obtained through taxation and congestion charges, and by reallocating budget from other areas, such as highway construction. Governments must recognize UPT as a public good

and access to it as a basic human right. Legislation in that regard had been passed in France and Japan.

41. The Employer Vice-Chairperson said that the structural transformation of the urban transport sector towards green, sustainable services was a prerequisite to decent work, on which many countries were not making sufficient progress. In the short term, public and private transport operators must be able to continue their activities, which were essential for other parts of the economy, in particular the health sector, and for the mobility of disadvantaged groups. Economic support measures were needed in the context of the COVID-19 pandemic, which continued to threaten the economic viability of transport operators. A stable funding framework for urban transportation, through dedicated mobility funds and other support measures, was also essential. Safe and healthy UPT services must be ensured. Social dialogue was essential to ensure comprehensive consultations on health protection measures. Policymakers should support public awareness-raising to dispel misconceptions and restore trust in urban transport systems.
42. To foster inclusive, sustainable living, investment in UPT must be stepped up; efficient and inclusive UPT systems were the key to sustainable cities and successful urbanization. Competitive cities offered superior transportation infrastructure. Investments driven by innovation and service quality would create millions of jobs through expansion and renovation projects. Smart, inclusive and sustainable urban transport was a force for economic and social inclusion and positive environmental impacts. The ILO Global call to action for a human-centred recovery from the COVID-19 crisis that is inclusive, sustainable and resilient underlined the need for public and private investment in sectors hit hardest by the crisis, including the transport sector. For such investment to be successful, it must take account of the need for innovative technologies and other mechanisms, including artificial intelligence-based monitoring, green vehicles and digital dashboards. The private sector also had an important role, which should not be overlooked. Policy decisions must be made to facilitate public-private collaboration. In that regard, the International Labour Conference Conclusions concerning the promotion of sustainable enterprises (2007) called for cooperation to align enterprise growth with sustainable development, while ensuring decent and productive employment. In meeting the challenges of the pandemic, more flexible public-private partnerships had been formed, which could serve as an example for improving service agility.
43. Regarding the transition from informality to formality, opportunities offered by platform work should not be overlooked. Lifting vulnerable workers out of informal work should be a priority. The conclusions of the Meeting should draw on the Social Protection Floors Recommendation, 2012 (No. 202), taking in mind the specific needs and challenges of the urban transport sector. As economies reopened after lockdowns, it was particularly important to harness the full potential of technological progress and digitalization, as called for in the Global call to action. Smart urban planning should be combined with smart public transit systems, focusing on connectivity and complementarity. To encourage diversity in the workforce, the sector must be made more attractive and inclusive by offering flexible and safe working conditions. An increase in investment in training, skills development and lifelong learning, along with decent apprenticeships and career guidance, was essential. Employers needed a workforce with the necessary social and technical skills to master new technological advances.
44. Aiming for public-organized urban transport alone, to the exclusion of private operators, would not work. The potential of public contracting and subcontracting should not be ignored. The absence of a relationship between all stakeholders would also lead to failure;

unilateral strategies and planning by governments should be avoided. Unclear expectations and procurement tenders focusing on cost only, without taking into account desired service quality was also to the detriment of the sector. Insufficient and outdated maintenance practices must also be avoided at all costs. His group objected to references to ILO Convention No. 94. His group also did not support the promotion of cooperatives, since they tended not to keep up with technological innovation.

- 45.** The Government Vice-Chairperson underscored the importance of policymaking to ensure appropriate adaptation to technological development and to support efforts to keep the UPT sector up-to-date. Lessons should be learned from good practices in building and updating infrastructure. Accessibility was a particularly important issue, with regard to persons with disabilities, both from an infrastructure perspective and from the perspective of training workers. Accessibility from the perspective of diversity of the workforce and the gender dimension was also important. The COVID-19 pandemic had shed particular light on the importance of safety and health in the workplace. Examples of good practice in that regard included regular testing and the prioritization of urban transport workers in vaccination plans in Indonesia. She expressed support for the measures taken in the Philippines, where the solidarity economy and cooperative approaches to organizing urban transport workers were being encouraged, to allow workers in the informal economy to access social security and enable them to keep up with technological developments. At the same time, formalization was essential to overcome the challenges identified in the sector.
- 46.** Privatization models varied between national and regional contexts. A degree of flexibility was therefore required to ensure that whatever form the privatization of services took, including public-private partnerships, it was regulated effectively and led to the best possible quality of service, in particular given the role of UPT in accessing economic and social rights and social justice. Regarding public procurement, standards were required to ensure transparency and fairness in competition. Good examples of public procurement regulation frameworks could be found in the European Union and Latin America. Specific examples of good practice included measures taken during the pandemic to redeploy platform workers who had lost their jobs into the UPT sector, to ensure that they did not lose their livelihoods. Legislation on public procurement should be consolidated.
- 47.** Aspects that had not worked included lack of regulation, the inability of authorities and social partners to formalize large informal workforces, and the limited ability of many governments to identify and overcome the vulnerabilities of workers in non-conventional employment arrangements, such as platform workers, and to identify the policies needed to protect their labour rights. Labour inspection was also particularly important and required regulation. The reactive, rather than proactive, approach to labour inspection should be addressed. During the pandemic, good practices had been implemented in some countries with regard to enhanced cleaning for the safety of UPT users and workers, which had also contributed to increasing public trust in UPT services. Vehicle licensing and registration could be problematic and required more stringent regulation; good practices in that regard should also be shared. Decent work required robust, well-regulated institutions, with regular inspection, and with protection policies in place for workers, in particular with respect to social security coverage, training, upskilling and professional development, and the transition to the formal economy. UPT services must be up-to-date and environmentally and socially sustainable. Social dialogue was the key addressing all of those challenges.
- 48.** The Government representative of Iraq underscored the importance of government investment, in cooperation with the private sector, to overcome the economic pressures on

the UPT sector. Upskilling and increasing the capacity of the workforce was also essential; training and professional development must be incorporated into transport policies and planning. Data collection, analysis and the use of evidence must be harnessed to ensure a full picture of the development of the sector and to optimize future planning. In many countries, the rural to urban public transport connections were a crucial element of social and economic development, which required significant investment and expansion. Labour inspection and vehicle maintenance were essential aspects of public security and occupational safety and health for transport workers.

49. The Employer Vice-Chairperson noted the emphasis placed by several participants on the importance of optimizing research, data collection and analysis on all aspects and subtopics of the UPT sector to underpin future actions.
50. The Worker Vice-Chairperson supported the call for upskilling and training, while reiterating the need to mitigate the adverse effects of technological innovation on jobs and on workers' rights, in particular the health and safety implications as well as the financial impacts. Government control of access to data was particularly important, in line with the Employment Policy (Supplementary Provisions) Recommendation, 1984 (No. 169). Her group agreed with the Government group's comments on the importance of well-resourced labour inspections. She pointed out that Convention No. 94 was a well-ratified Convention, which had been included in the list of instruments in the International Labour Conference Conclusions concerning the promotion of sustainable enterprises (2007).
51. The Worker representative from Uganda emphasized the importance of integrating two-wheeler and three-wheeler vehicles and taxi mini-buses into formal public transport services. The success of large infrastructure projects depended on consultation with affected workers and those whose livelihoods depended on UPT services. An inclusive approach should therefore be taken, in which transport regulators and planning authorities built a positive relationship with trade unions, cooperatives and associations representing informal transport workers. Planning authorities must improve their knowledge of informal UPT in their cities by considering market structures, business models, employment and ownership relationships, as well as basic data on the size and composition of the workforce. Labour impact assessments should be conducted and potential job losses mitigated, with pathways identified for formal employment and high-quality jobs. The representation of informal transport workers and employers should also be strengthened. The ILO had a key role in capacity-building and development of workers' and employers' organizations.
52. The Worker representative from the United States observed that unions continued to struggle against the poor model of privatized public transport, noting that decisions to remunicipalize services had yielded positive results. In Cincinnati, Ohio, privatization had resulted in poor wages and untenable working conditions, leading to extreme frustration and low morale among workers. Evidence had supported the view that the service could be run more effectively and efficiently by the local transport authority, and the private contract had subsequently been terminated. Public authorities also had the capacity to improve standards by imposing tighter regulation on private operators. In the United States, a set of procurement standards for zero-emissions vehicles had been issued, which included provisions on training for workers in all aspects of operation and maintenance. Work was ongoing on apprenticeship projects in the United States and Canada to train the next generation of transport workers. Such measures would help ensure sustainable and decent jobs in UPT were available for decades to come.
53. The Government representative of Brazil agreed that standards could be upheld by strengthening regulation of the UPT sector. Under article 30 of the Constitution of Brazil,

public transport was deemed an essential service, with municipalities authorized to organize those services directly or to subcontract them. The choice to subcontract was not a definitive one; local administrations could resume operations. Legislation must be in place to set out the conditions for subcontracting and procurement, and to establish the key elements to be respected between the local authority and private operators. There must be respect for labour legislation, including guarantees of the right to collective bargaining, and of access for unions to negotiate terms of service delivery. Lastly, labour inspection was crucial; inspection systems and enforcement had not been as strong as they should have, functioning only in a reactive way to address problems, rather than a proactive and preventive manner. Lastly, with regard to the comments made by the worker representative from Uganda on two- and three-wheeled vehicles, authorities must include those workers in regulation and management of the UPT service system to ensure that their issues and interests were addressed properly.

54. The Employer Vice-Chairperson said that for the sake of the Meeting in which common ground was being sought, reference should not be made to Convention No. 94, which was out of date, too costly to apply and in contradiction with European Union guidance; many States parties no longer reported on its application. The Meeting should seek a sustainable future for an efficient and effective UPT sector, irrespective of whether operations were organized publicly or privately.
55. The Worker Vice-Chairperson said that an up-to-date and relatively widely ratified Convention should not be dismissed. The Workers' group would support stronger enforcement of Convention No. 94. There was no substantive evidence of mismanagement or maintenance issues in publicly owned transport operations. Discussions on the matter in the ILO, and the research referenced in the Meeting report, were, however, out of date; more research and data collection were needed to move the discussion forward, particular in the context of post-pandemic recovery and measures to mitigate the impacts of two substantial global economic and financial crises.

Discussion of point 3

Taking into account the great diversity in different countries and cities in the organization of urban passenger transport, what recommendations can be made for future action by the International Labour Organization and its Members (governments and employers' and workers' organizations) regarding the promotion of decent and sustainable work in urban passenger transport operations and services?

56. The Employer Vice-Chairperson said that governments should offer financial support to transport operators to meet short-term liquidity needs arising from the crisis. Efforts must be made to restore public trust in UPT systems by raising awareness of the health and safety measures taken by operators. The development of any health and safety recommendations linked to the pandemic must involve the social partners. In recovering from the pandemic, thought should be given to how to increase the resilience of UPT systems to future potential crises and support mobility strategies as part of national recovery.
57. Deficiencies in UPT systems should be addressed as a matter of priority, through public investment in physical and digital infrastructure, equipment and connectivity, and sustainable urban planning. Skills gaps must be bridged, which would otherwise widen with the uptake of new technologies. The help and knowledge of the private sector should be leveraged as a key ally in building the cities and UPT systems of the future; governments should thus adopt policies facilitating and attracting private investments in urban

infrastructure, and create an enabling environment for businesses, encouraging entrepreneurship and innovation. Efforts should be made to promote the uptake of new technologies, such as autonomous and electrified vehicles and artificial intelligence, and to encourage collaboration at all levels to develop emerging business models that addressed mobility challenges. Decent work opportunities in UPT in the digital era should be leveraged by facilitating access to all digital technologies, supporting fair competition and innovation, bridging the digital divide, and providing for flexibility and smart regulation. New technologies should also be harnessed to accelerate the transition to the formal economy. On inclusivity, governments and social partners should promote gender equality by empowering women as providers and users of UPT services.

- 58.** In the context of advancing a human-centred recovery from the COVID-19 crisis, the ILO should encourage its Members to generate employment-intensive investment, strengthen active labour market policies and promote an enabling environment for entrepreneurship and sustainable enterprises. The ILO should promote diversification and innovation to boost productivity, harnessing the fullest potential of technological progress and digitalization to create decent jobs and sustainable enterprises and promote skills development opportunities responsive to labour market needs. Data collection and use of evidence were particularly important in that regard, as was the exchange of knowledge and best practices on the social and economic impacts of the pandemic and on measures to build back better. Such information sharing should focus on the potential of new technologies and digitalization to improve safety and health of workers and users, service provision and planning, maintenance and human resources management, sustainable use of new technologies, potential for new green jobs, and change management.
- 59.** The ILO could assist its tripartite constituents by analysing current skills, workforce structure, and future skills needs in the light of technological developments, and by providing guidance on redressing skills imbalances. It could offer support to decision-makers for planning and implementing sustainable transport projects, and strengthen its collaboration with other specialized agencies working on UPT-related projects with a view to attaining SDG target 11.2. It should step up support to Member States for implementing the Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204), and incentivize government engagement with the private sector by advocating the added value and efficiency of private-public partnerships.
- 60.** The Worker Vice-Chairperson agreed with the Employers' group on several matters, including the importance of social dialogue and increased government support for health and safety measures in the context of the COVID-19 pandemic and the need to invest in workforce training and sustainable services. UPT should be seen as a basic right and a public good, equally accessible to all. Social partners should work together to encourage the use of public transport, and to ensure a just transition and the promotion of decent work by providing well-funded, safe, dynamic and high-quality UPT services. Cooperation and social dialogue, including collective bargaining, were needed to ensure healthy and safe working conditions and service provision in the context of COVID-19, implementation of the Violence and Harassment Convention, 2019 (No. 190) and its Recommendation No. 206, and due diligence and chain of responsibility models to promote responsibility for standards and safety across the sector.
- 61.** The social partners must work together to ensure transparency in funding, cost models and contractual relationships, and to guarantee transparency and fairness in the use of algorithms and workers' data. Every effort should be made to maximize the positive impacts of technological innovation, while mitigating any negative effects on employment. Decent

work and social protection should be provided for workers in non-standard forms of employment, in line with the Decent Work Agenda and the ILO Centenary Declaration. UPT jobs should be made more attractive to women, and women's employment boosted through implementation of the recommendations in the ITF/UITP Positive Employer Gender Policy.

- 62.** Governments should support the improvement and expansion of UPT services and decent work as central to sectoral recovery and climate response measures, in particular through ambitious modal share targets, public investment and the development of sustainable funding models. Policies should be enacted and funding models explored for UPT to support a modal shift, good job creation and social solidarity. Policies and standards should also set to assess the economic and social costs and benefits of public-private partnerships, contracting out and insourcing, and to support public ownership and operations. Governments should ratify and implement the Convention No. 94, give effect to its corresponding Recommendation No. 84, and apply other due diligence instruments to contracting chains in the UPT sector to create a chain of responsibility.
- 63.** With regard to informality, governments should put in place policies and models for workers in non-standard forms of employment, including through effective collective bargaining and social dialogue, for the protection of fundamental rights at work, adequate minimum pay, maximum limits on working and driving time, social protection and safety and health. Measures should be taken to prevent and address misclassification, including through the presumption of employee status, and policies should be put in place to ensure a just transition for workers in informal UPT services. Labour and gender impact assessments should be conducted for mass transit and formalization projects. Informal and formal workers' and employers' representatives should be included in consultations on passenger planning and regulation reform.
- 64.** Labour inspection and enforcement should be strengthened, and effective remedies ensured in the event of violations in formal and informal UPT services. Convention No. 190 should be ratified and implemented, and its corresponding Recommendation No. 206 applied. Efforts should be made to target the root causes of gender discrimination, by ensuring equal pay for work of equal value, protection against pregnancy discrimination, access to paid leave for caring responsibilities, decent sanitary facilities in the workplace and gender-responsive work environments and recruitment and retention policies.
- 65.** It was particularly important to monitor the impacts of technological innovation, electrification and modernization, as well as privatization, contracting out and subcontracting, and informalization, on employment, working conditions, health and safety and gender equality. Any negative impacts should be mitigated through social dialogue. Legislation and policies on government control and ownership of data, including rights and responsibilities in relation to workers' data, were also essential, and measures should be taken to ensure adequate standards were set for quality control of digital systems in the workplace.
- 66.** The ILO should design and implement development cooperation programmes and projects to advance decent work and just transition in UPT, as part of the recovery from the pandemic, and work United Nations entities and Member States to integrate decent work and just transition into sectoral measures on climate change mitigation. Disaggregated data should be collected on informal workers in the UPT sector. Information should be gathered on best practices in respect of implementation of Recommendation No. 204 and the ILO Guidelines for a just transition towards environmentally sustainable economies and societies for all, and a tripartite meeting of experts should be convened to prepare and adopt guidelines in that regard. Data and information should also be collected and shared on privatization, contracting out, subcontracting, remunicipalization and insourcing, and

their impact on decent work, employment and sustainability. Case studies on the application of Convention No. 94 and Recommendation No. 84 would be useful to assess best practices. Capacity-building measures should be taken to enable employers' and workers' organizations in the informal economy to constructively engage in negotiations on the transition towards formal and carbon-free UPT. Lastly, the ILO should promote the implementation of the Employment Relationship Recommendation, 2006 (No. 198), in the context of mobile application-based ride-hailing and other app-based UPT services, and promote ratification and implementation of Convention No. 190 and Recommendation No. 206.

- 67.** The Government Vice-Chairperson urged the ILO and its tripartite constituents to develop guidelines on formalizing the UPT sector, with a particular focus on platform work and on-demand services. Such guidelines, to be drafted by a tripartite meeting of experts, should focus on the provision of social security to workers in non-traditional forms of work, in particular platform work and on-demand services, who, having already fallen through social protection gaps, found themselves in a particularly dire situation during the COVID-19 pandemic. The guidelines should aim to help improve national regulation and address the lack of coordination between entities responsible for UPT services, including ministries of transport.
- 68.** The Government group was particularly concerned about the need to improve both the services provided and the working conditions in platform work, and the need to adequately regulate informal work, including in relation to the extension of social security, improved quality of labour inspection and related training, and protection of workers' rights. Identification of informal workers most vulnerable to exploitation and abuse should be a matter of priority. Support should be provided for the transition of informal economy workers to formal employment.
- 69.** With regard to occupational safety and health, social dialogue should be intensified on issues such as training, licensing and regulation of working hours. Information should be gathered and evidence used to effectively address urban violence and ensure public security. Vehicle maintenance programmes, including inspection, were vital. Efforts must be made to broaden inclusivity in the workforce, eliminate discrimination, and provide opportunities for professional development and lifelong learning. The ILO should collate information on challenges for the future of work in UPT services, as well as on just transition, in cooperation with other United Nations agencies.
- 70.** The Government representative of the Philippines encouraged the ILO to promote development cooperation and support from multilateral and development partners for setting up grants and exchange programmes for capacity-building, particularly on data collection, monitoring and evaluation, labour inspection and gender mainstreaming. Drivers and other workers should participate in the labour inspection process. The Office could usefully publish a reference compendium of cases, studies, statistics and best practices and actions by Member States. Her Government would appreciate technical and financial support from the ILO, particularly for the formalization of micro, small and medium-sized enterprises.
- 71.** A Worker representative from the United States expressed concern that in labour markets with persistent large-scale informality, workers were often excluded from contributory and non-contributory social security arrangements. The dual strategy of promoting horizontal and vertical extension of social protection coverage, as set out in the Social Protection Floors Recommendation, 2012 (No. 202) and Recommendation No. 204, was therefore vital. There were, however, in some countries, positive examples of extension of social security to

informal UPT workers through both contributory and non-contributory mechanisms. An example of the extension of social security to cover gig workers could be found in India. The opposite was the case in the State of New York, however, where gig and platform workers in the UPT sector had struggled to get a court ruling on unemployment insurance enforced. In labour markets with persisting disguised employment or misclassification, interim extension of social protection coverage was required in parallel to formalization efforts. In a context where technology-based platforms existed and were embraced by workers, all parties to must recommit to social protection.

- 72.** The Employer Vice-Chairperson stated that the Tripartite Meeting of Experts on Decent Work in the Platform Economy would be convened in 2022, and that no discussion in advance of that meeting would be accepted by his group. The ratification or effective implementation of ILO Conventions and recommendations fell within the responsibilities of each Member State. A sectoral meeting should not rediscuss, cherry-pick or partially reference existing international labour standards. The 109th International Labour Conference had concluded a recurrent discussion on the strategic objective of social protection (social security), which should not be reopened.
- 73.** The Government Vice-Chairperson, while acknowledging the forthcoming Tripartite Meeting of Experts, underscored the role of the present Meeting in discussing specific UPT issues arising out of the platform economy. The conclusions should flag the difficult issues faced by platform workers in the UPT sector, and the need, especially after the pandemic, to integrate them into social security systems and regulate new forms of informal work, for instance through licensing.
- 74.** The Government representative of Brazil stressed that governments alone could not implement the suggested solutions and good practices. Thorough cooperation with the social partners was required. His Government agreed that to tackle widespread informality, authorities must regulate transport systems, in particular through operation systems, permits and authorizations for operators, vehicle registration and periodic inspection. Comprehensive social security legislation combining contributory and non-contributory mechanisms should be enacted to cover all UPT workers, including non-wage-earning and small-scale professionals. Identification of vulnerable informal workers and their incorporation into social security schemes was essential, in particular from the perspective of access to healthcare and income security in case of sickness, maternity, unemployment, disability, old-age and death.
- 75.** Appropriate funds must be allocated for enforcing legislation applicable to the UPT sector, in line with the Labour Inspection (Mining and Transport) Recommendation, 1947 (No. 82). When subcontracting UPT services to private operators, governments should design financially and legally robust contracts, establishing all duties and responsibilities of the third party relating to the rights of the workforce, and containing provisions on cost recovery, air quality, labour standards and occupational safety and health. Laws and policies should be implemented to standardize training and licensing procedures, and to establish the duties and responsibilities of transport authorities or private sector entities as training providers. Periodic vehicle repair and maintenance programmes, including for self-employed and independent workers should be ensured. With regard to occupational safety and health, urban violence must be addressed to protect UPT workers. Decent workplace facilities, including sanitary facilities, must be included in UPT infrastructure.
- 76.** The Worker Vice-Chairperson agreed with many of the recommendations put forward by the Government group. The Meeting should draw on existing international labour standards and offer guidance on how to apply them to the UPT sector. The recent

International Labour Conference discussion on social protection, viewed from the context of UPT services, should be reflected in the conclusions. The first draft resolution put forward by her group focused on inclusive formalization and recommended the preparation of ILO guidelines in that regard, bringing together Recommendation No. 204 and the Guidelines for a just transition towards environmentally sustainable economies and societies for all. The second draft resolution stressed the vital role of the UPT sector in sustainable recovery and climate change response and the importance of collaboration between all stakeholders. The Meeting should consider both resolutions favourably. Many of the actions recommended in the discussions constituted joint responsibilities, which must be upheld, particularly in light of the COVID-19 pandemic and the environment crisis, and should therefore be highlighted in the conclusions.

- 77.** The Employer Vice-Chairperson expressed a preference for shared ownership and partnership approaches, seeking joint solutions, rather than extending responsibilities. With regard to social security, inspiration and common ground could be found in the 2021 ILC resolution concerning the second recurrent discussion on social protection (social security). “Non-standard forms of employment” was outdated terminology, which had been superseded by “diverse forms of employment”, although neither term was used in the Global call to action.
- 78.** The Government representative of Iraq highlighted the importance of adopting specific policies to develop high quality, affordable UPT services, limit death by accident in the transport system, broaden the participation of women in the sector, and boost accessibility of transport services for persons with limited income or with disabilities. Governments and private sector entities should share experiences and best practices, in particular with regard to research and development.

III. Consideration and adoption of the draft conclusions

79. At its third sitting, and in accordance with the provisions of article 13 of the [Standing Orders for technical meetings](#), the Meeting set up a Working Party to prepare draft conclusions taking into account the various views, proposals and suggestions made during the discussion in the Meeting.
80. The Working Party was chaired by the Chairperson Ms S. M. Janahi (Employer, Bahrein) and was composed of the following members:

Government group

Brazil	Mr B. Velasco
Chile	Mr E. Pérez Mendoza
Italy	Ms C. Messina
Mexico	Ms S. G. Luna Camacho

Advised by:

Philippines	Ms C. Daytec
Ukraine	Mr A. Nikitov

Employers' group

Mr K. de Meester (Belgium)
 Ms M. Hernández Castañeda (Costa Rica)
 Mr I. Macdonald (Ireland)
 Mr J. Kenny (UITP)

Advised by:

Mr M. Espinosa (IOE)

Workers' group

Ms M. Ball (Germany)
 Ms W. Liem (Republic of Korea)
 Mr J. M. Mwanika (Uganda)
 Mr M. Cortes (United Kingdom)

Advised by:

Ms M. Llanos (ITUC)
 Mr R. Subasinghe (ITF)
 Ms D. Cibrario (PSI)

81. The Working Party on Conclusions held one sitting and submitted its draft conclusions to the Meeting at the latter's fourth plenary.

82. At its fourth plenary sitting, the Meeting confined its discussion to the draft conclusions set out in document TMDWTS/2021/6.

Challenges to and opportunities for decent and sustainable work, and key drivers of change

Proposed paragraph 1

83. The Worker Vice-Chairperson proposed adding the word “Quality” before “UPT” at the beginning of the second sentence.
84. It was so agreed.
85. With regard to the third sentence, the Employer Vice-Chairperson suggested a compromise, which he hoped would meet the concerns of all groups, to read, “By providing mobility services to all, UPT is a basic service under public regulation that facilitates the right of movement of people, an enabler of other rights, and enabler of access to other vital services, and is a powerful driver of equity, development, sustainability, productivity and employment opportunities”.
86. The Worker Vice-Chairperson said that while her group could broadly agree to the proposed text, she wished to replace “the right of movement of people” by “mobility”. She also wished to insert the word “growth,” between “sustainability,” and “productivity”.
87. The Government Vice-Chairperson accepted the text, as presented by the Employers and amended by the Workers. Her group was particularly attached to the notion of public regulation.
88. It was so agreed.
89. The Employer Vice-Chairperson said his group could accept the amendments proposed by the Workers’ group to the fifth sentence, which would read, “Adequate and sustainable investments in UPT and coordination across UPT systems and all levels of government are needed to achieve decent and sustainable work and environmental sustainability.”
90. It was so agreed.
91. The Employer Vice-Chairperson said he could not accept the addition of a final sentence to the paragraph, regarding local authorities’ responsibility for the delivery of UPT, as proposed by the Workers’ group.
92. The Worker Vice-Chairperson withdrew the proposed amendment.
93. Paragraph 1 was approved as amended.

Proposed paragraph 2

94. The Worker Vice-Chairperson said her group could agree to the Employers’ proposal to insert “and sustainable” between “decent” and “work” in the first sentence.
95. It was so agreed.
96. The Employer Vice-Chairperson said his group could accept the additions to the list, as proposed by the Workers’ group, of aspects to which informal workers often lacked access. He pointed out, however, that occupational safety and health occurred twice in the sentence, having been proposed in one instance by the Workers’ group and in the second by the Government group.

97. The Government Vice-Chairperson said that her group also agreed to the proposed additions to the list, and withdrew her group's proposal to insert "occupational safety and health" between "income" and "productivity".
98. It was so agreed.
99. Paragraph 2 was approved as amended.

Proposed paragraph 3

100. The Worker Vice-Chairperson, supported by the Government Vice-Chairperson, suggested replacing "contributes" by "can contribute" in the first sentence.
101. The Employer Vice-Chairperson said that his group felt strongly that the text should remain factual at all times. The addition of "can" undermined the factual nature of the statement on the contribution of technological innovation; "contributes" would therefore be preferable to "can contribute". He withdrew an amendment to delete "At the same time, there are concerns related to" at the beginning of the second sentence. He wished to add "should be taken into account" at the end of that sentence.
102. It was so agreed.
103. The Employer Vice-Chairperson said that his group wished to delete the proposed third sentence, "Recent developments in some countries have weakened social dialogue and labour rights in UPT."
104. The Worker Vice-Chairperson withdrew a proposal to insert two new paragraphs after paragraph 3 regarding concerns and rights relating to data and algorithmic transparency, and instead proposed the addition of a compromise text, to read, "Social dialogue with algorithmic transparency can play a key role in the introduction of new technology by anticipating and managing the impact of change, building resilience and in adaptation. Social dialogue can help address challenges posed by new technology to decent work, including the right to organize, collective bargaining, workers' privacy, jobs and livelihoods. The acquisition of skills, competencies and qualifications can help workers navigate such technological transformations."
105. The Employer Vice-Chairperson, while appreciative of the constructive spirit in which the Workers' group had made that proposal, felt that the concerns with regard to data algorithms and transparency, already listed in proposed paragraph 3, should not be repeated. He suggested deleting the end of the proposed new paragraph, after the words "posed by new technology". He felt strongly that it was not appropriate to explicitly mention "collective bargaining", since social dialogue took diverse forms, which varied according to national conditions and practices.
106. The Worker Vice-Chairperson pointed out that collective bargaining had a particularly important role with respect to the introduction of new technology. It was therefore important to reference it specifically. The wording was in line with that used by other technical meetings of the ILO. Her group could agree to withdraw the proposed paragraph, provided a sentence could be added at the end of paragraph 3, to read, "Social dialogue, including collective bargaining, can help in addressing these concerns."
107. The Employer Vice-Chairperson reiterated his concerns but reluctantly agreed to the proposed wording.
108. Paragraph 3 was approved as amended.

Proposed paragraphs 3 bis and 4

109. The Worker Vice-Chairperson proposed the addition of a new paragraph 3 *bis*, to read “The public sector plays a key role in providing and regulating UPT.” With the addition of that text, her group could accept the deletion, in paragraph 4, of the words “In certain cases, improvements in quality and efficiency have been achieved. In other cases, it has led to reductions in the quality of services and even increased costs.”, as proposed by the Employers’ group.
110. The Employer Vice-Chairperson, supported by the Government Vice-Chairperson, agreed to that proposal but wished to delete the word “providing”, since the private sector could also provide UPT.
111. It was so agreed.
112. In the ensuing discussion, the Meeting agreed that rather than a standalone paragraph, the new sentence would be better added as the first sentence of paragraph 4.
113. The Worker Vice-Chairperson withdrew her group’s proposal to delete “under public and private operations” from the first sentence of proposed paragraph 4. She suggested bringing the second, third and fourth sentences into line with paragraph 3 of the Meeting report, “Available evidence suggests that there is no necessary correlation between efficiency and quality of public services and decentralization and privatization. In certain cases, improvements in quality and efficiency of public services have been achieved. The cases where these reforms have been successful have involved extensive social dialogue, transparency, adequate supervisory frameworks, open contracts and arrangements where employees have been protected.” “In recent years, a number of privatized public transport services have returned to public sector ownership (remunicipalization) in some countries”. The proposal by the Government group to add “and put downward pressure on working conditions and wages.” could be added after “protected”.
114. The Employer Vice-Chairperson said that the proposed amendments lacked balance. His group categorically objected to the proposed amendment, submitted by the Government group, to insert the words “and put downward pressure on working conditions and wages”; there was no causal link between quality of service and type of operator. An operator’s positive or negative performance was a question of good or poor management, not type of ownership. The main body of the conclusions should remain factual; suggestions for what measures might be needed should be limited to the recommendations section of the document.
115. The Government Vice-Chairperson agreed that the text should be succinct, balanced and factual.
116. The Worker Vice-Chairperson suggested removing the quotation from the text reproduced from the Meeting report. The paragraph would thus read, “UPT services are delivered under public and private operations with various degrees of outsourcing, with other forms of contracting and subcontracting of various functions. This can put downward pressure on working conditions and wages. In recent years, a number of privatized public transport services have returned to public sector ownership (remunicipalization) in some countries”.
117. The Government Vice-Chairperson considered the addition of “In recent years [...] in some countries”, unnecessary. She expressed concern that the original intention of the paragraph had been lost; her group had proposed, and still wished to see included, “To achieve decent work and respond to the diversity in context and fluctuating demand, policy responses

including the design of financially balanced, comprehensive and legally based contracts to regulate the terms of the operation are needed.”

- 118. It was so agreed.
- 119. The Employer Vice-Chairperson reiterated that his group still could not support the proposed text: downward pressure on wages was not a direct result of subcontracting or outsourcing. If consensus could not be found in that regard, paragraph 4 should be deleted.
- 120. The Worker Vice-Chairperson said that subcontracting had definitely placed downward pressure on working conditions and wages in most countries. However, in a spirit of compromise she suggested replacing the words” and put downward pressure on working conditions and wages” by “to promote level playing fields”.
- 121. It was so agreed.
- 122. The Employer Vice-Chairperson said the final sentence of the paragraph should read, “Decent work is a central element relevant to these policy responses.”
- 123. It was so agreed.
- 124. Paragraph 4 was approved as amended.

Proposed paragraph 5

- 125. The Worker Vice-Chairperson said that her group would not accept the replacement of “job security” by “job opportunities” as suggested by the Employers’ group, but could agree to “job security and opportunities”.
- 126. The Employer Vice-Chairperson said that the retention rates for women in UPT jobs tended to be lower than for men was not necessarily gender-related. He proposed “income security and job opportunities”.
- 127. The Worker Vice-Chairperson expressed significant disappointment in the view expressed by the Employers’ group, but did not wish to obstruct the proceedings.
- 128. Paragraph 5 was approved as amended.

Proposed paragraphs 6 and 6 bis

- 129. A new paragraph was proposed, to be added after paragraph 6, reflecting opportunities to balance the challenges referred to in paragraph 6.
- 130. The Worker Vice-Chairperson withdrew an amendment to delete “productivity gains”. Her group could not, however, accept the association between “diverse forms of work such as flexible working arrangements” and decent work.
- 131. The Employer Vice-Chairperson said that his group could accept the deletion of “productivity gains” and suggested replacing “flexible working arrangements, healthier and safer environments and better working conditions” by “increased working opportunities, better work-life balance and working conditions”.
- 132. The Worker Vice-Chairperson explained that her group objected to the reference to “diverse forms of work”. Language on opportunities, work–life balance and working conditions was of course acceptable.
- 133. The Government Vice-Chairperson said that the notion of “productivity gains” was particularly important for governments. Her group could accept “diverse forms of work”, and could agree to the further wording proposed by the Employers’ group.

- 134.** The Employer Vice-Chairperson said his group could accept the inclusion of “productivity gains”. Diverse forms of work were included in the ILO Centenary Declaration for the Future of Work. To ensure a balanced text, if decent work opportunities were not listed in the new paragraph, the decent work deficits listed in paragraph 6 should be deleted.
- 135.** The Worker Vice-Chairperson said that provided the references to occupational safety and health risks remained in paragraph 6, her group could accept the deletion of the sentence beginning “Other decent work deficits”, and the subsequent removal of the sentence “Other decent work opportunities [...]” from paragraph 6 *bis*.
- 136.** The Government Vice-Chairperson, while not wishing to stand in the way of consensus, expressed disappointment at the deletion of the list of other decent work opportunities from paragraph 6.
- 137.** Paragraphs 6 and 6 *bis* were approved as amended.

Proposed paragraph 7

- 138.** Paragraph 7 was approved.

Facilitating transition to formality and a just transition to decent and sustainable work

Proposed paragraph 8

- 139.** Paragraph 8 was approved

Proposed paragraph 9

- 140.** The Worker Vice-Chairperson said that her group had accepted references to productivity in certain contexts, but could not do so in this instance, and therefore wished to delete “will translate into increased productivity and”. A definite increase in productivity should not be mentioned without considering all possible influences.
- 141.** The Government Vice-Chairperson said that her group could not accept the deletion of the reference to increased productivity.
- 142.** The Employer Vice-Chairperson agreed. The paragraph referred to the formal economy and strong legal and institutional frameworks; the reference to increased productivity should remain. He proposed replacing “will translate into” by “contributes to”.
- 143.** It was so agreed.
- 144.** Paragraph 9 was approved as amended.

Proposed paragraphs 10 and 10 bis

- 145.** The Worker Vice-Chairperson supported the Government group’s proposal to add “, level playing fields and” after “fair competition” in the first sentence of proposed paragraph 10.
- 146.** The Employer Vice-Chairperson could not agree to the Workers’ group’s proposal to replace “market competition” by “fair competition”. He proposed keeping the Office’s proposed text but replacing “reconcile” with “can bring together” and adding “by creating a level playing field” at the end of the sentence.
- 147.** The Government Vice-Chairperson supported that proposal.

148. The Worker Vice-Chairperson proposed replacing “reconcile” by “can address”. Her group felt strongly that “fair competition” should be included. She could accept the addition of “by creating a level playing field” at the end of the sentence.
149. The Employer Vice-Chairperson said that social dialogue did not address fair competition. The wording as proposed by the Workers’ group was therefore not appropriate.
150. The Worker Vice-Chairperson therefore suggested removing “fair” and “market”, leaving “competition” without a qualifier.
151. The Employer and Government Vice-Chairpersons both expressed a preference for “reconcile” rather than “address”.
152. It was so agreed.
153. The Worker Vice-Chairperson said that her group’s position on the Employers’ proposal to move the text of proposed paragraph 12 to become a new third sentence in paragraph 10 would be contingent on the addition of a new paragraph 13, subparagraph (a) on social dialogue.
154. Following the discussion on paragraph 13, the Government Vice-Chairperson confirmed that her group could accept the insertion of the language from paragraph 12, with the addition of “and should be extended to all workers in the sector” at the end of the sentence.
155. The Worker Vice-Chairperson suggested a subamendment, to insert “for all workers in the sector” after “collective bargaining”.
156. It was so agreed.
157. It was agreed that the final sentence on sustainable investments and responsible procurement and contracting practices, would, at the suggestion of the Employers’ group, become a new paragraph after paragraph 10.
158. The Worker Vice-Chairperson withdrew an amendment to insert “along UPT contracting chains” after “contracting practices” and instead proposed inserting “applying to all contractors and sub-contractors in order to make quality of the service the decisive element in competition among bidders and thus to ensure public contracts do not exert downward pressure on wages and working conditions”. She wished to delete “public and private” before “UPT” at the end of that sentence.
159. The Employer Vice-Chairperson said his group could accept “applying to all contractors and sub-contractors” but could not accept the rest of the proposed insertion, since there were several decisive elements in tendering processes. He suggested reinstating the words “public and private” but moving them to between “all” and “contractors”.
160. The Government Vice-Chairperson supported that proposal.
161. The Worker Vice-Chairperson suggested adding “which focus on quality of service” before “applying to all public and private contractors and subcontractors in UPT”, in order to maintain the reference to quality of service without stating that it was a “decisive factor” in tendering.
162. It was so agreed.
163. Paragraphs 10 and 10 *bis* were approved as amended.

Proposed paragraph 11

164. The Employer Vice-Chairperson accepted the addition of “as well as psychosocial support and quarantine facilities” as proposed by the Government group and supported by the Workers.
165. Paragraph 11 was approved as amended.

Recommendations for future action by the International Labour Organization and its Members

Proposed paragraph 12

166. In the light of the discussions on paragraphs 10 and 13, paragraph 12 was deleted.

Proposed paragraph 13

167. Regarding the chapeau of proposed paragraph 13, in the light of an explanation by the Secretary-General of the Meeting regarding the Office’s choice of “together with”, which had been deemed symbolically stronger than “in consultation with”, the Meeting approved the chapeau.
168. The Worker Vice-Chairperson, in the light of informal discussions, presented a new subparagraph before subparagraph (a), to read, “engage in social dialogue to promote decent and sustainable work for all in UPT;”.
169. The Secretary-General of the Meeting said that the Office would recommend “effective social dialogue”.
170. It was so agreed.
171. The Worker Vice-Chairperson, in the light of informal discussions, presented a second new subparagraph before subparagraph (a) would read, “engage in promoting UPT as a basic service and an enabler of the right to free movement, and foster decent and sustainable work in UPT services;”.
172. The Employer Vice-Chairperson wished to delete the words “and an enabler of the right to free movement”.
173. It was so agreed.
174. With regard to proposed subparagraph (a), the Employer Vice-Chairperson said that his group would prefer to use the exact language of paragraph 13(v) of the Global call to action for a human-centred recovery from the COVID-19 crisis that is inclusive, sustainable and resilient, adopted by the 109th International Labour Conference.
175. It was so agreed.
176. Subparagraph (a) was approved as amended.
177. The Meeting approved a revised proposal for subparagraph (b), pre-agreed in an informal consultation.
178. Subparagraphs (c) and (c) *bis* were approved.
179. On subparagraph (d), the Worker Vice-Chairperson presented a compromise text, discussed in an informal consultation, which read, “engage in formulating and implementing a comprehensive and coordinated policy for the present and future of work in UPT, and

promote an enabling sustainable environment, including by addressing the funding needs of UPT systems, to generate, maintain and grow decent and sustainable work;”.

180. The Employer Vice-Chairperson said that “productive” should be inserted after “sustainable”.
181. It was so agreed.
182. The Employer Vice-Chairperson said that his group wished to see “private and public” added before “UPT systems”.
183. The Worker Vice-Chairperson said her group could not agree to the proposed amendment. She could also not accept the subsequent proposal from the Employers’ group to replace “system” by “operators”; the intention was to establish an integrated approach to UPT, coordinated in a holistic manner across all stakeholders.
184. The Government Vice-Chairperson suggested replacing “systems” by “sector” to avoid any reference to “private and public” and ensure the inclusion of all stakeholders.
185. It was so agreed.
186. Subparagraph (d) was approved as amended.
187. On subparagraph (e), the Employer Vice-Chairperson said that his group suggested replacing “including gender pay gap”, as proposed by the Government group, by “promote equal remuneration for women and men for work of equal value”.
188. The Secretary-General of the Meeting pointed out that standard ILO language would be “promote equal pay for work of equal value”.
189. It was so agreed.
190. Subparagraph (e) was approved as amended.
191. Subparagraphs (f) and (g) were approved.

Proposed paragraph 14

192. The Worker Vice-Chairperson could agree with the Employers’ proposed amendment to the first sentence, with the insertion of “their obligations in relation to” before “other international labour standards”.
193. It was so agreed.
194. With regard to the second sentence, the Employer Vice-Chairperson presented a suggestion, which had been pre-agreed informally, to read, “They should strengthen labour inspection systems by ensuring that they are well-resourced, including through adequate financial resources, duly qualified inspectors, proper equipment and training, and robust recruitment procedures.”
195. It was so agreed.
196. The Worker Vice-Chairperson proposed replacing the third sentence by, “Public and private UPT enterprises should respect human rights in line with the three pillars of the United Nations Guiding Principles on Business and Human Rights and the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy.”
197. It was so agreed.
198. Paragraph 14 was approved as amended.

Proposed paragraph 15

199. The Meeting approved the chapeau to proposed paragraph 15.
200. On subparagraph (a) the Employer Vice-Chairperson presented proposed wording, to read, “promote the ratification and effective implementation of international labour standards relevant to UPT and strengthen the capacity of constituents to support efforts to promote fundamental principles and rights at work to all engaged in the sector;”.
201. Following a discussion in which the Workers’ group urged respect for the principle of non-regression, and on the guidance of the Secretary-General of the Meeting , with the reassurances of the Legal Adviser that constituents could only be expected to act in line with their respective responsibilities, the proposed subparagraph was amended in line with the ILO Declaration on Fundamental Principles and Rights at Work (1998) and the ILO Social Justice Declaration (2008), to read, “[...] strengthen the capacity of constituents to respect, promote and realize the fundamental principles and rights at work [...]”.
202. Subparagraph (a) was approved as amended.
203. Subparagraph (b) was approved.
204. A new subparagraph after (b) had been proposed by the Workers’ group. The Employer Vice-Chairperson suggested a revised wording, to read, “in consultation with social partners, support governments to define a framework on data and data protection to ensure transparency and to comply with existing laws and guarantee the privacy and dignity of the worker;”.
205. The Worker Vice-Chairperson proposed inserting “and algorithms” after “data protection” and replacing “existing laws” by “fundamental principles and rights at work and international human rights law”.
206. The Employer Vice-Chairperson accepted the addition of “algorithms” but said that his group did not wish to remove the reference to existing law. He therefore proposed “to comply with existing national and international law and in respect of fundamental principles and rights at work,”.
207. The Government Vice-Chairperson said her group could accept the subparagraph, as amended by both the Worker and Employer groups.
208. Subparagraph (b) *bis* was approved as amended.
209. A further new subparagraph, proposed by the Workers’ group, was amended by the Employers’ group to read, “Support the sector as a significant employer;”.
210. It was so agreed.
211. Subparagraph (b) *ter* was approved.
212. The Worker Vice-Chairperson said that subparagraph (c) had been discusses informally, and the following wording agreed, “build the capacity of constituents and, where they exist, representative organizations of workers and employers in the informal economy, to develop strategies and engage in effective social dialogue to facilitate a transition to formality and enable a just transition to the future of work that contributes to sustainable development;”.
213. The Employer Vice-Chairperson added that the informal meeting had agreed to insert “including relevant authorities” after “constituents”, and “to promote the creation of decent and sustainable jobs in the formal economy” after “effective social dialogue”.

- 214.** Subparagraph (c) was approved as amended.
- 215.** With regard to subparagraph (d) the Worker Vice-Chairperson explained that there had been some difficulty reaching consensus. A compromise had been found through informal consultations, which would read, “collect good practices, data and develop research on transition to formality, skills acquisition, productivity and just transition to decent and sustainable work in the context of UPT, to inform further ILO tripartite action in the sector.”
- 216.** The Employer Vice-Chairperson added that, with the approval of the compromise text, proposed subparagraph (e) would be deleted, and his group would withdraw its proposed amendment to subparagraph (f).
- 217.** It was so agreed.
- 218.** The Government Vice-Chairperson expressed disappointment that there was no longer a specific reference to the development of guidelines.
- 219.** Subparagraph (d) was approved as amended.
- 220.** Subparagraph (e) was deleted.
- 221.** On subparagraph (f), the Employer Vice-Chairperson said that his group could accept the amendments proposed by the Workers’ group to replace “gender-based” by “gender responsive” and to insert “for technological change and just transition” after “forecast future skills needs”.
- 222.** The Worker Vice-Chairperson wished to insert “including” before “for technological change”.
- 223.** It was so agreed.
- 224.** Subparagraph (f) was approved as amended.
- 225.** With regard to subparagraph (g), the Worker Vice-Chairperson said that her group could accept the Employers’ request to insert “and sustainable” between “decent” and work”, but could not agree to the deletion of “including measuring the employment impacts of international public and private financing, in UPT”. The question of financing had been raised several times during the general discussion, and there was a role for cooperation between the ILO and international institutions, such as the World Bank. Her group therefore felt strongly that the reference should be included. She withdrew her group’s proposed amendment to include “decent work and discrimination”.
- 226.** Subparagraph (g) was approved as amended.
- 227.** Subparagraph (h) was approved.

List of the instruments and tools

- 228.** The Employer spokesperson expressed concern regarding the inclusion in the annex of outdated instruments, which, according to guidance given in the ILO Centenary Declaration, should not be promoted. The Employers’ group also objected to the inclusion of Office documents, such as the WASH@Work Handbook, OECD guidelines and European Union directives in a global document. The subheading “other international regulations” should be replaced by “other international documents”.
- 229.** The Legal Adviser clarified that provided an instrument had ratifications, it was remained relevant. It only became irrelevant when officially declared obsolete through abrogation by the International Labour Conference.

- 230.** The Legal Adviser to the Workers' group secretariat objected to the removal from the annex to any of the listed international instruments, and cautioned that the term "outdated" should not be used; while some of the instruments listed in the annex were deemed in need of revision, none had been classified as outdated by the Standards Review Mechanism. Occupational safety and health and labour inspection instruments relevant to the UPT sector should also be included, such as the Chemicals Convention, 1990 (No. 170), the Occupational Health Service Convention, 1985 (No. 161), and the List of Occupational Diseases Recommendation, 2002 (No. 194).
- 231.** It was so agreed.
- 232.** The Government Vice-Chairperson said her group accepted inclusion of all the documents listed in the annex and recalled that the annex was not intended to promote instruments, but rather to serve as guidance on relevant documents that could be of useful reference to the UPT sector. The following additional instruments had been important during the discussions and should also be included: the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), the Occupational Safety and Health Convention, 1981 (No. 155), and the Labour Inspection Convention, 1947 (No. 81).
- 233.** It was so agreed.
- 234.** The Secretary-General of the Meeting gave assurances that the annex was intended purely to serve as a reference, not to promote any international labour instruments over others. The secretariat would revise the annex, in line with the amendments agreed. Two of the instruments listed had been identified as requiring revision; the words "(instrument to be revised)" would be added in each case. The secretariat would also ensure that an appropriate title was added to the annex.
- 235.** The annex was approved on that understanding.
- 236.** The conclusions were adopted unanimously, section by section, as amended.

Geneva, 3 September 2021

(signed) Ms Sonya Mohamed JANAHI
Chairperson

IV. Conclusions on the future of decent and sustainable work in urban transport services ²

The technical meeting on the future of decent and sustainable work in urban transport services,

Having met from 30 August to 3 September 2021,

Adopts the following conclusions:

Challenges to and opportunities for decent and sustainable work, and key drivers of change

1. Urban passenger transport (UPT) services and operations keep cities moving. Quality UPT contributes to the achievement of many of the Sustainable Development Goals set out in the 2030 Agenda for Sustainable Development. By providing mobility services to all, UPT constitutes a basic service under public regulation. It is an enabler of other rights and of access to other vital services. It is a powerful driver of equity, development, sustainability, growth, productivity and employment opportunities. UPT should be accessible to all. It plays a vital role in enabling decarbonization, facilitating a modal shift away from individual vehicle use, and promoting the direct and indirect creation of decent green jobs. Adequate and sustainable investments in UPT and coordination across UPT systems and all levels of government are needed to achieve decent and sustainable work and environmental sustainability.
2. Informal transport operations pose a significant challenge to decent and sustainable work. Workers in informal UPT are particularly vulnerable, as they often lack access to fundamental principles and rights at work, decent working conditions, occupational safety and health, and social protection. They may have precarious livelihoods and low levels of income, productivity, skills, technology and capital.
3. Technological innovation contributes to service quality, accessibility, accountability, decent and sustainable work, and environmental sustainability. At the same time, there are concerns related to data algorithms, transparency, the right to organize and collective bargaining, and worker privacy. Training and skills, and the displacement of jobs and livelihoods should be taken into account. An effort should be made to build an integrated system that promotes the growth of technological innovation and mobility as a service and at the same time guarantees rights and protections for all workers. Social dialogue, including collective bargaining, can help in addressing these concerns.
4. The public sector plays a key role in regulating UPT. UPT services are delivered under public and private operations, with various degrees of outsourcing and other forms of contracting and subcontracting. Policy responses, including the design of financially balanced, comprehensive and legally based contracts to regulate the terms of operations, are needed to promote a level playing field in order to respond to diversity in context and fluctuating demand. Decent work is a central element relevant to these policy responses.
5. Women's rate of labour force participation in both formal and informal UPT remains low. Gender occupational segregation is prevalent, and women have typically less income security and job opportunities and work in lower paid jobs. While the sector is working

² In accordance with established procedures, these conclusions will be submitted to the 344th Session of the Governing Body of the ILO (March 2022) for its consideration.

towards achieving a more inclusive workforce, there are still significant barriers for women to enter and remain in the sector.

6. UPT workers can face a range of decent work deficits, including occupational safety and health risks such as fatigue, stress, musculoskeletal disorders, noncommunicable and communicable diseases, occupational diseases and a high risk of viral infection. They are also subjected to the harmful effects of noise, air pollution, congestion, crowding and heat stress. Violence and harassment and a lack of access to safe and secure welfare facilities, particularly bathroom, washing and other sanitary facilities, may affect both driving and non-driving UPT workers. Retention rates in the sector and its attractiveness have become a concern for all UPT operators. Social dialogue, effective management and public policies, in addition to technological innovation and decent welfare facilities, may address these decent work deficits.
7. At the same time, UPT can benefit from major decent work opportunities, including employment growth, improvements in job quality and incomes, productivity gains and social inclusion. Technological innovation may enable these decent work opportunities.
8. Necessary measures have been put in place to protect UPT operators, workers and passengers from COVID-19, but ridership has plummeted and jobs and livelihoods have been lost. Informal UPT workers and informal economic units often continued to work in order to maintain livelihoods, in spite of low income resulting from low wage rates or reduced paid work hours or work days, and lack of social security protection. The risk of infection with COVID-19 is higher for frontline workers in UPT and many have lost their lives to it. Sustained financial measures are needed for service and business continuity and to steer the sector towards a job-rich and sustainable recovery.

Facilitating transition to formality and a just transition to decent and sustainable work

9. Progressive transition to formality should aim to reduce decent work deficits in a way that also takes account of the interests of informal workers, while respecting workers' fundamental rights, ensuring opportunities for income security, livelihoods and entrepreneurship, and preventing informalization in the sector. Policies and programmes should be implemented in an integrated manner to ensure comprehensive, adequate and sustainable levels of social protection, while building access to universal social protection systems. Progressive transition to formality requires an integrated policy framework as set out in Recommendation No. 204.
10. Employment and economic impact assessments are useful for measuring the employment and decent work impacts of UPT projects. Strong legal and institutional frameworks and the creation of an enabling environment for sustainable enterprise development contribute to increased productivity and lead to improved environmental outcomes and decent work opportunities. Decarbonization efforts should be accompanied by just transition principles contained in the ILO's Guidelines for a just transition towards environmentally sustainable economies and societies for all. An enabling environment for sustainable enterprises, adequate professionalization of training of UPT workers, and skills development and lifelong learning strategies for all UPT workers can also effectively promote the transition to formality. This should be accompanied by robust labour law enforcement systems, including in respect of occupational safety and health provisions.
11. Social dialogue can be a strong driver for economic and social resilience and can reconcile competition and technological innovation with equitable access, decent work, and safety

for workers and passengers to create a level playing field. Institutions and mechanisms related to social dialogue, transparency, and governance and labour inspection frameworks should be robust to ensure decent work in UPT. Social dialogue, based on respect of freedom of association and the effective recognition of the right to collective bargaining for all workers in the sector, has a crucial role in the design of policies to promote decent and sustainable work in UPT.

12. Sustainable investments and responsible procurement and contracting practices, which focus on quality of service applying to all public and private contractors and subcontractors in UPT can contribute to the promotion of decent and sustainable work.
13. Occupational safety and health strategies, programmes and measures should be established for all UPT workers through adequate legislation, national policies and programmes and social dialogue. Urgent and concerted action is needed to ensure that UPT workers have timely, equitable, affordable and global access to quality, safe and effective COVID-19 vaccines. This action should include treatments and preventive measures, such as health technologies, diagnostics, therapeutics and other COVID-19 health products, as well as psychosocial support and quarantine facilities. Governments and social partners have an important role to play in raising awareness about infection control and vaccination possibilities.

Recommendations for future action by the International Labour Organization and its Members

14. Governments, together with workers' and employers' organizations, should:
 - (a) engage in effective social dialogue to promote decent and sustainable work for all in UPT;
 - (b) promote UPT as a basic service and foster decent and sustainable work in UPT services;
 - (c) harness the fullest potential of technological progress and digitalization, including platform work, to create decent jobs and sustainable enterprises, enable broad social participation in the benefits, and address the risks and challenges, including by reducing the digital divide between people;
 - (d) support the continuity, improvement and expansion of UPT and employment in the sector, including by addressing funding needs through sustainable funding models, extend the role of social dialogue in designing responses and national sectoral recovery plans and policies to help restore public confidence in UPT after the COVID-19 pandemic, and provide an effective climate response;
 - (e) promote the creation, attraction and retention of decent and sustainable jobs and working opportunities, and support business and service continuity and sustainable investment in the sector to ensure a job-rich, sustainable recovery;
 - (f) facilitate inclusive transition to formality and a just transition to more environmentally sustainable economies and societies;
 - (g) engage in formulating and implementing a comprehensive and coordinated policy for the present and future of work in UPT and promote an enabling sustainable environment, including by addressing the funding needs of the sector, in order to generate, maintain and grow decent and sustainable productive work;
 - (h) actively strengthen women's employment in the sector by promoting measures and actions to alleviate gender-specific obstacles to access the sector, including addressing root causes, combating occupational segregation and ensuring equal pay for work of

equal value, and promote career progression, including by introducing technology that enhances gender equality;

- (i) ensure adequate working conditions and safety and health at work and extend social protection to all UPT workers, regardless of the nature of their employment status or working arrangements, in order to promote decent and sustainable work, and achieve universal access to comprehensive, adequate and sustainable social protection, including nationally defined social protection floors, ensuring that, at a minimum, all in need have access to basic income security and essential healthcare over the life cycle, recognizing the full enjoyment of the right to the highest attainable standard of physical and mental health as being more important than ever; and
 - (j) develop or strengthen national, regional and local policies and strategies on professionalization, lifelong learning, skills development, and technical and vocational education and training that ensure decent and sustainable work in UPT.
- 15.** Governments have the duty to adopt, implement and effectively enforce national laws and regulations to ensure that fundamental principles and rights at work and ratified international labour Conventions apply to all workers, also taking into account their obligations under other international labour standards. They should strengthen labour inspection systems by ensuring that they are well-resourced, including through adequate financial resources, duly qualified inspectors, proper equipment and training, and robust recruitment procedures. Public and private UPT enterprises should respect human rights in line with the three pillars of the United Nations Guiding Principles on Business and Human Rights and the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy.
- 16.** The Office, in its follow-up to the obligations arising out of the ILO Centenary Declaration for the Future of Work and the Global call to action for a human-centred recovery from the COVID-19 crisis, should:
- (a) promote the ratification and effective implementation of international labour standards relevant to UPT and strengthen the capacity of constituents to respect, promote and realize the fundamental principles and rights at work for all engaged in the sector;
 - (b) strengthen its support for the design and implementation of recovery strategies of governments and employers' and workers' organizations to support them in their efforts to achieve a human-centred recovery that is sustainable, inclusive and resilient to the COVID-19 pandemic, covering formal and informal UPT;
 - (c) in consultation with the social partners, support governments in defining a framework on data, data protection and algorithms to ensure transparency and to comply with existing national and international law and in respect of fundamental principles and rights at work, and guarantee the privacy and dignity of the worker;
 - (d) support the sector as a significant employer;
 - (e) build the capacity of constituents, including relevant authorities and, where they exist, representative organizations of workers and employers in the informal economy, to develop strategies and engage in effective social dialogue to promote the creation of decent and sustainable jobs in the formal economy, to facilitate a transition to formality, and to enable a just transition to the future of work that contributes to sustainable development;

- (f) collect good practices and data and develop research on the transition to formality, skills acquisition, productivity, and just transition to decent and sustainable work in the context of UPT, to inform further ILO tripartite action in the sector;
- (g) support constituents in formulating and implementing skills development and lifelong learning strategies for UPT, with gender-responsive methodologies to forecast future skills needs, including for technological change, just transition and the sharing of good practices on professionalization, upskilling and reskilling;
- (h) design and implement development cooperation projects to advance decent and sustainable work and capacity development in UPT, including measuring the employment impacts of international public and private financing in UPT as part of the recovery from the COVID-19 pandemic, keeping in mind the diverse circumstances, needs, priorities and levels of development of its Member States; and
- (i) reinforce its cooperation with relevant multilateral and regional organizations to promote decent and sustainable work in the sector aimed at mobilizing a strong and coherent global response in support of human-centred recovery strategies that are inclusive, sustainable and resilient, including working more closely with the United Nations Framework Convention on Climate Change (UNFCCC) secretariat, under the auspices of the ILO/UNFCCC Memorandum of Understanding, to implement activities in UPT.

Non-exhaustive list of ILO declarations, instruments and tools relevant to urban passenger transport

List of the instruments and tools

Declarations

- Centenary Declaration for the Future of Work (2019)
- Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (2017)
- Declaration on Social Justice for a Fair Globalization (2008)
- Declaration on Fundamental Principles and Rights at Work (1998)

International Labour Conference

- Global call to action for a human-centred recovery from the COVID-19 crisis that is inclusive, sustainable and resilient (2021)
- Conclusions concerning Decent Work in Global Supply Chains (2016)
- Conclusions concerning the Promotion of Sustainable Enterprises (2007)

International labour standards

Fundamental Conventions:

- Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)
- Right to Organise and Collective Bargaining Convention, 1949 (No. 98)
- Forced Labour Convention, 1930 (No. 29) (and its 2014 Protocol)
- Abolition of Forced Labour Convention, 1957 (No. 105)
- Minimum Age Convention, 1973 (No. 138)
- Worst Forms of Child Labour Convention, 1999 (No. 182)
- Equal Remuneration Convention, 1951 (No. 100)
- Discrimination (Employment and Occupation) Convention, 1958 (No. 111)

Technical Conventions and Recommendations:

- Hours of Work and Rest Periods (Road Transport) Convention, 1979 (No. 153) (instrument to be revised)
- Hours of Work and Rest Periods (Road Transport) Recommendation, 1979 (No. 161) (instrument to be revised)
- Labour Inspection Convention, 1947 (No. 81)
- Labour Inspection Recommendation, 1947 (No. 81)
- Labour Inspection (Mining and Transport) Recommendation, 1947 (No. 82)
- Labour Clauses (Public Contracts) Convention, 1949 (No. 94)

- Labour Clauses (Public Contracts) Recommendation, 1949 (No. 84)
- Labour Relations (Public Service) Convention, 1978 (No. 151)
- Labour Relations (Public Service) Recommendation, 1978 (No. 159)
- Employment Policy Convention, 1964 (No. 122)
- Employment Policy Recommendation, 1964 (No. 169)
- Minimum Wage Fixing Convention, 1970 (No. 131)
- Minimum Wage Fixing Recommendation, 1970 (No. 135)
- Protection of Wages Convention, 1949 (No. 95)
- Protection of Wages Recommendation, 1949 (No. 85)
- Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)
- Promotional Framework for Occupational Safety and Health Recommendation, 2006 (No. 197)
- List of Occupational Diseases Recommendation, 2002 (No. 194)
- Chemicals Convention, 1990 (No. 170)
- Occupational Health Services Recommendation, 1985 (No. 171)
- Occupational Cancer Recommendation, 1974 (No. 147)
- Occupational Safety and Health Convention, 1981 (No. 155)
- Occupational Safety and Health Recommendation, 1981 (No. 164)
- Night Work Convention, 1990 (No. 171)
- Night Work Recommendation, 1990 (No. 178)
- Workers with Family Responsibilities Convention, 1981 (No. 156)
- Violence and Harassment Convention, 2019 (No. 190)
- Violence and Harassment Recommendation, 2019 (No. 206)
- Termination of Employment Convention, 1982 (No. 158)
- Termination of Employment Recommendation, 1982 (No. 166)
- Communications within the Undertaking Recommendation, 1967 (No. 129)
- Human Resources Development Convention, 1975 (No. 142)
- Human Resources Development Recommendation, 2004 (No. 195)
- Employment Injury Benefits Recommendation, 1964 (No. 121)
- Collective Agreements Recommendation, 1951 (No. 91)
- Migrant Workers Recommendation, 1975 (No. 151)
- Promotion of Cooperatives Recommendation, 2002 (No. 193)
- HIV and AIDS Recommendation, 2010 (No. 200)

- Employment Relationship Recommendation, 2006 (No. 198)
- Social Protection Floors Recommendation, 2012 (No. 202)
- Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204)

Other ILO instruments and tools:

- Guidelines on the promotion of decent work and road safety in the transport sector (2019)
- Guidelines on decent work in public emergency services (2018)
- General principles and operational guidelines for fair recruitment (2016)
- WASH@Work: a Self-Training Handbook (2016)
- Guidelines for a just transition towards environmentally sustainable economies and societies for all (2015)
- Global Jobs Pact (2009)
- Code of practice on workplace violence in services sectors and measures to combat this phenomenon (2003)
- Guidelines on occupational safety and health management systems (ILO-OSH 2001)
- Code of practice on the protection of workers' personal data (1997)

Other international regulations:

- United Nations Guiding Principles on Business and Human Rights (2011)

V. Closure of the meeting

The Secretary-General of the Meeting congratulated participants on the positive outcome to the Meeting, and hoped that the agreed conclusions would provide inspiration and lead action at the national, regional and international levels to promote decent work and social dialogue in UPT. She thanked all those who had contributed to the discussions for their commitment and perseverance.

The Employer spokesperson thanked all participants for their flexibility, in particular with regard to the unforeseen early departure of the Employers' group Vice-Chairperson. He welcomed the agreement reached despite the difficult subject, and hoped the conclusions would help overcome the challenges currently faced by the UPT sector, including those related to the COVID-19 pandemic.

The Worker Vice-Chairperson withdrew the two draft resolutions submitted by her group; the concerns expressed in which had been deemed adequately met by the conclusions of the Meeting. With regard to the transition to formality, her group had hoped for a specific reference to the need for future ILO guidelines. The commitment to research and data gathering, which would guide the ILO and tripartite constituents towards an inclusive and just transition to sustainable and decent work in UPT, was welcome. She thanked all participants for their engagement and applauded the strong conclusions.

The Government Vice-Chairperson said that the brilliant results and adoption of the Conclusions were a testament to the strong interest in this very important sector. She thanked the Chairperson, Vice-Chairpersons and secretariat of the meeting. Speaking in her national capacity, she noted it had been an honour for her country, Mexico, to have been selected to chair the Government group for this meeting. The sector was highly relevant in the Mexican context, since more than 75 per cent of the population already lived in urban areas. She regretted that trade unionist and an active member of the ITF's urban transport committee, Mr Benito Bahena y Lome, had passed away a few months before the meeting.

The Chairperson praised the constructive approach to the Meeting, which had allowed much to be achieved over a short period of time and under challenging circumstances. She noted that the COVID-19 pandemic had heavily impacted the sector and operators had gone above and beyond to ensure business and service continuity, even in the most challenging situations. Workers and enterprises needed support and an enabling environment. And the conclusions demonstrated the potential of effective social dialogue to find solutions to difficult situations and to promote decent work. She thanked all those involved and declared the meeting closed.