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6B

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Report of the Recurrent Discussion Committee on Labour Protection

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Introduction

1. The Recurrent Discussion Committee on Labour Protection set up by the Conference, at its first sitting on 5 June 2023, initially consisted of 171 members (97 Government members, 6 Employer members and 68 Worker members).
2. The Committee elected its Officers as follows:

Chairperson: H.E. Mr Marc Pecsteen de Buytsverve (Government member, Belgium) at its first sitting

Vice-Chairpersons: Mr Guido Ricci (Employer member, Guatemala) and Mr Magnús Norðdahl (Worker member, Iceland) at its first sitting

3. The Committee elected at its fourth sitting on 12 June:

Reporter: Ms Nothhurge Ditengou (Government member, Gabon)

4. At its third sitting, the Committee appointed a drafting group composed of the following members to prepare and submit a set of draft conclusions for consideration by the Committee:

Government members: Ms S. Morgan and Mr J. Dale (United States of America), Mr G. Candemil (Brazil), Mr H. Chikova (Zimbabwe), Mr A. Mangala (Democratic Republic of the Congo), Mr D. Kihara (Japan), Mr M.H. Abd Salam (Malaysia), Ms N. Del Sante (Sweden), Ms P. Kaur (Norway)

Employer members: Mr G. Ricci (Guatemala), Mr J. Cordero (Argentina), Ms S. Janahi (Bahrain), Mr F. Ahmed (Bangladesh), Ms J.N. Andriamamonjarison (Madagascar), Ms S. Jantjies (South Africa), Ms C. Barsan (Germany), Mr F. Dreesem (Denmark)

Worker members: Mr M. Norðdahl (Iceland), Ms E. Arcos (Philippines), Mr C. Serroyen (Belgium), Mr G. Zuccotti (Argentina), Mr A. Amoussou (Benin), Ms A. El Amri (Morocco), Ms M. Akosua Karimu (Ghana), Mr P. Dimitrov (Bulgaria)

5. The Committee had before it Report V, entitled *Leaving no one behind: Building inclusive labour protection in an evolving world of work*, prepared by the International Labour Office for a recurrent discussion of the fifth item of the agenda: "A recurrent discussion on the strategic objective of social protection (labour protection), under the follow-up to the ILO Declaration on Social Justice for a Fair Globalization, 2008, as amended in 2022".
6. The Committee held 12 sittings.
7. The representative of the Secretary-General (Ms Manuela Tomei, Assistant Director-General) noted that the second recurrent discussion on social protection (labour protection) was part of the follow-up to the ILO Declaration on Social Justice for a Fair Globalization (2008), as amended in 2022 (Social Justice Declaration) and was taking place eight years after the first recurrent discussion. The Declaration outlined clearly that the two pillars of social protection, mainly

social security and labour protection were complementary. The ILO Centenary Declaration for the Future of Work, 2019 (Centenary Declaration) indicated the continued relevance of the employment relationship as a means of providing certainty and legal protection to workers and was crucial in the transition to formality. The different dimensions of labour protection namely wages, working time, occupational safety and health (OSH), and maternity protection, were interlinked and complementary elements, as emphasized already in the conclusions concerning the recurrent discussion on social protection (labour protection) adopted in 2015. These interlinked dimensions were also central to a youth-centred recovery strategy for inclusive, sustainable, and resilient development. The recurrent discussions should also be seen as a contribution to the UN agenda for sustainable development, especially to Sustainable Development Goal (SDG) 8 which aimed at full and productive employment, decent work for all workers, equal pay for work of equal value, protection of labour rights and health and safe working environments to all workers, including migrant workers, in particular women migrants and those in precarious employment.

8. While encouraging progress had been made since 2015, the recent crisis has had significant implications for labour protection, with particularly challenging working conditions for migrant workers, refugees, workers with disabilities, workers with HIV/AIDS, and indigenous workers. Wage employment had increased, and temporary employment and technology-driven work were growing fast. Minimum wages existed in most countries but enforcement remained challenging, and a high share of workers worked long hours while in part-time employment. There was uneven progress on OSH, which had recently been recognized as a fundamental principle and right at work. Informal employment had increased. Progress on gender equality had been hampered by the COVID-19 pandemic and major disparities remained on work, wages and protection. Labour protection needed to be adequate, inclusive and effective, which entailed that the needs of both workers and employers should be taken into account, adequate protection for all should be ensured, and gaps in legislation and its enforcement addressed. Drawing on the review of the policies and measures adopted by Member States over the past eight years, she listed several preconditions for the advancement of labour protection as part of the Decent Work Agenda, namely, sound tripartite and bipartite dialogue, including collective bargaining; ratification and implementation of fundamental Conventions; harnessing opportunities and minimizing challenges of digitalization; addressing the undervaluation of care work; promoting of work-life balance and investing in the care economy; promoting an integrated framework for labour protection; synergies with the other strategic objectives of the Decent Work Agenda; and tailored approaches that take into account national circumstances, needs and priorities.

Opening statements and discussion point 1

9. The Employer Vice-Chairperson recalled that the purpose of the discussion was to review the success of ILO's interventions around labour protection and to formulate recommendations to enhance such support in a changing global economy. The debates should not be general policy discussions. It was necessary to recognize the progress that had been made in labour protection since 2015, including efforts made by employers to realize effective labour protection during COVID-19, before agreeing on the best way forward. He stressed that principles regarding labour protection for workers had considerable implications for enterprises, including regarding the associated costs, which should be considered in the discussions. He pointed out the need for the creation of sustainable economic environments in which enterprises could grow. He also stressed the need to focus on the core pillars of labour protection, namely working time, wages and OSH, as included in the Social Justice Declaration,

as well as maternity and employment protection. The discussion should not extend to other issues that were the purview of other ILO bodies and that might be controversial. He also highlighted the importance of recognizing the diversity of economic actors, the special needs of small and medium-sized enterprises (SMEs), and the need to balance their needs with those of workers with respect to the provision of labour protection.

10. With respect to the first point of discussion, he noted that undeniable progress has been made with regards to the different dimensions of labour protection since the recurrent discussion in 2015. The transformative change brought by recent technological advancements had generated new demands for work through new types of employment opportunities, particularly for young people, women and migrant workers, for whom it was important to extend labour protection. He outlined how the pursuit of equal pay for work of equal value and the need to tackle the persistent gender pay gap was essential, including through the establishment of effective legal frameworks and ensuring fair hiring processes.
11. He noted progress in each of the four main areas of labour protection. Many countries had adopted minimum wages either through statutory or negotiated measures, many of which were regularly being updated. The standard workday and workweek had also reduced in many countries, and there were more countries providing flexible working arrangements benefitting employers and workers. He also noted that several countries had adopted national measures regarding care work, including in many instances in concert with care economy stakeholders, and had introduced measures to enact paid maternity leave since the adoption of the Maternity Protection Convention, 2000 (No. 183). He further noted the reduction in reported work-related injuries and illnesses.
12. There nevertheless remained persistent challenges to ensuring labour protection, such as the continued prevalence of informality, which endangered labour and social protection systems. In particular, he noted that migrant and domestic workers and workers with disabilities were often working in informal employment without access to labour protection and that oftentimes overly complicated labour legislation could hamper enforcement. He stated a number of priorities to address these challenges, namely: that employers' and workers' organizations and social dialogue must play a lead role in the extension of inclusive labour protection; and that labour protection must be adequate, while taking into account national circumstances, diverse forms of work arrangements, and possible negative externalities on labour markets. He particularly noted that the protection of the traditional employment relationship could not be replicated or transposed to all workers. Finally, he called for the need to create an enabling environment for sustainable enterprises to generate formal and productive jobs, as the main gateway for ensuring protection at work, and to promote enterprise growth and transitions from the informal to the formal economy, account taken of the specific challenges that many SMEs faced.
13. The Worker Vice-Chairperson pointed to the green, technological, digital, and demographic transitions, as well as the ongoing recovery from the pandemic, against a backdrop of widening inequalities observed both within and between countries. The strengthening of labour protection for workers was essential to build resilience and promote an inclusive recovery, but evidence showed that too many workers fell outside of the scope of labour protection systems. Too many also worked in extreme poverty, working excessive hours, either without minimum wage coverage, whether de jure or de facto. As a result, workers were receiving inadequate pay to provide for themselves and their families, with women systematically paid less than men for work of equal value, widening inequalities.

14. He recognized some groups of workers as particularly vulnerable, such as self-employed workers, platform workers, workers on variable working hours contracts, and workers in non-standard forms of employment. Migrant women workers, home-based workers and domestic workers remained disproportionately excluded from labour protection. He lamented the increase in employment insecurity and the growth of precarious and non-standard forms of employment. Their proliferation stemmed from inadequate regulation or active deregulation; the decentralization of collective bargaining; the pressure exercised by the global labour system on international labour standards; and the downward competition among countries incentivized by the current globalization framework including the exclusion or deliberate non-enforcement of labour protection in special economic and export processing zones.
15. Labour protection should be ensured through a strong intersectional lens to tackle gender inequality and other forms of discrimination based on race, ethnicity, migration status, indigenous status, age, and other factors. Women remained over-represented in the informal economy. Younger workers in certain apprenticeships and internships were remunerated below the minimum wage. Irregular and unpredictable working time arrangements and a lack of specified daily rest periods were widespread and caused stress and financial insecurity. Low wages and limited access to quality employment also contributed to widespread migration. Digitalization and automation and the transition to a low carbon economy had the potential to create jobs, but it was crucial that such jobs enjoyed labour protection. While new technologies facilitated telework arrangements thus contributing to greater flexibility, they could also create significant stress for workers if not accompanied by the right to disconnect. Ensuring adequate, inclusive and effective labour protection to all workers therefore required an approach to apply such protection without discrimination, regardless of contractual arrangements and type of employment. Labour regulations would have to be updated and strengthened to respond to these new challenges, and to tackle labour market discrimination. To ensure the protection of workers in non-standard forms of employment, it was important to address misclassification to ensure employer accountability, and to extend labour protection beyond those engaged in wage employment. ILO standards provided an important framework, and these should be ratified and implemented.
16. The Government member of Gabon, speaking on behalf of the Africa group, emphasized the importance of including categories of workers such as migrant workers, workers with disabilities, domestic workers, workers in the informal economy and in non-standard forms of employment, agricultural and the self-employed workers within the scope of legislation tackling the different aspects of labour protection. Since 2015, several African countries had taken legislative, regulatory and practical measures to that end. The protection of workers should be based on the ILO Declaration on Fundamental Principles and Rights at Work (1998), as amended in 2022, and on the principles and provisions of international labour standards. Measures would also have to be adapted to the changes in the world of work, which had had a considerable impact on working conditions. He noted that ensuring effective protection required compliance with and application of legislation, regulations and collective agreements, as well as taking into account the diversity of the world of work in its entirety. This principle, however, held many challenges, including those related to informality, to particular forms of employment and work arrangements and those related to the lack of financial and human resources in labour inspections, as well as the need to strengthen the capacity of social dialogue bodies. He welcomed the inclusion of a safe and healthy working environment as a fundamental principle and right at work and encouraged tripartite constituents to support its promotion. He called for efforts by employers to ensure safe and healthy working environments, and for capacity building of OSH specialists.

17. The Government member of Sweden speaking on behalf of the European Union (EU) and its Member States, indicated that Bosnia and Herzegovina, Georgia, Iceland, Montenegro, Norway, North Macedonia, Türkiye, and members of the European Economic Area aligned themselves with her statement. The ongoing transformations caused by the future of work drivers, including climate change, demographic shifts, globalization, and digital and technological changes posed new challenges to secure adequate, effective, and inclusive labour protection. It was important to tackle labour protection with specific attention to vulnerable groups considering the intersectionality of vulnerabilities; addressing significant and persistent gender gaps; and promoting the transition to the formal economy since high levels of informality posed a threat to ensuring labour protection to all. Adequate minimum wages, statutory or negotiated, were equally important, as not all wage earners were effectively protected against unduly low pay. Climate change and outbreaks of biological agents, epidemics and pandemics highlighted the need to ensure OSH for all workers.
18. Digitalization and the use of automated monitoring and management tools provided both opportunities and challenges to the world of work and there was a need to proactively evaluate if the labour protection policies in place could meet those challenges while enabling employment opportunities to be realized, including through reskilling and upskilling and giving due consideration to workers' rights in new forms of work. She stressed the role that effective collective bargaining could play in contributing to design, improve and ensure adequate labour protection for all workers.
19. The Government member of Brazil speaking on behalf of the Group of Latin American and Caribbean Countries (GRULAC), noted that labour protection was an essential element for social justice and the promotion of decent work. Recent years had seen growing informality and a significant increase in the number of people in specific forms of employment and work modalities, such as temporary employment, work on digital platforms, telework and hybrid work. Those activities still lacked adequate regulation and, therefore, might have contributed to the precariousness of working conditions.
20. Some groups of workers, including migrant workers, workers with disabilities, domestic workers, workers in risky or high-exertion activities, home-based workers and young people, tended to be more exposed than others to inadequate labour protection calling for mechanisms aimed at the most vulnerable groups to combat labour informality through expanding social protection. Reaching gender equity in the labour market would require an integrated approach through the introduction of sufficient regulatory instruments and their effective implementation considering the characteristics of each country.
21. The Government member of Belgium called on the ILO to continue to support the Member States in ensuring healthy and safe working conditions, to promote social dialogue and collective bargaining especially for vulnerable groups as well as equal protection for all workers, including those in the informal economy and in non-standard forms of employment. He noted that it was necessary to focus on inclusion and to adapt social protection to the evolution of the world of work. He drew attention to the persisting gaps in terms of the inclusion of vulnerable groups which include women as well as migrant and domestic workers. Some specific forms of work organization such as temporary work and teleworking posed specific challenges. He noted that Belgium considered it important to closely monitor the consequences of a changing reality on the global labour market and to continue to assess the relevance and appropriateness of existing policies, including through the engagement of social partners.

22. The Government member of Indonesia stated that Indonesia remained committed to ensuring inclusive labour protection. Indonesia had developed comprehensive labour protection, covering wages, working time and work organization, OSH, maternity protection, migrant workers, and workers with disabilities. She noted that labour inspection was essential in ensuring labour protection and that Indonesia continuously strengthened its labour protection mechanisms. She encouraged the ILO to optimize collaboration with Member States in strengthening labour protection, particularly on designing labour protection for teleworkers, to ensure workers retain their rights to maintain a work-life balance; strengthening capacity to develop better protection measures to migrant workers, notably in ensuring safe and orderly migration; ensuring protection to those working in difficult and dangerous situations, such as in fishing industries.
23. The Government member of Norway stated that labour market policy was a priority for the Norwegian Government. During the last years, the Government had initiated several important amendments in the Working Environment Act through the active engagement of social partners to reduce the use of part-time workers, remove the possibility to hire temporary employees for up to 12 months without justification and further develop the notion of employee to reduce “grey areas” in working life and clarifying the roles and responsibilities that applied to employers and employees.
24. The Government member of the United States noted that freedom of association and collective bargaining were enabling rights and the cornerstone of improving labour market competition and, more broadly, pivotal to mitigate economic dynamics that kept wages down. Progress in reducing the gender pay gap in many countries had been slow and workers in certain sectors, such as the care and platform economies, could experience inadequate labour protections. Moreover, many workers were wrongly classified as independent contractors, in effect receiving less compensation and fewer protections than their counterparts who were classified as employees. Modernizing regulations relating to minimum wages and equal pay measures could help reverse some of these trends. Workers’ pay, before overtime, tips and commissions, should be fair, transparent, and equitable, in line with the preamble of the ILO Constitution’s call for an adequate living wage. Advanced technologies that enabled new forms of work, such as telework and platform work, challenged work-life balance and reduced access to employment-related benefits and basic protections due to classification as non-employees. Moreover, automated technologies used to monitor workers could infringe on workers’ right to privacy. The use of electronic monitoring, data, and algorithms should be transparent, equitable, and carefully deployed with input from workers and with human oversight and review mechanisms. Finally, climate change could present new safety concerns like increasing prevalence of heat-related illnesses and deaths, whilst the green transition exposed workers to new forms of toxins in the recycling process and battery manufacturing. Recalling that safety and health at work was a fundamental principle, he called on States to develop and maintain effective safety management systems based on consultation with social partners.
25. The Government member of Japan recognized the importance of inclusive and effective labour protection and spoke of the reform undertaken in the country to amend the Labour Standard Act in 2018 to introduce a ceiling of overtime working hours. The reform had also reinforced measures to protect employees’ health. Moreover, the Japanese Government had improved the guideline on teleworking and progressed on gender equality policies. He also mentioned that the new Act, which sets rules about a fair deal and proper working conditions for freelancers, was enacted in 2023.
26. The Government member of the United Kingdom of Great Britain and Northern Ireland, recognized the importance of labour protection in addressing inequalities in the world of work.

She mentioned measures introduced by the British Government to provide employment for groups at risk, notably addressing gender inequality and caring responsibilities. She also emphasized the importance of the correct classification of workers and risks for workers' personal data posed by increased digitalization.

27. The Government member of Argentina emphasized the need for inclusive and adequate protection policies, particularly for vulnerable groups such as women, youth, older workers, informal workers, migrants, persons with disabilities, LGBTIQ+ persons, indigenous and Afro-descendants. She mentioned the need for policies with a comprehensive approach and a gender perspective and highlighted the challenges of specific work modalities such as temporary work, platform work and teleworking and informality. She then outlined the importance of tripartite dialogue and of the sustainability of economic and financial structures.
28. The Government member of Saudi Arabia recognized the importance of labour protection at the centre of decent work. He also drew attention to the initiatives of the Kingdom of Saudi Arabia to give a legal framework for the protection of wages of domestic workers and telework, to ensure equal pay for work of equal value as well as protection of mothers both before and after giving birth.
29. The Government member of Senegal welcomed the discussion on labour protection and highlighted the emergency to address the remaining challenges such as poverty, social inequality and disparities between different groups and the key role of social protection. She mentioned the progress achieved by Senegal, specifically through the Plan for an Emerging Senegal gathering projects to ensure employability and social protection, as well as the reform of the legal framework of the social security system, which included the informal economy and independent workers.
30. The Government member of Honduras emphasized the need for inclusive and adequate protection and to focus on vulnerable groups such as young people, women, people with disabilities, migrants, indigenous people as well as workers in the informal economy. Honduras was working on extending social protection to uncovered sectors, working on a sustainable legal framework, and strengthening tripartite dialogue within the Economic and Social Council.
31. The Government member of Mozambique underlined the progress made by Mozambique on labour protection, extending social security to workers in the informal economy and adapting mechanisms for the payment of contributions. He mentioned the work carried out with the ILO and the International Monetary Fund to extend social assistance to hundreds of thousands of households. Mozambique had also revised the labour law in consultation with social partners, extended periods of maternity leave, and had worked on a law on digital platforms.
32. The Government member of Colombia mentioned the ongoing reform of the labour law and the pension system, which would contribute to eliminating the gender pay gap. She mentioned the importance of the formalization of domestic workers and of securing guarantees to rural workers. She called on all constituents to adopt international labour standards and integrate them into national policies. She noted the progress made in Colombia on reducing unemployment and informality and increasing foreign direct investment.
33. The Government member of Canada outlined the main challenges faced by Canada such as the pay gap between men and women, expansion of gig and digital platform work, temporary migrant workers working in agriculture and in domestic workers who were subject to exemptions and special rules, and the increase of misclassification of employees as independent contractors, particularly in certain sectors, such as the road transportation

industry. She underlined the importance of exchanging best practices, concrete and practical guidance to achieve adequate, inclusive and effective labour protections for all.

- 34.** The Government member of Australia outlined her Government's workplace relations reforms to keep pace with ongoing changes, revitalizing workplace bargaining through enhanced single and multi-employer agreements and empowering the industrial relations tribunal (the Fair Work Commission) to resolve disputes sooner. The Government had also supported an increase to minimum award wages for aged care workers, and legislation had been introduced to protect migrant workers, regardless of their visa status. Toward gender equality, the Government had introduced expert panels on the gender pay gap to the Fair Work Commission, introduced a statutory equal remuneration principle, and made gender equality and job security objects of the Fair Work Act. Legislation had also been introduced making the request for flexible working arrangements an enforceable right, ensuring access to unpaid parental leave, and making paid parental leave more flexible, accessible, and gender neutral. The Government had also strengthened their anti-discrimination laws, laws concerning sexual harassment in the workplace, and had introduced ten days of paid family and violence leave.
- 35.** The Government member of Cote d'Ivoire noted that her country had made progress with regards to wage policies, advanced through social dialogue. In the public sector, a new pact had been signed to afford social benefits to public sector workers, including with regards to housing, transport, family allowance, and introduction of an end-of-year bonus. In the private sector, the social partners and Government had worked to increase the minimum wage by 25 per cent. A process of establishing unemployment insurance through social dialogue was set to be finalized in 2023. Regarding OSH, a new national social protection fund had been established, together with a national OSH day, and a branch for professional risk management. A new Decree had been adopted in 2021 that addressed dangers for pregnant women at work. In 2019 a new regime had been adopted to address pregnant women's needs during maternity leave. The Government had also adopted a new code to address remote work. She concluded that the law applied to migrant workers and national workers equally.
- 36.** The Government member of Barbados said that her country had strengthened its legal framework for labour protection in the post-2015 period. Informality persisted, becoming more visible during the pandemic, particularly among vending and delivery services. Remote work and telework also had increased rapidly during the pandemic and were becoming established models in the private sector. Telecommunications and data processing companies appeared also to increasingly use platform work. Informality limited access to labour protection, as it did not permit adequate or full coverage under the legal framework. The Government of Barbados had improved protection for security guards (minimum wages) and construction (labour clauses in public contracts and wage floors); introduced legislation on OSH; and undertook education programmes for workers and employers, in line with the Violence and Harassment Convention, 2019 (No. 190). She concluded that measures must be to the benefit of employees and employers.
- 37.** The Government member of India noted that decent work and labour protection were essential to combat poverty and aid social mobility. Existing labour protection should be reformed and expanded to accommodate diverse conditions across countries, to be inclusive, adequate and effective. Demographic shifts, climate change and technological transformations in the world of work hindered promises of decent work, social mobility and equal opportunity. Building inclusive protection for all would follow the legacy of Goal 1.3 of the SDGs, the principles included in the ILO Declaration on Fundamental Principles and Rights at Work (1998), as amended in 2022 and the Social Justice Declaration. In India, new labour codes had been introduced in the areas of wages, social security, and OSH. The 2019 Code on

Wages provided for universal minimum wages in the informal and formal sectors, and prohibited gender discrimination in wages and recruitment. Referring to India's rights-based and targeted welfare systems, he highlighted the Mahatma Gandhi National Rural Employment Guarantee Scheme. Steps had also been taken to improve women's participation in the labour force and the quality of their employment, including through the provision of 26 weeks of maternity benefits, the adoption of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, and the adoption of the Factories Act, 1948, which ensured women's safety from violence and harassment at work. Vocational training for women in emerging forms of work and cutting-edge technologies augmented their skills. To facilitate the delivery of social protection schemes, the Government of India had launched a national database of informal workers. To promote coverage of migrant workers, who made up a large share of the informal workforce, an all-India survey had been launched towards evidence-based policymaking.

- 38.** The representative of the International Domestic Workers Federation (IDWF) stated that inclusion of domestic workers in social security laws was a necessary condition to ensure their access to their rights, and would help to address poverty and other issues. However, 81.2 per cent of all domestic workers were working in informal employment, often living in poverty. Their working conditions did not improve throughout their careers, but rather were passed on to the next generation. The Domestic Workers Convention, 2011 (No. 189), had been ratified by 36 countries and its further ratification and implementation, together with the Domestic Workers Recommendation, 2011 (No. 201), were essential for inclusion of domestic workers in social protection systems. Their protection was particularly urgent since they shouldered the bulk of care responsibilities, including caring for the sick, injured, young and old, in countries where care institutions were non-existent or privatized. Social protection was inherently linked to the recognition of domestic workers as an integral part of the primary care system – as providers and beneficiaries. Eradication of poverty among domestic workers was possible if we redefined the “who” and the “why” in the care economy. For this, domestic workers needed equitable access to minimum wage and living wage coverage, working time, access to social protection and collective bargaining.
- 39.** The representative of HomeNet International, which represented both subcontracted and self-employed home-based workers, called for both categories of home-based workers to be recognized as employees. Street vendors and waste pickers should also be recognized as employees and economic units, in line with the Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204). Minimum wage must be guaranteed for all home-based workers, including piece-rate and subcontracted workers. Subcontracted home-based workers should also have access to labour justice, including mechanisms for complaints. Maternity protection was also a right that all workers should enjoy. She called for the ratification of Convention No. 190 for the inclusion of her recommendations in ILO national programmes, such as the Decent Work Agenda.
- 40.** The representative of StreetNet, which represented informal workers and street vendors internationally, noted that informal workers must enjoy labour protection and have access to collective bargaining. Leaving no one behind. StreetNet members have had the experience of bargaining for access to public space with local authorities and national governments. In most countries, street vendors were not officially recognized and they could not exercise their right to freedom of association. To guarantee OSH, governments should ensure access to clean water, electricity and public transportation. Governments should also ensure maternity protection for independent women workers. He called for the ratification and implementation of Convention No. 190 to address, particularly through government and local authorities, the

multiple forms of violence and harassment experienced by street vendors; and the implementation of Recommendation No. 204 to ensure labour protection and social protection for all workers.

41. The representative of Make Mothers Matter (MMM) called for labour protection discussions to follow the example of the International Conference of Labour Statisticians of 2013 by considering the labour protection of unpaid care work, including caring for children, dependent relatives and households. Labour should be redefined to include unpaid work. To facilitate female labour participation, unpaid care work should be recognized, and its costs more equitably shared across men, women, and society. Noting increasing care needs, she called on governments and employers to provide adequate support for workers, including men, with care responsibilities.
42. The Employer Vice-Chairperson stressed the importance of addressing the root causes of inadequate labour protection, such as informality, of tailoring the level of protection to the national context and of providing an enabling environment for sustainable enterprises as a precondition to achieve labour protection for all workers. He further emphasized that the protection afforded by the traditional employment relationship could not be transposed to any workers. Any increase in labour protection should consider the effects and unintended consequences on the market, such as increased cost of employment, informality and unemployment. Work could take on different forms and that diversity was such that it served to increase employment opportunities, allowing people to escape poverty by getting access to the labour market. To refer to these forms of work as precarious, insecure, and non-standard was a mischaracterization. Regulations needed to provide more flexibility, autonomy, and better work-life balance in consultation with workers. Regarding the reference made to the “right to disconnect”, there was no need to create new rights regarding, for instance, worker availability. He pointed out that the Governing Body had placed on the agenda of the 113th Session (2025) of the Conference an item on decent work in the platform economy for standard-setting on the basis of a double discussion, which should not be pre-empted. Building on progress made, future actions should give priority to supporting both workers and enterprises, including through social dialogue and fostering an enabling environment adapted to national circumstances, for sustainable enterprises.
43. The Worker Vice-Chairperson called for a comprehensive approach to labour protection, complemented with social protection. It was therein important to support the transition to the formal economy, and to focus on promoting gender equality, non-discrimination and labour protection, including for migrant workers. Moreover, living wages and wage adequacy were critical to labour protection. ILO research on the subject could significantly contribute to national level discussions on those subjects. Stable employment not only provided crucial security to workers, but also improved predictability for employers. Regarding employment misclassification, he echoed the importance of correctly establishing the employment relationship to ensure that workers were afforded the rights and protections they deserved. Finally, non-standard forms of work were not a gateway to the labour market or better working conditions, but rather tended to reduce rights and dilute the employment relationship.

Discussion point 2

44. The Worker Vice-Chairperson indicated that, despite the development of labour policy frameworks, much more needed to be done to reach the objective of adequate, inclusive and effective labour protection for all workers, in line with the ILO Constitution, Decent Work Agenda and the Centenary Declaration. He cautioned against deregulation, the weakening of protection and collective bargaining, and cutbacks on social protection, in the name of creating

employment, such as during the financial crisis. That strategy made it easier to fire workers without significant penalties, to make use of temporary and other atypical and precarious contracts and to tolerate employment misclassification. It also applied downward pressure on wages and labour costs as a means of incentivizing enterprises to hire workers. Job creation at the expense of labour protection increased workers economic insecurity, lowered productivity and further depressed labour income and aggregate demand. The strategy also represented a "race to the bottom", evident in policies that aimed to attract foreign direct investments with low wages and labour costs.

- 45.** Achieving adequate, inclusive, and effective labour protection implied ensuring the right of all workers, regardless of contractual arrangements or type of employment, to an adequate minimum wage that guaranteed a decent livelihood for workers and their family, and to protection from excessive working time. Some countries had regulated minimum hourly rates for workers who did not earn a wage, such as the self-employed, to guarantee sufficient earnings. Countries had also adopted policies to give workers more choice over their working time and work-life balance, including the "right to disconnect". Moreover, anti-discrimination laws and effective enforcement were essential in tackling discrimination in the labour market. To address gender inequality and remove barriers to labour market participation for women, a comprehensive set of measures was needed, including the establishment and enforcement of equal pay legislation, measures to reduce gender segregation in the labour market and increase the value of women's work, and public investment in the care economy. He called for renewed efforts to implement Recommendation No. 204. Employers should take responsibility for the employment relationship and have the relationship formalized and correctly classified. He commended the efforts made in some countries in putting in place a presumption of employment in their law and implementing mandatory due diligence legislation. It remained necessary, however, to increase international coordination and strengthen international rules to ensure decent work in global supply chains. Workers in SMEs who were disproportionately deprived of labour protection under the guise of supporting business continuity and enhancing entrepreneurship should urgently be covered by minimum wages, working time, OSH and social security regulations. Social dialogue and collective bargaining had a key role to play in improving the adequacy, inclusiveness and efficacy of social protection and there was a need to increase the coverage of collective bargaining.
- 46.** The Employer Vice-Chairperson noted that, since 2015, progress had been made in the areas of wages, working time, OSH, and maternity leave. Many countries had established or strengthened minimum wage systems to address poverty and labour inequality. During the pandemic, countries had also adopted policies to support enterprises, avoid the loss of workplaces, and keep qualified workers. Progress had also been made in setting up limits to the number of hours per week leading to a reduction in the annual average working hours in many countries. OSH legislation had been adopted to address prevention, enforcement, and awareness campaigns. Many countries had also adopted maternity protection, in line with ILO standards. Social protection coverage, particularly of self-employed workers, had also expanded following the COVID-19 pandemic.
- 47.** Social dialogue had been decisive in fostering sustainable social and economic development. Employers' organizations had developed and promoted good practices in labour protection, guaranteeing the double objective of adequate protection and sustainable social and economic development. He stressed that ILO technical assistance remained of critical importance notably through the development of a methodology to estimate the needs of workers alongside economic factors in determining adequate minimum wage levels. To harness opportunities and address challenges in achieving effective, adequate and inclusive

labour protection and contributing to sustainable economic and social development, countries should better recognize the heterogeneity of work across the labour market, including skill levels and types of contractual labour relationships. Regulations regarding dismissals, including through thresholds, should be effective and flexible to guarantee job creation and foster productivity. Regulations that limited digital contact with employees outside of working hours for example could be counterproductive and put at risk the benefit of flexible work. Policies should promote balance between work and family life rather than adopt rigid regulatory approaches. Finally, all matters that had arisen were covered by existing ILO standards. What was key for the future was technical assistance to implement and apply those regulations to respond to the needs of the labour market and foster economic growth and social justice.

48. The Government member of Sweden, speaking on behalf of the EU and its Member States, and noting that Albania, Bosnia and Herzegovina, Georgia, the Republic of Moldova, Montenegro, North Macedonia, Norway, Türkiye, and members of the European Economic Area, align themselves with her statement, drew attention to several initiatives. The European Pillar of Social Rights 2017, with its 20 principles, served as the blueprint for the EU's work towards a fair and inclusive European Union, with special focus on those most vulnerable throughout the Pillar. The Pillar and its Action Plan put into practice the principle of equality underlined in the Treaties of the European Union and the EU Charter of Fundamental Rights. With regards to gender equality, two important measures taken since 2015 included the Work-Life Balance Directive 2019, creating minimum standards on paternity leave, parental leave, and carers' leave to encourage a balanced share of care responsibilities between men and women. In April 2023, new rules on pay transparency were adopted, aiming to address pay discrimination and close the gender pay gap by directing EU companies to take action if their gender pay gap exceeded 5 per cent. The Directive also included provisions on compensation for victims of pay discrimination and penalties for employers who broke the rules. In October 2022, the EU adopted a Directive establishing procedures for the adequacy of statutory minimum wages, where they existed, that promoted collective bargaining and enhanced access to minimum wage protection. To enhance access to social protection for all workers, including the self-employed, the EU Member States also adopted a Recommendation in 2019 following which all Member States had adopted national plans to close protection gaps. In terms of improving OSH standards, an EU OSH Stocktaking Summit (of the EU OSH Strategic Framework 2021–27) was held in May where members underlined that more efforts were needed from all the stakeholders to fully implement it by 2027, including as regards developing practical initiatives to pursue "Vision Zero" to work-related deaths approach. The Summit also identified ongoing issues such as psychosocial risks, mental health at work, and climate change. A proposed EU directive on platform work put forward measures to address the risk of misclassification of employment status and aimed at ensuring fairness, transparency, and accountability in algorithmic management, and addressed challenges related to transparency and traceability, by introducing new material rights for people performing platform work. To address challenges deriving from the demographic trends in Europe, the Commission had adopted a European Care Strategy calling on Member States to improve working conditions, quality and affordability of care services in the sector. Finally, the EU Working Time Directive guaranteed minimum standards on, for example, minimum rest, night work and annual leave, benefiting both workers and employers.
49. The Government representative of Brazil, speaking on behalf of GRULAC, recognized that inclusive labour protection was fundamental to fostering social cohesion, reducing inequality and promoting sustainable development. The adoption of adequate and inclusive policies, regulations and measures, and the incorporation of ILO standards and principles into national

legislation had contributed to the sustainable economic and social development of the region. Comprehensive laws had been adopted regarding minimum wages, hours of work, OSH, social security, non-discrimination in the workplace, and to ensure gender equality and protect the rights of vulnerable workers, including domestic workers, informal workers, and migrant workers. Innovative measures had been taken to improve labour protection. Some countries had established tripartite structures to facilitate dialogue and collaboration in labour protection development and implementation. Several countries in the region had social protection programmes that helped workers during periods of unemployment or economic hardship. There was a high number of ratifications of ILO standards across the region, harmonizing national and international labour standards and fostering an enabling environment for economic development and foreign investment. There also remained challenges, such as strengthening labour inspection systems, promoting gender equality, protecting disadvantaged groups and closing regulatory gaps. He highlighted the role of technical cooperation and skills development programmes in improving the capacity of governments, employers and workers to enforce labour laws effectively. Such initiatives had provided valuable guidance for policy formulation, institution-building and the development of labour control and inspection mechanisms.

50. The Government member of China recognized the importance of more, adequate and effective labour protection. The country's Constitution mandates the Government to create employment and protect workers. To implement this mandate, measures had been taken to safeguard and equalize the labour and social security rights of women workers, and to protect them from discrimination. China had also issued guiding principles to protect workers in new and emerging forms of employment, including minimum wage and wage protection systems, provision of reasonable rest time and reasonable compensation during work and holidays. Law enforcement has been strengthened, with labour inspection authorities conducting compliance and inspections. She called for more ILO guidance and technical assistance to improve labour protection in new forms of employment, thereby contributing to inclusive, adequate and effective labour protection for all.
51. The Government member of the United States presented the measures taken by the Government to improve labour protection within the country and abroad. The Labour and Commerce Departments formulated the "Good Jobs Principles" which included a focus on pay, job security and working conditions, empowerment and representation, providing family-sustaining benefits, and promoting diversity, equity, inclusion and accessibility, among other areas. The Good Jobs Principles were part of "The Good Jobs Initiative", which provided critical information to workers, employers, and government entities to improve job quality and create access to good union jobs – free from discrimination and harassment – for all workers, with emphasis on people of colour, women, immigrants, and people with disabilities. She further shared that a Multilateral Partnership for Organizing, Worker Empowerment, and Rights (M-POWER) was launched to promote worker organization, unionization and collective bargaining; aid workers in shaping policy; and ensure workers around the world could exercise the specific rights arising from the ILO fundamental principles and rights at work. The United States had also launched a Global Women's Economic Security Strategy (WESS), focusing on addressing gender-related wage gaps, care infrastructure, economic inclusion, and systematic barriers to labour participation and integrated measures to address violence and harassment. Further, to address worker misclassification, a rulemaking process had been initiated to provide guidance on classifying workers under the Fair Labour Standards Act. Finally, a blueprint for an A.I. Bill of Rights was established, identifying principles for the design and use of automated systems to further protect workers.

52. The Government member of the United Kingdom noted the importance of fostering a dynamic and flexible labour market and that labour protections regarding working hours, flexible work, maternity and sickness benefits, labour exploitation and discrimination were well integrated into the UK's employment law. Enforcement mechanisms were in place to uphold employment rights supplemented by income-based social protection benefits, and the national living wage had been increased. A "Carer's Leave Act" was also adopted to enable unpaid carers who were employees to better balance their care and work responsibilities. Further, a range of measures were taken to support disabled people and those with health conditions to be and remain employed. Measures were also taken to support people over the age of 50 to return to and remain in work, including a midlife check-up to help people prepare for employment later in life. A ten-year OSH strategy had also been adopted that aimed to address new, emerging and traditional risks. Those who created risk should take responsibility for controlling risk and would be held accountable and made to bear the cost in failing to do so. There was also proposed legislation to strengthen employee protections against workplace harassment, following the United Kingdom's ratification of Convention No. 190.
53. The Government member of Argentina noted that the Government of Argentina had implemented several actions to achieve adequate, inclusive and effective protection including special measures taken during the pandemic such as the Emergency Assistance to Work and Production Programme (Programa de Asistencia de Emergencia al Trabajo y la Producción, ATP), the Emergency Family Income (Ingreso Familiar de Emergencia, IFE) and the suspension of layoffs. The "Registradas" programme promoted the formalization of domestic workers, guaranteeing their rights and financial inclusion and advancing gender equality. The "employment promotion programme" assisted the labour market insertion and participation of those with particular difficulties in accessing formal jobs, such as transvestites, transsexual and transgender people; women victims of gender-based violence; victims of sexual exploitation or trafficking in persons, persons belonging to indigenous peoples; persons of African descent; and people recognized as refugees. He further noted the initiative "Register of Associations of Workers of the Popular Economy and Basic Subsistence" allowed individuals or a group of individuals to generate a personal and family income, inspired by the Social Protection Floors Recommendation, 2012 (No. 202). Finally, he drew attention to the Decent Work Country Programme (DWCP), which was adopted through social dialogue, and which focused on "Transition to formality, with adequate and effective protection at work" and the promotion of safe and healthy working conditions for all workers.
54. The Government member of Canada highlighted policy and regulatory measures taken by Canada towards adequate, inclusive and effective labour protection. The first notable action was to make equal pay for work of equal value a reality for federally regulated workers. The Pay Equity Act directed employers to take proactive steps to ensure that they were providing equal pay for work of equal value. Canada had also introduced pay transparency measures, which made pay gap information for women, indigenous peoples, persons with disabilities and members of visible minorities working in federally regulated workplaces publicly available. She recalled that Canada had ratified Convention No. 190 and that workplace violence and harassment frameworks under the national labour legislation supported initiatives to address violence and harassment in the workplace through the federal Workplace Harassment and Violence Prevention Fund. Furthermore, Canada had committed to strengthen provisions under the Canada Labour Code to better support employees who needed to be reassigned during pregnancy and while breastfeeding. She further noted that measures had been taken to enhance the protection and fair treatment of workers in the gig and platform economy. Following consultations with stakeholders, the Government proposed to strengthen prohibitions against employee misclassification under the Canada Labour Code. In addition,

several provinces were taking measures to better protect temporary foreign workers, such as in British Columbia where the Government established the Temporary Foreign Workers Protection Act in 2019. The Act prohibited unlicensed recruiters and unregistered employers from recruiting or hiring foreign nationals.

55. Canada had also provided technical assistance to other Member States for capacity-building to respect, promote and realize the fundamental principles and rights at work, and had created a policy aimed at eradicating poverty by supporting women's greater access to labour rights and social protections, technical and vocational training, and addressing the unpaid work and the disproportionate burden of care. Other measures were in place to tackle labour rights violations in global supply chains, notably to ban the importation of goods produced by forced labour and to include comprehensive and enforceable labour provisions in free trade agreements.
56. The Government member of Barbados noted that efforts should be made to address the challenge of workers in the informal economy. The worker/employee – employer relationship must be discernible in the relevant law of a member state. Barbados was developing a programme aimed at improving the participation rate of the self-employed in the social security system. Sustained and targeted public education exercises were integral to raising the level of awareness on the importance of labour protection and the applicability of laws and established custom and practice. Programmes should place emphasis on certain categories including: youth; persons with disabilities; operators in the informal economy; and persons who perform duties under contemporary arrangements such as the "gig economy" and platform work. She highlighted the establishment of minimum acceptable standards for matters such as wages, OSH and social security provisions were critical to promote and realize inclusivity, using ILO standards as a benchmark.
57. The Worker Vice-Chairperson noted many points of mutual agreement particularly regarding the need for laws, policies and regulation that supported the objective of adequate, inclusive and effective labour protection for all. He shared the concern raised by many governments that labour protection, and the rights-based approach, should be strengthened to achieve adequate, inclusive and effective protection for all workers. He echoed the call for inclusive labour protection as a very important part of social cohesion, the need for more ILO guidance and work, the importance of freedom of association, the accountability of enterprises that presented risks, and pay transparency. While the introduction of minimum wages in many countries was encouraging, he noted that these remained inadequate in providing a living wage for workers and their families in most parts of the world, in part due to restrictive laws and noncompliance. It was important to improve the adequacy of minimum wages, reduce discriminatory exemptions, and tackle noncompliance across diverse work arrangements. He noted that there was a clear agreement that insecure forms of work must be addressed.
58. The Employer Vice-Chairperson disagreed that there was a race to the bottom, pointing to the importance of recognizing the progress made by governments, as well as by enterprises to respect human rights and to promote proper, responsible commercial corporate conduct. Moreover, he pointed to the broad agreement and evidence-base that diverse forms of work contributed to decent work by providing access to the labour market. That was particularly true in developing countries, leading many governments to invest in digital competencies and infrastructure, as evidenced by the findings of the World Employment and Social Outlook: Trends 2021 and acknowledged by all constituents during the General Discussion Working Party on inequalities and the world of work. He reiterated some of the priorities of the employer's group and expressed the need to continue building the capacity of employer's organizations, recognize the positive contribution made by social partners during the COVID-

19 pandemic, and help to generate better practices in industry for labour protection as well as policies and education. Finally, it was important to recognize the value of diverse forms of work and to avoid restrictive standards. There was a need for flexible protection, the creation of jobs and productivity, and policies that promoted work–life balance. He reiterated that there was no need for new international labour standards, but that the focus should rather been on the effective application of those standards.

Discussion point 3

59. The Employer Vice-Chairperson said that to create adequate, inclusive and effective labour protection supported by sustainable enterprises, the ILO should take urgent actions. First, as enterprises were the main source of job creation and economic growth and played a fundamental role in labour protection, governments must create an environment for productivity, innovation, investment and competition. ILO support to national constituents must reflect that role of enterprises in the development of coherent policies that created a favourable environment for sustainable enterprises. Governments must ensure that labour protection did not increase excessively the cost of employment and was proportional to the desired results. Measures should be taken to facilitate labour transitions and promote diverse forms of work arrangements, rather than limiting them.
60. Second, efforts to ensure adequate labour protection must consider the heterogeneity of models and levels. The employment relationship remained the main gateway for labour and social protection. That model of protection could not be transposed to other forms of employment or work arrangements. Extending labour protection to informal workers could disincentivize formalization, which would counter the Decent Work Agenda. The ILO should carry out a cost analysis of labour protection, enabling constituents to use a better combination of wage, social and fiscal policies, ensuring they were adequate, inclusive and sustainable in diverse labour markets and socio-economic systems.
61. Third, attention must be paid to those most exposed to inadequate labour protection, especially workers in micro, small and medium-sized enterprises (MSMEs), and to the underlying structural causes of protection deficits, especially informality and poor governance. Employers being subjected to fines reduced job creation and led to greater unemployment and less access to formal employment – a vicious cycle. MSMEs faced challenges in applying labour protection because they fell below thresholds of existing labour legislation or operated in the informal economy. The ILO should conduct research into the best way to create a balance between the need for increasing worker protection and the realities facing employers, especially MSMEs. The ILO should develop tools to improve the capacity of labour market institutions and strengthen the capacity of labour inspectorates to prevent violations.
62. Fourth, the ILO should remain focused on the main aspects of labour protection – the three pillars in the Social Justice Declaration. Data privacy and access to justice were pertinent; however, they were part of wider debates and not restricted only to worker protection. They also applied to employers. The ILO must have the technical capacity to provide data and guidelines to constituents regarding wage fixing mechanisms, working time, and OSH, and engage in capacity-building to create better policies. He referred specifically to updating the ILO legal database on working conditions, allowing policymakers to understand how other countries were adapting their labour protection frameworks.
63. Fifth, to take advantage of the opportunities that digitalization offered, the ILO should continue to examine the role of technology, especially in relation to tools and solutions to improve working conditions, increase worker safety and allow effective application of labour

regulations. Technology-based data analysis and risk analysis could be used to assess labour accidents to identify patterns and emerging risks, allowing constituents to act on evidence.

64. Sixth, governments and the social partners must offer policy responses providing real labour protection that supported the rights of workers as well as the needs of employers. He recalled the need for specific attention to social dialogue. He called for labour and social protection systems that were agile and flexible and avoided prescriptive approaches. He called on the ILO to develop the constituents' technical capacity, stating that drafting new regulations was not the only approach, and the corpus of ILO labour standards could be drawn upon.
65. Lastly, the ILO should foster cooperation with other multilateral organizations around key issues, including wage setting and working hours. He stated that in some countries those organizations were dealing with fundamental labour issues without social dialogue, which could prevent the development of inclusive policies.
66. The Worker Vice-Chairperson, acknowledging the importance of international labour standards in supporting Member States to develop national frameworks, reiterated the need to continue to promote the ratification and effective implementation of international labour standards related to minimum wages, working time, OSH, freedom of association and collective bargaining, effective labour inspection and equality of opportunity and treatment. He called on the Office to implement the human-centred agenda for the decent future of work that protected fundamental rights, adequate living wages, limits on hours of work and safe and healthy workplaces.
67. More should be done to promote the employment relationship and combat employment misclassification, and the Office should promote full implementation of the Employment Relationship Recommendation, 2006 (No. 198), – which provided guidance on how to combat disguised employment relationships and prevent the misuse of contractual arrangements. More must also be done to promote the ratification and implementation of the Termination of Employment Convention No. 158 and Recommendation No. 166, 1982, which provided safeguards on temporary contracts. He also referred to the importance of the Labour Inspection Convention, 1947 (No. 81), and the Labour Clauses (Public Contracts) Convention, 1949 (No. 94). Moreover, the ILO should promote ratification within the implementation of the DWCPs.
68. Regarding technological change and its impact on the world of work, he called for the ILO to conduct impact assessments to identify the effects of digitalization and artificial intelligence – including algorithmic management – on labour protection, in particular concerning working time. He welcomed the proposed tripartite meeting of experts on working time arrangements, referred to in the previous recurrent discussion on labour protection (2015), and noted that the recently issued ILO report, *Working Time and Work-Life Balance Around the World*, could provide useful background information for such a discussion. He noted that specific attention should be paid to the right to disconnect. He equally welcomed the holding of a tripartite meeting of experts on data privacy and protection, the proposed item for general discussion at the 112th International Labour Conference on decent work and the care economy, and the standard-setting process for decent work in the platform economy starting in the subsequent session. He pointed to the importance of further research by the Office in preparation for those discussions, with priority given to the standard-setting item.
69. While some countries and regions had implemented mandatory human rights due diligence, more coordinated action was needed at the international level for labour protection within supply chains. He invited the Office to explore modalities to strengthen labour protection within the framework of the Tripartite Declaration of Principles concerning Multinational

Enterprises and Social Policy, including the current practice of including labour provisions within trade and investment agreements and public contracts.

70. He called on the ILO to strengthen its work on minimum living wages, and to discuss and adopt a wage strategy to further promote the Decent Work Agenda. He further reaffirmed the need to achieve gender equality at work through a transformative agenda agreed in the Centenary Declaration and the Global Call to Action for a human-centred recovery from the COVID-19 crisis that is inclusive, sustainable and resilient (2021). He called on the ILO to develop a strategy to focus on ensuring equality of opportunity and treatment for women workers, more balanced sharing of family responsibilities, protection against violence and harassment, achieving better work-life balance, and promoting investment in the care economy. He emphasized the need for technical support to reinforce inclusive labour protection and its gender dimensions through national policy frameworks, including DWCPs. He called on the Office to continue to provide technical assistance on the design of labour protection institutions, including measures to extend to currently excluded groups. The recently adopted *Guidelines on general principles of labour inspection* should be promoted and implemented to build the capacity of labour inspectorates.
71. He called on the Office to assist workers' and employers' organizations to develop methods to address work organization and working conditions that were causing psychosocial risks, stress and mental health problems related to work, including in workplaces with a high use of information and communication technologies (ICT), as well as in the platform economy. Guidance should also be provided on how to improve access to effective redress mechanisms, especially in cases of work-related fatalities, injuries and illness.
72. Unions should be meaningfully involved in technical assistance programmes, engaging in social dialogue on priorities and areas in need of reform. Capacity-building to support trade unions in those areas should be provided.
73. He recalled that the ILO's Strategic Plan for 2022–25 called for greater alignment and coordination of ILO internal policies for better quality coherence – an approach that they welcomed and supported.
74. Finally, he noted the ILO's leading role in labour protection within the multilateral system, owing to its status as a centre of excellence, its tripartite structure, its role in international labour standards, its constitutional mandate, and its role as custodian of SDG 8 to promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all. He concluded that the ILO should take action to reinforce international cooperation and policy coherence in establishing a labour protection floor, including with the World Bank and within the Global Coalition for Social Justice.
75. The Government member of Gabon, speaking on behalf of the Africa group, said that, following the Conclusions of the first recurring discussion on social protection, several measures and initiatives had been taken, and would continue to be taken, by African Member States to ensure adequate and inclusive protection for all workers. Worker protection was guaranteed under existing national legal instruments and Member States were working alongside the social partners, with ILO support, on the revision of those instruments, and the establishment of new instruments, to ensure that they were in line with international labour standards. She called for more proactive support from ILO regional and subregional offices in helping Member States to align their national legislation with international labour standards.
76. Several Member States had strengthened their social protection provisions by, for example, limiting access to public procurement in the formal sector for enterprises failing to comply with

their social security obligations. Some Member States had implemented public policies to cover the transition from the formal to the informal economy, not least ensuring that workers were registered to social security systems. Measures had been introduced in some Member States to incentivize the registration of domestic workers; nevertheless, more efforts were needed to raise awareness among employers of domestic workers on the need to ensure that they were properly declared to the relevant social security bodies.

77. Member States had reaffirmed their willingness to guarantee social protection to migrant workers, conscious of the fact that many were forced to work in the informal economy because of domestic policies giving preference to national young workers with the view to reducing their high unemployment rate in many African Member States. They welcomed ILO efforts to strengthen the protection of migrant workers and improve their lives and those of their families.
78. The Government member of Sweden, speaking on behalf of the European Union and its Member States, said that the candidate countries Albania, Armenia, Bosnia and Herzegovina, Georgia, the Republic of Moldova, North Macedonia, Norway, Türkiye, and members of the European Economic Area, aligned themselves with her statement. She said that labour protection was being discussed at a time of transition and in the context of several crises, which should be reflected in the ILO's priorities and future actions.
79. First, the ILO standard-setting discussions on platform work should address the unique challenges faced by platform workers, such as lack of social protection and limited bargaining power. Other specific forms of labour, such as solo self-employed workers or workers in non-standard contracts, would also require further action, notably to ensure their access to social protection. She welcomed further discussions and the development of guidance on telework and hybrid forms of work. It was important to continue exchanging and collecting evidence on the opportunities, challenges and evolution of telework and the right to disconnect.
80. Second, the ILO should continue to promote relevant Conventions, Protocols and Recommendations, especially those on fundamental rights, particularly freedom of association and collective bargaining. Further work should also be done to foster tripartite and bipartite social dialogue, which was key for inclusive and effective labour protection and was also important in the context of a changing world of work and the protection of solo self-employed workers.
81. Third, addressing all forms of discrimination was a fundamental commitment of the ILO and the constituents. The Organization must therefore step up action to combat all forms of discrimination, with specific attention to multiple and intersecting forms of discrimination. Gender equality in the labour market was key to the future of work. Despite the adoption of the Equal Remuneration Convention, 1951 (No. 100) more than 70 years ago and the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), more than 60 years ago, unequal access by women and men to labour-market participation, pay and a visible share in the value chain still existed. An equal sharing of responsibilities within the workplace and in caregiving roles was essential to achieving gender equality. The ILO should therefore increase its support for equal sharing of unpaid work, including through standards-setting-related activities.
82. Fourth, adequate minimum wages, either statutory or negotiated, were a cornerstone of decent work and social protection, essential to improve working and living conditions for all workers and their families, and played a pivotal role in building fair and resilient economies and supporting inclusive growth. She encouraged the ILO to work on promoting adequate minimum wage setting mechanisms, statutory or negotiated, globally. She also highlighted

the importance of strong and effective collective bargaining in that regard and looked forward to the ILO's work on contributing to the better understanding of living wages.

83. Fifth, an effective ILO supervisory system was key to advancing the goals of social justice and decent work for all worldwide. The ILO's supervisory mechanisms, including its monitoring and reporting procedures, played a crucial role in ensuring the implementation of and compliance with international labour standards. In that regard, EU Member States continued to support the need to ensure the ILO's continued independence and the need for sufficient capacities and resources to effectively carry out its mandate.
84. Lastly, effective enforcement policies were key to the promotion of fair and well-functioning labour markets to tackle labour rights' abuse. Cross-government policies and good cooperation between multilevel enforcement authorities were therefore crucial. The ILO was encouraged to support the sharing of best practices; the basis of any action was enhanced knowledge and the sharing of knowledge, and strategic partnerships with international organizations were key to advancing the labour protection agenda. The ILO should strengthen coordination and synergies with other international organizations.
85. The Government member of Brazil, speaking on behalf of GRULAC, said that the ILO should prioritize specific actions on labour protection and highlighted the need to strengthen the ILO normative framework by continuously assessing and updating its body of standards. In a constantly evolving world of work, the ILO should stay responsive and adaptable to emerging labour issues, such as the gig economy, technological improvements, the ever-changing nature of employment relationships, and the need for constant adaptation of labour inspections. Furthermore, the ILO should foster policy coherence among various interconnected and mutually reinforcing strategic objectives, notably decent work and sustainable enterprises. GRULAC Member States therefore supported the ILO human-centred approach integrating labour protection into the broader objectives of the Organization, an approach that would allow the ILO to better address labour issues in a comprehensive manner.
86. The ILO had a vital opportunity to promote the protection of workers in the context of the SDGs, with Goals 5, 8, and 10 being particularly relevant to labour rights, gender equality and social justice. It should keep actively engaging with other organizations in the United Nations system and international organizations to align efforts and mobilize resources, prioritizing youth, women, migrants, ethnic groups and other vulnerable groups. He recalled that the Philadelphia Declaration gave the ILO the responsibility to examine and consider all international economic or financial policies or measures in the light of the fundamental objective of worker protection. Collaborative initiatives, knowledge-sharing and joint campaigns were feasible ways of improving the ILO's impact and effectiveness in promoting labour protection and advancing the SDGs. Highlighting the achievements made so far by the South-South cooperation projects, he said that the ILO's technical assistance programmes provided to Member States could be strengthened in regions facing significant labour challenges. Technical cooperation and capacity-building initiatives in strengthening legal systems as well as labour inspection procedures were important.
87. The Government member of the United States, noting the importance of freedom of association and collective bargaining protecting workers, welcomed the recent ILO research on collective bargaining, including in the flagship report, *Social Dialogue Report 2022: Collective bargaining for an inclusive, sustainable and resilient recovery*. She encouraged continued expansion and dissemination of ILO research on how freedom of association and collective bargaining, as well as how combinations of wage, social protection and fiscal policies for workers had helped advance inclusive, adequate and effective labour protections in different

socio-economic contexts. She encouraged the Office to strengthen its capacity to provide guidance and information on wage issues such as effective mechanisms for ensuring workers received a stable and predictable living wage.

88. Underserved communities should be a focal point of Office engagement on labour protection, as they were the most likely to be excluded from current protections. The Office should facilitate and encourage data collection that was disaggregated by such communities. She further noted the proposed item for general discussion at the 112th Session (2024) of the International Labour Conference on decent work and the care economy, reiterating the importance of that topic.
89. She encouraged further ILO research and engagement on misclassification and on related strategies to formalize informal work and provide protection in non-standard work arrangements. She also encouraged continued technical assistance for the effective enforcement of labour rights of workers in the platform economy and the care economy, and for temporary and contract workers. Labour protection for platform economy workers should be the focus of the 2025–26 ILO standard-setting discussion on decent work in the platform economy. She encouraged the Office to provide more research and guidance on how automated systems, algorithms and artificial intelligence could be used without undermining workers' rights.
90. The Office should devote attention to improving labour protection for women workers, including women of intersectional identities, and research new OSH concerns, such as telework and just transition efforts. Finally, she encouraged increased collaboration with other multilateral organizations to foster policy coherence and increased investment in ensuring adequate and inclusive labour protection.
91. The Government member of Türkiye highlighted the importance of focusing on labour protection in light of changing industrial relations, automation, digitalization, rapidly developing technology and increasing mass movements of people fleeing war and terrorism, which posed significant challenges to the realization of fundamental rights and principles in the world of work. Moreover, the negative effects of COVID-19 and climate change and stagnant economies posed a great risk in terms of employment and labour markets globally. It should be the ILO constituents' collective responsibility to make tough times surmountable for everyone and to ensure that the opportunities outweighed the threats in the transition.
92. Establishing and strengthening minimum wage and social protection systems, as well as promoting full employment and decent work, were of great importance in eradicating poverty, a global problem that caused fragile labour markets and unfair income distribution. In that context, the ILO should encourage the establishment of structures at the national level, with the participation of the social partners, identifying policies and actions to create a culture of social justice.
93. However, emerging problems in social injustice were not only national issues, and combating them required a holistic and comprehensive policy approach with a global understanding to maintain strong, sustainable and inclusive growth and respectable business. In that respect, the ILO's technical assistance, research and capacity-building efforts would provide invaluable support to Member States in implementing and improving labour protection measures and enable them to strengthen their labour legislation, institutions and practices, leading to better outcomes for societies as a whole. It would also be of great use if the ILO could further elaborate on post-crisis research and analysis on various social and solidarity economy models in place in different parts of the world, to guide Member States in structuring policies. The report of the Director-General to the 111th Session (2023) of the Conference – *Advancing social*

justice – served as a beacon of hope for promoting labour protection, informing policies by shining a much-needed spotlight on the significance of labour protection in fostering social justice.

94. The Government member of the United Kingdom noted that policy responses should be ambitious and needed to account for the impacts of global and structural changes, intersectionality of vulnerabilities, and new forms of work and digitalization. Gender gaps in the world of work could be reduced by addressing underlying discriminatory social and gender norms and structural systemic barriers that acted as obstacles to quality jobs, and by adopting a gender-transformative approach. Measures should be considered that promoted protections for parents, including parental leave and providing support for childcare, and other fields of care work and the care economy, including by facilitating access to infrastructures and long-term care. Welcoming consideration of a revised global strategy on OSH, she called for such a strategy to complement the national occupational safety and health strategies of Member States.
95. The ILO could play a key role by working to understand the complexities of the changing labour market and the implications for achieving, inclusive, effective and adequate labour protection. That expertise could then be used to support constituents with technical assistance flexible to their own circumstances, thereby helping the development and delivery of policy and action to achieve labour protection while still ensuring the ILO fundamental principles and rights at work could be applied universally.
96. It would be crucial to demonstrate how increasing the reach of labour protection to groups at risk of exclusion and how combining enhanced labour protection with the other strategic objectives contributed to sustainable economies that benefited workers, employers and governments. The evidence gathered could be used to identify and share best practices and strategies by providing a compelling case for sustained focus on labour protection. To enable that, while allowing the ILO to use its resources in the most cost-effective manner, relationships could be further developed with relevant institutions and sector experts to develop information-sharing channels. It was important to share that knowledge with the wider UN system and other institutions key to enhancing labour protection. Establishing clearly defined roles and developing a common understanding of the enabling factors for and challenges to labour protection would help facilitate policy coherence and a coordinated approach. Finally, the ILO could increase its capacity to anticipate new developments and trends and their potential future impact on labour protection to develop appropriate relevant actions.
97. The Government member of the United Arab Emirates, speaking on behalf of the Cooperational Council for the Arab States of the Gulf (GCC) (Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates), highlighted that social justice required the participation of all Member States to address national, regional and international challenges. He noted ongoing efforts by GCC Member States in the area of labour protection, including work to achieve the objectives of the Social Justice Declaration, despite current challenges and changes such as economic challenges, demographic shifts, climate change and geostrategic changes.
98. He highlighted the importance of cooperation, noting that Gulf States were engaging multilaterally in legislative reform and in regional cooperation through the Abu Dhabi Dialogue to facilitate access to justice and dispute settlement procedures. Efforts were also focused on reducing gender discrimination and improving gender equality and discrimination. While technology had been used to improve OSH and labour protection methods, he acknowledged

a technology knowledge gap among workers, which should be addressed; digital technology was necessary and everyone should be able to use and benefit from it. Moreover, there was a collective responsibility to strengthen regional cooperation between labour origin and destination countries to ensure the protection of migrant workers using digital technologies. In the GCC, domestic workers benefited from social protection and a minimum wage. The GCC Member States reaffirmed their commitment to developing economic structures to ensure that economies were more diversified and better prepared to adapt to changes and shifts as part of their cooperation with international organizations.

99. The Government member of Canada, expressing support for the ILO's leadership in advancing labour protection, stressed that the ILO should continue to focus on supporting constituents in the enforcement of and compliance with labour laws and in the development of labour policies to address emerging challenges. Those efforts could include contributing its strong research and analytical capacities and capabilities to advance the understanding of gaps in labour protection and how best to tackle issues such as decent work in global supply chains and labour protection for gig and digital platform workers, as well as paid and unpaid care workers.
100. The ILO should also continue to focus on advancing gender equality in the world of work and in fighting against discrimination and violence and harassment for all workers, including those in situations of vulnerability, such as persons with disabilities, indigenous people, and LGBTQI people. Those efforts could be supported by providing disaggregated data, revisiting grounds of discrimination in ILO standards and cooperation with other initiatives such as the Equal Pay International Coalition. She voiced the importance of working with the World Trade Organization and international financial institutions to ensure that the benefits of trade were fairly distributed across society, in line with the policy coherence called for by the Global Coalition for Social Justice.
101. Lastly, the ILO should continue its efforts to advance social dialogue worldwide by improving the independence, representation and technical capacity of employers' and workers' organizations.
102. The Government member of Barbados said that the recognition of a safe and healthy working environment as a fundamental principle and right at work should be leveraged to initiate regional and country-specific examination of the general terms and conditions of work. That effort should be underpinned by a drive to secure the ratification of the Occupational Safety and Health Convention, 1981 (No. 155) and the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187). She expressed agreement with paragraph 210 of Report V, prepared for the 111th Session of the International Labour Conference, *Leaving no one behind: Building inclusive labour protection in an evolving world of work*, concerning the mutually reinforcing links between a safe and healthy working environment and other working conditions.
103. Attention should also be paid to the development of programmes to promote advocacy and enhance the level of participation in social security systems. The ILO should provide technical assistance to enable social security systems to be fully equipped to meet current and future needs.
104. Sustained engagement with partners in the multilateral system on interrelated areas was a main factor in furthering labour protection. While special action should be taken to improve women's participation in formal employment, with equal treatment for female and male workers, ensuring decent work for all was dependent on collaboration within the multilateral system.

- 105.** The Government member of Namibia said that the achievement of adequate, inclusive and effective labour protection was inseparable from countries' strategies to create employment, ensure opportunities, especially for young people, and support the development of sustainable enterprises and the expansion of collective bargaining. The constituents were aware of general objectives such as the extension of social protection to the informal economy, but in a situation in which most developing countries were struggling to reach their policy objectives while facing a high level of informality, the focus should be on providing information on "what worked". The ILO was in an ideal position to identify and share success stories. Further points that would be of interest to the constituents included how initiatives were financed, to what extent initiatives integrated skills development, and whether job creation programmes ensured living wages, decent conditions of employment and labour protections. The constituents also needed to be given a chance to learn lessons from programmes that had not succeeded.
- 106.** Those needs could be met by creating an integrated labour protection observatory or interactive website. The observatory should also provide information about the role of tripartite consultation or social dialogue in the design and monitoring of programmes and serve as a platform to connect constituents with the person responsible for each programme as well as with each other and to seek advice from experts.
- 107.** The ILO could contribute to the expansion and coordination of research on labour protection by creating an interactive network and database that included universities, academics, independent researchers and research units and international and national public institutions. The network could be part of the Coalition for Social Justice. The platform could also include a partnership with other multilateral organizations in pursuance of SDGs 5, 8 and 10. Funding for research in priority areas could be sourced through pooled resources or donor commitments.
- 108.** The Government member of Honduras recognized the key role of ILO technical cooperation in supporting Member States to develop high-quality statistical data and formulate public policies aimed at ensuring that new forms of work were covered by decent work standards. He also mentioned the importance of having guidelines that would guarantee the protection of teleworkers. Concerning the ILO's role in strengthening the multilateral system, in addition to promoting the protection of workers in the context of the SDGs, he underscored the importance of maintaining a close relationship with the universal system for the protection of human rights, particularly with regard to groups that were vulnerable and socially excluded from the labour market.
- 109.** The Government member of Zimbabwe said that the ILO could play a significant role in the achievement of adequate, inclusive and effective labour protection through the application of standards and through research and technical assistance. The application of standards was particularly relevant because several Member States that had ratified relevant Conventions had failed to bring their legislation and practices into conformity with those Conventions. The ILO should further strengthen its role in providing technical advice and capacity-building and focus on the promotion of national social dialogue and advocacy in building and strengthening partnerships. Underlining the importance of creating decent jobs to foster sustainable economic growth, he stressed that the creation of decent productive jobs should also be encouraged in SMEs, including through their formalization. All workers, men, women, young people and persons with disabilities should be able to enjoy equal pay for work of equal value and a safe and secure working environment, regardless of the sector in which they worked.

- 110.** The institutional development of labour protection measures, especially social protection, was sometimes disjointed, resulting in inadequate and ineffective policies and the legislative capacity to respond to changing labour protection needs. The future of work was changing and was already challenging. For example, businesses would be driven in the future by the green transition, technological changes, supply chain transformations and changing consumer expectations, which would lead to the emergence of new jobs across industries. He stressed the growing importance of cognitive skills applied to complex problem solving and wondered whether the skill transition would be neutral in relation to variables such as gender, disability and age.
- 111.** The Government representative of Egypt welcomed the report's focus on marginalized and vulnerable groups. She noted that Egypt was paying particular attention to labour protection and seeking to expand labour protection to the informal sector. Social security programmes had been incorporated into the country's policy agenda, which included the creation of a new unit responsible for social protection for workers with disabilities and workers in the informal economy. The minimum wage was compulsory in the private sector and measures were in place to mitigate the impact that such an intervention might have on more fragile sectors and on women. She stressed that they were trying to achieve global protection in a constantly changing world of work and that the ILO's role in the multilateral system should be strengthened.
- 112.** The Government member of Argentina valued the ILO's work on the adequate and effective protection of workers, especially for those in vulnerable groups. Societies were facing huge challenges in terms of income differences, unemployment, external crises and informal work, which had an impact on labour relations and worker protection. She referred to the Philadelphia Declaration, which stated that labour was not a commodity and that all human beings had the right to pursue their material well-being in conditions of economic security and equal opportunity. External debt sustainability was having a negative impact on production systems and was limiting the capacity of countries to adopt measures and policies that would provide economic security for their workers and give them equal opportunities. In line with the Philadelphia Declaration, future priorities should focus on economic and financial interventions that improved labour protection and promoted well-defined and robust international regulations that supported the creation of decent employment.
- 113.** She noted that, despite continued promotion efforts, ratification of two fundamental Conventions, Convention No. 155 and Convention No. 187, remained insufficient. She added that the Minimum Wage Fixing Convention, 1970 (No. 131) should be included among the fundamental Conventions.
- 114.** The Government member of the Islamic Republic of Iran underlined the huge challenges caused by the skills gap in a constantly changing world of work and stressed the importance of promoting labour market innovations. She outlined measures implemented by her Government to support and empower vulnerable groups, such as women heads of household and persons with disabilities, to promote social justice and employment. The measures aimed to increase financial autonomy and promote access to microfinance for vulnerable groups, such as women and vulnerable young persons, and improve livelihoods, employment and skillsets. In addition, legislation had been introduced to ensure the protection of children and adolescents and prevent child labour. She also highlighted the strengthening of the social protection system, housing measures and measures to combat poverty, as well as progress achieved in improving access to information and reducing unemployment, particularly among women responsible for families.

115. The Employer Vice-Chairperson recalled his group's commitment to reaching a balanced outcome based on consensus and agreed on fostering labour protection while creating productive employment, facilitating labour transitions and promoting diverse working arrangements, encouraging innovation, investment and training. He reiterated the need for research on the cost of labour protection measures and on how best to strike a balance between inclusive worker protection and the realities faced by employers, in particular MSMEs. In so doing, the ILO should focus on the main dimensions of labour protection, and strengthen the capacities of constituents to create better protection policies and regulatory measures.
116. Regarding harnessing the opportunities provided by digitalization, the ILO should continue to examine the key and positive role played by technology, a point echoed by governments.
117. Towards a better policy response, he noted that bringing controversial concepts that were biased, non-evidence based and did not enjoy tripartite consensus should be avoided. On extending labour protection for all, it was first essential to address the root causes and consider appropriate levels of protection based on national contexts, as it would not be economically sustainable to transpose traditional labour protection to all workers. Moreover, he encouraged adherence to the term "diverse forms of work" rather than "precarious" or "non-standard", as used in the Centenary Declaration and underlined the positive and key role of diverse forms of work as a stepping-stone to employment.
118. Regarding the living wage, he recalled that the ILO approach to minimum wages was set out in Convention No. 131, with the tripartite-agreed concept of adequate minimum wages, statutory or negotiated.
119. On the right to disconnect, there was no one-size-fits-all solution and there should not be a new right or rights-based approach; regulations should provide for more flexibility, autonomy and a better work-life balance.
120. On the reference to the mandatory human rights diligence, it would not solve the root cause of decent work deficits, which were linked to the gap in the implementation and enforcement of legislation at the national level. Regarding platform work, he pointed out that the ILO would undertake specific standard-setting work from 2025 onwards and those discussions should not be pre-empted.
121. The Worker Vice-Chairperson welcomed many of the constructive suggestions, including the proposals by the Employers' group for the ILO database on labour protection, including on wages, to be updated and for further research into the impact of digitalization on labour protection. However, he disagreed with the points raised around promoting diversity of working arrangements, especially if such arrangements led to lower rights and protections, as the proliferation of atypical and insecure employment and "false" self-employment had led to significant asymmetries in labour protection, worker financial insecurity, and inequalities. He noted with interest the proposal around how public procurement could support compliance with labour rights and would welcome further ILO research into how Member States were using that approach. He agreed on the need to advance in standard setting for platform workers, including the importance of collective bargaining and social dialogue, and with the suggestion on developing further evidence and guidance in relation to telework and the right to disconnect.
122. He also agreed that the ILO should strengthen its work on adequate minimum wages, as well as research and support for countries in defining living wages, and recalled that an ambitious work plan had been agreed during the 110th Session (2022) of the International Labour Conference, which must be implemented. He highlighted the importance of the ILO flagship

report on social dialogue and welcomed the proposal for further research on social dialogue and collective bargaining. The social dialogue flagship report must become a regular, annual feature of the ILO research agenda. He underlined the leading role of the ILO in the multilateral system in promoting labour protection and social justice.

Discussion of the draft conclusions

123. The Chairperson introduced the draft conclusions, noting that 136 amendments had been submitted for consideration. Amendments that addressed points of the draft Conclusions that remained in brackets would be given priority in the order of discussion.
124. Before the discussion of the draft conclusions, the Employer Vice-Chairperson [M] expressed the Employers Group's strong discontent and disappointment that the Workers' Group and representatives of the EU and GRULAC submitted amendments on text that has already been agreed by the drafting group whose responsibility was to lay a first text for the Committee's consideration. During the two days of its work, he noted the good progress and agreement made by the drafting group which was possible due to compromise and discipline shown by all. He also conveyed the importance of negotiating in good faith to achieve consensus, a fundamental principle the Employers have always and will always continue to respect, promote and uphold. Well aware the Standing Orders, he stressed that it was the understanding of the Employers' Group that agreed text would not be amended by drafting group members as this would undermine the progress they have achieved. For this reason, his Group respected the work done and refrained from submitting amendments on the agreed text. He expressed his group's great disappointment to see amendments on agreed text were not only made but done so to re-open contentious issues where a compromise solution is unlikely to be found. He expressed strong concerns that this practice sets a dangerous precedent and questions the overall relevance of drafting groups for future Conferences. He noted that his Group reserves the right to act accordingly in future ILCs.

Conclusions concerning the second recurrent discussion on labour protection

Title

125. The title "Draft conclusions concerning the second recurrent discussion on labour protection" was adopted.

Part I. Context, progress and challenges

Title

126. The title of part I "Context, progress and challenges" was adopted.

Section. Context

Title

127. The title of the first section "Context" was adopted.

Point 1

128. The Government member of Brazil speaking on behalf of GRULAC, introduced an amendment (A.1) to replace the statement "and a cost-of-living crisis" with the words "and economic and

financial crises affecting the cost of living”, to specify the crises that contributed to the cost-of-living crisis.

- 129. The Employer Vice-Chairperson and Worker Vice-Chairperson supported the amendment (A.1).
- 130. The Government members of Gabon, speaking on behalf of the Africa group, and of Sweden, speaking on behalf of the EU and its Member States, supported the amendment.
- 131. The amendment was adopted.
- 132. Point 1 was adopted as amended.

Point 2

- 133. Point 2 was adopted.

Point 3

- 134. The Government member of Sweden, speaking on behalf of the EU Member States, introduced an amendment (A.28) to add the wording “and productivity” so that the sentence read “It is instrumental in achieving decent work and in contributing to social justice and social peace, in ensuring a just share of the fruits of progress and productivity to all, and in reducing inequalities.” The amendment sought to emphasize that, against the backdrop of income inequalities, it would be very important that both fruits of progress and productivity should be more justly shared.
- 135. The Employer Vice-Chairperson did not support the amendment (A.28) and referred to the existing wording within Chapter three of the Declaration of Philadelphia, which stated “a just share of the fruits of progress to all”. The fruits of productivity were necessarily shared, as it implied gains for employers, workers, and the local and national community, but it was not appropriate to engage in redistributive justice in the clause.
- 136. The Worker Vice-Chairperson supported the amendment. Sharing productivity gains was a key characteristic of a just society, and the proposed language was not necessarily new. Paragraph A(ii) of the Centenary Declaration, in fact read: “harnessing the fullest potential of technological progress and productivity growth, including through social dialogue, to achieve decent work and sustainable development, which ensure dignity, self-fulfilment and a just sharing of the benefits for all”. On that basis, he proposed a subamendment to insert the word “growth” or “gains” after the word “productivity”.
- 137. The Employer Vice-Chairperson proposed a subamendment to use the exact wording of the Centenary Declaration by inserting the words “and harnessing the fullest potential of technological progress and productivity growth.” between the words “fruits of progress” and the words “to all”.
- 138. The Government member of Sweden, speaking on behalf of the EU and its Member States, did not support the subamendment as it would change the meaning of the sentence. She could however support the subamendment proposed by the Workers’ group.
- 139. The deputy representative of the Secretary-General indicated that point 23(a) of the [Conclusions concerning inequalities and the world of work](#) (2021) used the wording “helps achieve a fair share of productivity gains”.
- 140. The Employer Vice-Chairperson agreed to the use of the word “growth”.
- 141. The amendment was adopted as subamended.

142. The Government member of Canada introduced an amendment (A.10), also on behalf of Türkiye and the United States, to include the word “inclusive” between the words “All workers should enjoy” and the words “adequate and effective labour protection”, in line with the topic of discussion.
143. The Worker Vice-Chairperson and the Employer Vice-Chairperson supported the amendment .
144. The amendment was adopted.
145. Point 3 was adopted as amended.
146. The first section was adopted as amended.

Section. Progress and challenges

Title

147. The title of the second section “Progress and challenges” was adopted.

Point 4

148. The Worker Vice-Chairperson introduced an amendment (A.93) to add “, though a number of challenges remained and new challenges have arisen” at the end of the first sentence of point 4 to nuance the sentence, given the picture of mixed progress on labour protection indicated in Report V(Rev.) and in other ILO reports. Notably, the trend was towards temporary employment; minimum wages had been adopted by many countries, but the latest Global Wage Report indicated that real wages were on the decline. He noted that the adequacy of minimum wages was being jeopardized by inflation and the cost-of-living crisis. Non-compliance with minimum wages persisted and, as highlighted in Report V(Rev.), violence and harassment also persisted. It was therefore clear that challenges remained and new ones had emerged.
149. The Employer Vice-Chairperson did not support the amendment, as it added negative wording to a paragraph that was focused on progress.
150. The Government member of Brazil, speaking on behalf of GRULAC, and the Government member of Sweden, speaking on behalf of the EU and its Member States, supported the amendment.
151. The Worker Vice-Chairperson noted that the amendment was coherent with the title of the section, “Progress and challenges”, as it pointed to remaining challenges and new challenges that had arisen since the previous discussion. It was neither negative nor positive wording; it was simply a factual statement to reflect the state of the world.
152. The Employer Vice-Chairperson remarked that although the title of the section was “Progress and challenges”, few of the paragraphs in the section reflected progress made. The proposed amendment would create an imbalance in the text, leaning more towards the challenges than towards the progress.
153. The representative of the Secretary-General suggested to add a full stop after the words “by the social partners” and to start a new sentence with “However, a number of challenges remained and new challenges have arisen”.
154. The Employer Vice-Chairperson supported the subamendment.
155. The amendment was adopted as subamended.

156. The Employer Vice-Chairperson, introducing amendment (A.38), said that his group preferred the wording: "However, the global slowdown in labour productivity as well as the reallocation of labour to low productivity economic sectors are lowering the workers' share of the fruits of progress from economic activity" because those two factors were the main causes of a lack of sharing of the fruits of progress by workers. The World Bank and the OECD had highlighted a slowdown in productivity growth since 2009 and especially in 2019 with the COVID-19 pandemic. Moreover, other factors were affecting developing countries in Africa, Asia and Latin America, not least having to cope with a high level of informal employment, which led to low productivity.
157. The Worker Vice-Chairperson did not support the amendment.
158. The Worker Vice-Chairperson, and the Government member of Brazil, speaking on behalf of GRULAC, introduced identical amendments (A.94) (A.2) to add, after the words "in reducing inequalities." the sentences "However, the lack of adequacy and effective implementation of minimum wages remain a challenge in many countries, and this contributes to the growing working poverty and income inequality. Moreover, workers' share of the gains from economic activity has kept declining, as wage growth has lagged behind productivity developments."
159. The Worker Vice-Chairperson explained that his group had opposed the proposal made by the Employers' group in amendment (A.38) to delete the reference to the lack of adequacy and effective implementation of minimum wages, as minimum wages were recognized as crucial to labour protection. The Committee should recognize that wages had not kept pace with economic activity and productivity, as acknowledged by many academics and international institutions in both developing and advanced economies and affirmed in several ILO and OECD reports. He further noted that the position of the Employers' group seemed to come largely from the situation arising from COVID-19 but that crisis had lasted for a relatively brief time. He therefore did not support the amendment proposed by the Employers' group.
160. The Government member of the United States supported the amendments (A.94) (A.2) proposed by the Workers' group and GRULAC.
161. The Government member of Gabon, speaking on behalf of the Africa group, and the Government member of Sweden, speaking on behalf of the EU and its Member States, supported both the amendments proposed by the Workers' group and GRULAC.
162. The Employer Vice-Chairperson proposed a subamendment to delete the words "adequacy and" before "effective implementation of minimum wages". There was a lack of clarity on the concept of adequacy in the context of the paragraph in question, which depended on many circumstances and, above all, on the level of development in a country.
163. The Worker Vice-Chairperson did not support the subamendment.
164. The two amendments were adopted and another amendment (A.38) fell as a consequence.
165. The Government member of Sweden, speaking on behalf of the EU Member States, introduced an amendment (A.27) to move the wording "digital payments of wages" in the third sentence to earlier in the paragraph, to read "Measures have also been adopted to address the non-payment of wages, including through digital payment of wages, and to advance the principle of equal pay for work of equal value, including through pay transparency measures".
166. The Worker Vice-Chairperson and the Employer Vice-Chairperson supported the amendment.
167. The Government member of Brazil, speaking on behalf of GRULAC, supported the amendment but proposed a subamendment to add "the banking" before the words "digital payments". The

subamended sentence would read “Measures have also been adopted to address the non-payment of wages, including through the banking and digital payments of wages”.

168. The Government member of Türkiye supported the amendment.
169. The Worker Vice-Chairperson sought clarification on the reasoning behind including reference to banking payments.
170. The Government member of Brazil, speaking on behalf of GRULAC, explained that it was to make sure that the banking system was included for wage payments and that the term digital did not lead to misinterpretation of paying wages in the form of cryptocurrency, for instance.
171. The Employer Vice-Chairperson, supporting the subamendment, said that the idea was to highlight the role of information and communication technology (ICT) in the protection of wage payments.
172. The Worker Vice-Chairperson said that his group could not accept any reference to the payment of wages in currencies such as cryptocurrency that were not workable.
173. The representative of the Secretary-General explained that the concern was to make sure that wage payments were paid and were traceable. Payment through bank accounts ensured that. Digital payments included new modes of payment such as PayPal and telephone banking, where wages would be paid in normal currency and were traceable and thus provided greater security. It did not refer to new currencies such as cryptocurrency.
174. The Worker Vice-Chairperson having heard the clarifications, supported the subamendment.
175. The amendment was adopted as subamended.
176. Point 4 was adopted as amended.

Point 5

177. The Employer Vice-Chairperson introduced an amendment (A.39) to replace the word “to” with “and one of the root causes against” after the words “major obstacle”, to emphasize the impact of informality on the effective attainment and guarantee of labour protection.
178. The Worker Vice-Chairperson supported the amendment.
179. The Government member of Switzerland agreed that informality was an important root cause to be addressed to effectively tackle informality and supported the amendment.
180. The Government member of Brazil, speaking on behalf of GRULAC, supported the amendment.
181. The amendment was adopted.
182. The Employer Vice-Chairperson introduced an amendment (A.40) to insert the words “and the vast majority of micro, small, and medium-sized enterprises” between the words “Two billion workers” and the words “worldwide make” to draw attention to the incidence of informality and its impact on MSMEs.
183. The Worker Vice-Chairperson did not support the amendment. The point sought to address the difficulties of workers in the informal economy in realizing their labour rights and to earn a living. Companies, for their part, did not have labour rights nor earn a living. Moreover, according to Recommendation No. 204, the appropriate term to use when referring to companies in the informal economy was “economic units”.
184. The Government member of Sweden, speaking on behalf of the EU and its Member States did not support the amendment as the point in question was addressing the effect of informality

on workers and their labour protection. She reminded the Committee that the issue of MSMEs could be reflected in another amendment to be discussed.

- 185.** The Employer Vice-Chairperson noted the applicability of Recommendation No. 204 to micro and small enterprises, and that international labour standards, including the right to freedom of association, also applied to employers. He nonetheless would agree to withdraw the amendment if a subsequent amendment (A.42) was adopted.
- 186.** The Employer Vice-Chairperson introduced an amendment (A.42) to insert the words “The informal economy has a negative impact on the development of sustainable enterprises, public revenues, and governments’ scope of action” between the words “has been rising” and “Labour protection remains”.
- 187.** The Government members of Gabon, speaking on behalf of the Africa group, and Côte d’Ivoire supported the amendment. The Government member of Sweden, speaking on behalf of the EU and its Member States, supported the amendment if the remaining text of the point remained unchanged.
- 188.** The Employer Vice-Chairperson proposed a subamendment to add the wording “in particular, micro, small, and medium-sized enterprises” after the words “the development of sustainable enterprises,”.
- 189.** The Worker Vice-Chairperson supported the amendment as subamended and introduced a further subamendment to replace the words “in particular” with “including” as it was likely more accurate.
- 190.** A member of the secretariat confirmed that the word “including” more accurately reflected the extent to which informality affected MSMEs.
- 191.** The Employer Vice-Chairperson supported the subamendment and withdrew his group’s amendment (A.40).
- 192.** The amendment was adopted as subamended.
- 193.** The Employer Vice-Chairperson introduced an amendment (A.41) to delete the words “, if any, and informality among the self-employed has been rising” after the words “with limited rights and protections”. Reference to the self-employed and the extent to which they were protected should be defined at the national level.
- 194.** The Worker Vice-Chairperson did not support the amendment. The words “if any” reflected the reality that many workers in the informal economy simply had no rights and protections. He asked the secretariat to clarify if there was indeed evidence that informality had increased among the self-employed.
- 195.** The representative of the Secretary-General replied that ILO research had indeed documented an increase in the incidence of informality among the self-employed.
- 196.** The Government members of Côte d’Ivoire and Sweden speaking on behalf of the EU and its Member States, did not support the amendment.
- 197.** The Employer Vice-Chairperson withdrew the amendment.
- 198.** The Employer Vice-Chairperson introduced an amendment (A.43) to replace the sentence “Labour protection remains an elusive goal for the self-employed, including for many in the formal economy.” with the sentence: “Gaps in labour protection remain a reality for some self-employed.” Self-employed workers did not have an employer–employee relationship that would establish an ‘employer’s obligations with respect to their labour protection.

Universalization and extension of labour protection to the self-employed would therefore be difficult.

199. The Worker Vice-Chairperson did not support the amendment.
200. The Government member of the United States agreed that there was a need to specify that labour protection remained an elusive goal for some, but perhaps not all, self-employed workers in the formal economy. He introduced a subamendment to keep the original sentence of the draft Conclusions, but to insert the word “some” prior to the term “self-employed”, such that the text read “Labour protection remains an elusive goal for the self-employed, including for some in the formal economy.”
201. The Employer Vice-Chairperson supported the subamendment.
202. The Government member of Türkiye supported the subamendment.
203. The Worker Vice-Chairperson proposed to further subamend replacing the word “some” with the word “many” when referring to the self-employed. If adopted, he would support the amendment as subamended.
204. Following a query by the Government member of the United States, the Worker Vice-Chairperson proposed a further subamendment interchanging the qualifiers “many” and “some” so to read “Labour protection remains an elusive goal for many self-employed, including for some in the formal economy”.
205. The Employer Vice-Chairperson proposed a further subamendment replacing “remains” with the words “may remain” so that the subamended sentence would read “Labour protection may remain an elusive goal for many self-employed, including for some in the formal economy”.
206. The Worker Vice-Chairperson did not support the subamendment of the Employers’ group. Labour protection included minimum wages, OSH, maternity leave and many other issues, which remained an elusive goal for the self-employed, hence the proposed text would have made the statement factually incorrect. He requested clarification from the secretariat on which wording would more accurately reflect the reality between the two options of “including for some in the informal economy” and “including for many in the informal economy”.
207. The representative of the Secretary-General clarified that in the world 47 per cent of the employed population were self-employed and 80 per cent of the self-employed were part of the informal economy. Hence, she concluded that it would be accurate to state that labour protection was an elusive goal for many self-employed but in the case of the self-employed in the formal economy, she suggested that the word “some” could be used.
208. The Government member of Sweden, speaking on behalf of the EU and its Member States, did not support the subamendment to use the wording “may remain”, but supported the subamendment presented by the Worker Vice-Chairperson according to which the text would read “Labour protection remains an elusive goal for many self-employed, including for some in the formal economy”.
209. The Government member of Brazil, speaking on behalf of GRULAC, supported the subamendment presented by the ‘Workers’ group, and was not opposed to the subamendment to include the words “may remain”.
210. The Employer Vice-Chairperson proposed a further subamendment, suggesting to replace the word “goal” with “challenge” while contemplating the possibility of withdrawing the previous subamendment for the inclusion of the words “may remain”. As a result the text would read

“Labour protection remains a challenge for many self-employed, including for some in the formal economy”.

211. The Worker Vice-Chairperson noted that if the word “challenge” were to be adopted, the qualifiers “many” and “some” should be deleted.
212. The Government member of the Bahamas noted that if the qualifiers would be deleted the sentence would become factually incorrect as it would pertain to all self-employed.
213. The Government member of the Zimbabwe voiced preference for not including the word “may”.
214. The Government members of Barbados and of the United States supported Employer Vice-Chairperson’s subamendment to replace the word “goal” with the word “challenge”.
215. The Worker Vice-Chairperson proposed a subamendment to delete the second qualifier, so that it would read “Labour protection remains a challenge for many self-employed, including in the formal economy”.
216. The Employer Vice-Chairperson agreed to remove the word “may” but did not support the subamendment to delete the words “for some”.
217. The Employer Vice-Chairperson and Worker Vice-Chairperson jointly introduced a subamendment to replace the clause with alternative text to read “Informality remains a major obstacle and one of the root causes against achieving inclusive, adequate, and effective labour protection for all workers. Two billion workers worldwide make their living in the informal economy, with limited rights and protections, if any, and informality among the self-employed has been rising. The informal economy has a negative impact on the development of sustainable enterprises, including micro, small, and medium-size enterprises, public revenues, and governments’ scope of action. Labour protection remains a challenge for many self-employed, including in the formal economy.”
218. The Government members of Canada, Gabon, on behalf of the Africa group, the Philippines, Sweden on behalf of the EU and its Member States, and the United States supported the subamendment.
219. The amendment was adopted as subamended.
220. Point 5 was adopted, as amended.

Point 6

221. The Government member of Türkiye introduced an amendment (A.8), also on behalf of the United States, to replace the words “members of marginalized ethnic groups” by “racial and ethnic minorities”. The emphasis on marginalized ethnic groups had the potential to create discord, where the focus should be on shared values and goals. Doing so would create a more inclusive discussion that aimed to promote unity and constructive dialogue that encompassed many communities, including but not limited to ethnic groups.
222. The Employer Vice-Chairperson and the Worker Vice-Chairperson supported the amendment.
223. The Government member of Sweden, speaking on behalf of the EU Member States, supported the amendment but proposed a subamendment to replace the word “and” by the word “or” so that the phrase read “racial or ethnic minorities”.
224. The amendment was adopted as subamended.
225. Point 6 was adopted as amended.

Point 7

- 226.** In an effort to achieve balance in the text of the point, several amendments (A.95, A.44, A.45 and A.46) were addressed concurrently.
- 227.** The Worker Vice-Chairperson introduced an amendment (A.95) to replace the statement “While the diversification of work arrangements, such as temporary employment, platform work and telework, may have eased access to employment for workers facing higher barriers in entering and remaining in the labour market, it” with the phrase “The growth of insecure forms of work, including temporary employment and platform work”, to give more visibility to the specific types of employment that had grown in size and that were in need of labour protection, in line with paragraph 62 of Report V(Rev.). He noted the intentional omission of telework, which was not per definition insecure.
- 228.** The Employer Vice-Chairperson did not support the amendment (A.95). The term “insecure forms of work” had not been included in the draft conclusions, was not defined and was ambiguous and subjective in nature. Its inclusion was particularly dangerous, especially when there was a concept, namely the one of “diverse work arrangements” included in the Centenary Declaration on which there was a consensus. A lot of these diverse arrangements were not necessarily insecure, and had been positive in nature, in terms of employment creation and retention, especially during the COVID-19 pandemic. The issue should be dealt with by the standard-setting discussion to be held at the 113th Session of the International Labour Conference in 2025 in the discussion on decent work in the platform economy.
- 229.** The Worker Vice-Chairperson noted that none of the concepts were yet accepted or defined. There had been an evolution in the terminology used to describe such work. The term “non-standard forms of employment” had been widely used based on the Conclusions of the 2015 Technical Meeting of Experts on Non-Standard Forms of Employment, which defined the term to include fixed-term contracts and other forms of temporary work, temporary agency work and other contractual arrangements involving multiple parties, disguised employment relationships, dependent self-employment and part-time work. That term had also been used consensually several times during the 2015 Recurrent Discussion on Social Protection (Labour protection). The term “precarious employment” was the agreed way of referring to the same concept in SDG 8.8. “Insecure forms of work” was a formulation that had also been agreed by consensus in other official documents. For example, the Global Call to Action, referred to “informality and insecurity of work” in paragraph 2 and to “insecure forms of work” in paragraph 3, both of which were also adopted by consensus. In November 2021, the term “workers in insecure forms of work” was adopted by consensus in the Conclusions concerning inequalities in the world of work, in paragraph 23. Finally, the words “insecure forms of work” also appeared in paragraphs 3 and 11(e) of the Conclusions concerning the third recurrent discussion on employment (2022).
- 230.** The Employer Vice-Chairperson reiterated that the preferred term since the adoption of the Centenary Declaration was “diverse work arrangements”.
- 231.** The Employer Vice-Chairperson proposed an amendment (A.44) to replace the words “the main gateway to labour protection and social security” with the words “is recognized as a means to providing certainty and legal protection to workers” so that it would read “The continued relevance of the employment relationship is recognized as a means to providing certainty and legal protection to workers. Some countries have taken steps to promote correct status in employment classification”. There were means other than recognition of the employment relationship to ensure labour protection.

- 232.** The Worker Vice-Chairperson did not support the amendment.
- 233.** The Government members of Barbados, Canada, Islamic Republic of Iran, Sweden speaking on behalf of the EU and its Member States, and the United States, did not support the amendment.
- 234.** Seeking alternative solutions, the Employer Vice-Chairperson introduced an amendment (A.45) to replace the words “promote correct status in employment classification” with the words “adapt to the new realities of the world of work” so that it would read “Recognizing the continued relevance of the employment relationship as the main gateway to labour protection and social security, some countries have taken steps to adapt to the new realities of the world of work”. The proposed wording would maintain recognition of the employment relationship, using language from the Centenary Declaration.
- 235.** The Government members of Brazil, speaking on behalf of GRULAC, Gabon, speaking on behalf of the Africa group, and Sweden, speaking on behalf of EU and its Member States, did not support the amendment.
- 236.** The Government member of Canada did not support the amendment (A.45), noting that many countries had indeed corrected the misclassification of employment as a means of ensuring labour protection.
- 237.** The Government member of the United States did not support the amendment and suggested moving towards more neutral language such as non-standard forms of work, which the Government member of Canada supported.
- 238.** The Government member of the Islamic Republic of Iran did not support either of the proposed amendments (A.44 and A.45).
- 239.** The Employer Vice-Chairperson introduced an amendment (A.46) to replace the words “may have” with the words “has offered new opportunities for job creation” before the words “eased access to”, to better highlight the opportunities that the diversification of work arrangements has provided to workers to access employment.
- 240.** The Workers’ and Employers’ groups jointly proposed a subamendment to delete the words “the diversification of” after the word “While” and to insert after “may” the phrase “have offered new opportunities for job creation and”. The words “it had led” should be replaced with “they have led”. The full text read: “While work arrangements, such as temporary employment, platform work and telework, may have offered new opportunities for job creation and have eased access to employment for workers facing higher barriers in entering and remaining in the labour market, they have led to new challenges for labour protection and the classification of workers. Recognizing the continued relevance of the employment relationship as the main gateway to labour protection and social security, some countries have taken steps to promote correct status in employment classification”.
- 241.** The amendment was adopted as subamended.
- 242.** Amendments A.95, A.44 and A.45 fell as a consequence.
- 243.** Point 7 was adopted as amended.

Point 8

- 244.** The Employer Vice-Chairperson introduced an amendment (A.49) to delete “the potential for biased automated decisions affecting employment and work assignments” between “their right to privacy” and as well as”. It was not advisable to anticipate or prejudice any issue that

would be the subject of the standard-setting discussion on decent work in the platform economy at the 113th (2025) and 114th (2026) sessions of the Conference.

- 245.** The Worker Vice-Chairperson did not support the amendment. He considered it relevant to mention how technological change, including algorithmic management, had a negative impact on workers, including through the automatic setting of wages and of working time without consultation with workers' representatives.
- 246.** The Government member of the United States did not support the amendment. References to algorithmic bias would not prejudice standard-setting discussions. There were notable examples of algorithms exhibiting gender bias, so it was indeed a trend, which corresponded to the title of the section of the draft Conclusions in question. Moreover, those trends were not unique to the platform economy.
- 247.** The Government member of Sweden, speaking on behalf of the EU and its Member States and the Government member of Brazil, speaking on behalf of GRULAC, did not support the amendment.
- 248.** The Employer Vice-Chairperson proposed a subamendment to replace the words "the potential for biased automated decisions affecting employment and work assignments" with the words "the impact of automated decisions".
- 249.** The Government member of the United States suggested a further subamendment to add the words "on labour rights and right to privacy" after the words "the impact of automated decisions".
- 250.** The Employer Vice-Chairperson introduced a further subamendment to replace the words "on labour rights and right to privacy" with the words "on labour rights, employment and work assignments".
- 251.** The Government members of Argentina, Canada and the United States supported the subamendments.
- 252.** The Employer Vice-Chairperson introduced a further subamendment to replace the term "labour rights" with the term "labour protection". Labour protection was a broader concept, inclusive of labour rights, and the very subject of the recurrent discussion of the Committee.
- 253.** The Worker Vice-Chairperson did not support the subamendment. Automated decisions on hiring could be formulated to exclude certain groups, names, ethnicities etc., and those issues were not addressed in the term "labour protection".
- 254.** The Government member of the United States reminded that the point was included in the section on "context and challenges" and that such documented cases of automated decisions using biased data represented an already existing challenge.
- 255.** The Employer Vice-Chairperson withdrew the subamendment and supported the subamendment presented by the United States.
- 256.** The amendment was adopted as subamended.
- 257.** The Government member of Brazil, speaking on behalf of GRULAC, submitted an amendment (A.31) to substitute the word "addressing" with the words "the prevention of".
- 258.** The Employer Vice-Chairperson and the Worker Vice-Chairperson, and the Government member of Sweden, speaking on behalf of the EU and its Member States, supported the amendment.
- 259.** The amendment was adopted.

- 260.** Identical amendments (A.47, A.129 and A.131) were consequently also adopted.
- 261.** The Government member of Sweden, speaking on behalf of the EU Member States, introduced an amendment (A.130) to insert the words “and psychosocial” between the words “mental health” and “risks” and to delete the words “psychological disorders”. Mental health referred to individual health, while psychosocial risks referred to environmental factors, that may affect workers’ mental health, that could be planned for and prevented. Common psychological risks at work included stress, violence and harassment, or discrimination.
- 262.** The Worker Vice-Chairperson supported the amendment.
- 263.** The Government member of Brazil, speaking on behalf of GRULAC, requested clarification from the secretariat regarding the preferred terms.
- 264.** The representative of the Secretary-General noted that psychosocial risks affected mental health and captured many risks that could affect mental health. Psychosocial risks covered a range of situations, such as poor organization of work, lack of role clarity and poor communication which, if left unchecked, may put in jeopardy mental health.
- 265.** The Employer Vice-Chairperson introduced a subamendment to insert the word “including” instead of “and”, which would preserve “mental health” and cover psychosocial risks but also other risks that affected mental health.
- 266.** The Worker Vice-Chairperson did not support the subamendment.
- 267.** The Government member of the United Kingdom, the Government member of Gabon, speaking on behalf of the Africa group, and the Government member of Türkiye supported the amendment, but not the subamendment.
- 268.** The Employer Vice-Chairperson withdrew the subamendment.
- 269.** The amendment was adopted.
- 270.** Three amendments (A.48, A.32 and A.132) fell.
- 271.** Point 8 was adopted as amended.

Point 9

- 272.** The Government of Sweden, speaking on behalf of the EU Member States, introduced an amendment (A.25) to delete the words “[and the Occupational Safety and Health Convention, 1981 (No. 155) and Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187) were framed as fundamental conventions.] New regulations have been put in place to tackle violence and harassment in the world of work, including through the ratification and implementation of the Violence and Harassment Convention, 2019 (No. 190)”; and to add a new point (A.24) after point 9 that would read “New regulations have been put in place to tackle violence and harassment in the world of work, including through the ratification and implementation of the Violence and Harassment Convention, 2019 (No. 190)”.
- 273.** The Worker Vice-Chairperson, the Employer Vice-Chairperson and the Government member of Brazil, speaking on behalf of GRULAC supported the amendments.
- 274.** The amendments were adopted.
- 275.** An amendment (A.50) fell.
- 276.** Point 9 was adopted as amended.

Point 10

- 277.** The Government member of Sweden, speaking on behalf of the EU Member States, introduced an amendment (A.139) to insert the words “, career progression” between the words “labour markets” and the words “, skills and earnings”, to reflect gender inequalities and discrimination not only when entering the labour market, but also regarding career progression, such consideration for promotions.
- 278.** The Employer Vice-Chairperson supported the amendment.
- 279.** The Worker Vice-Chairperson supported the amendment.
- 280.** The Government members of Argentina, speaking on behalf of GRULAC, and Canada supported the amendment.
- 281.** The amendment was adopted.
- 282.** The Government member of Sweden, speaking on behalf of the EU Member States, introduced an amendment (A.140) to insert the words “and family responsibilities” after the words “unpaid care work”, to reflect the unequal distribution of unpaid care work between women and men, in line with the Centenary Declaration.
- 283.** The Worker Vice-Chairperson supported the amendment.
- 284.** The Employer Vice-Chairperson supported the amendment.
- 285.** The Government members of Argentina, speaking on behalf of GRULAC, Gabon, speaking on behalf of the Africa group, United Kingdom and Zimbabwe supported the amendment.
- 286.** The amendment was adopted.
- 287.** The Worker Vice-Chairperson introduced an amendment (A.97) to insert the words “, but the implementation and compliance often lagged behind” after the words “as well as paternity and parental leave”. There were three challenges to implementing parental leave that were particularly noteworthy, namely affordability due to low remuneration and benefits, accessibility to benefits due to excessively restrictive eligibility requirements, and access to rights due to the erosion of the employment relationship.
- 288.** The Employer Vice-Chairperson would not support the amendment unless it was further backed by evidence and asked the secretariat if such evidence existed.
- 289.** The deputy representative of the Secretary-General noted that the ILO report *Care at work: Investing in care leave and services for a more gender equal world of work, 2022*, contained evidence that compliance with maternity and paternity leave was indeed lagging behind the regulation of such protections.
- 290.** The Government members of Argentina, speaking on behalf of GRULAC, Gabon, speaking on behalf of the Africa group, and Sweden, speaking on behalf of the EU and its Member States supported the amendment.
- 291.** The Employer Vice-Chairperson, as he was not sufficiently familiar with the data cited to support the amendment, proposed a subamendment to place more emphasis on the positive, by replacing the words “often lagged behind” with the words “could be further improved.”
- 292.** The Worker Vice-Chairperson proposed a subamendment to replace the word “could” with the words “need to” before the word “be improved”.
- 293.** The Employer Vice-Chairperson supported the subamendment.

294. The Government member of Argentina supported the subamendments.
295. The amendment was adopted as subamended.
296. The Government member of Sweden, speaking on behalf of the EU Member States, introduced an amendment (A.141) to insert a sentence at the end of the paragraph that read: “However, the average length of paternity leave still remains short in many countries, and there is a need for a more equal sharing of parental leave between men and women.” Such gaps exacerbated gender inequality in the labour market.
297. The Worker Vice-Chairperson supported the amendment.
298. The Employer Vice-Chairperson did not dispute the importance of the principle, but cautioned that the language of the proposed amendment risked creating a situation where the Committee of Experts on the Applications of Conventions and Recommendations (CEACR) would judge countries across differing levels of development against Conventions that they were reviewing, which could send the wrong signals to governments with respect to compliance with international labour standards.
299. The Government members of Argentina, speaking on behalf of GRULAC, and the Plurinational State of Bolivia, supported the amendment.
300. The Government member of Argentina, speaking in his national capacity, noted that the draft Conclusions under discussion were descriptive in nature, not part of an international standard, and thus did not understand the concerns raised by the Employer Vice-Chairperson.
301. The Government member of Zimbabwe supported the argument made by the Employer Vice-Chairperson. Many countries in his region and others were still working on maternity leave and the matter of paternity leave was not a priority for many countries.
302. The Employer Vice-Chairperson proposed a subamendment to add the words “taking into account national laws and circumstances” at the end of the proposed sentence.
303. The Worker Vice-Chairperson did not support the subamendment. The original amendment concerned the well-being of women and children, which was of universal importance, regardless of the status of regulation across countries. Citing the ILO report *Care at work: Investing in care leave and services for a more gender equal world of work*, 2022, he noted that a vast majority of ILO Member States, 115 out of 185, had rules relating to paternity leave, and that the global average of paternity leave was as low as nine days.
304. The Government members of Argentina, speaking on behalf of GRULAC, and Canada, supported the amendment but did not support the subamendment.
305. The Government member of Sweden, speaking on behalf of the EU and its Members States, did not support the subamendment, and clarified that her group’s proposed amendment was an aspirational one that did not intend to impose obligations on governments.
306. The Employer Vice-Chairperson withdrew the subamendment.
307. The Chairperson proposed to replace the word “However” with “Moreover”, to improve readability.
308. The amendment was adopted with the editorial suggestion made by the Chairperson.
309. The Government member of Sweden, speaking on behalf of the EU Member States, introduced an amendment (A.142) to add, at the end of the paragraph, the sentence “In recent years, some progress has been made on health protection at the workplace for pregnant and nursing women, however maternity protection remains low, including as regards dangerous or

unhealthy work, for some forms of employment or work arrangements." The objective was to include an explicit reference to the safety and health of pregnant and nursing women.

- 310.** The Worker Vice-Chairperson supported the amendment as the information was factually correct. He drew attention to paragraph 99 of Report V(Rev.), which stated that there were only 40 countries where employers were obliged to protect pregnant and nursing mothers against dangerous and unhealthy work and only 11 countries that had introduced new legal measures on the matter in the last decade.
- 311.** The Employer Vice-Chairperson supported the spirit of the amendment, however he did not support the inclusion of the phrase "for some forms of employment or work arrangements" and therefore proposed a subamendment for its deletion. He further proposed a subamendment to the English text to replace the words "dangerous or unhealthy" with the word "hazardous", as per common usage.
- 312.** The Government member of Gabon, speaking on behalf of the Africa group, supported the original amendment, but did not support the subamendment, as there was indeed work that was dangerous and unhealthy for pregnant and nursing workers.
- 313.** The representative of the Secretary-General explained that, as per Convention No. 183, maternity protection consisted of three dimensions: the duration of maternity leave, the level of income replacement, and protection against risks for women workers and the child during pregnancy and nursing. Hence it would be incorrect to say that maternity protection remained low, as progress had been made on those dimensions. The issue might rather be one of sufficiency or adequacy. Regarding the word hazardous, the term included both concepts of dangerous and unhealthy, and was therefore not incorrect.
- 314.** The Worker Vice-Chairperson supported the subamendment, provided that "hazardous" did indeed cover both dangerous and unhealthy work. He could not, however, support the deletion of the sentence "for some forms of employment or work arrangements", because it still held true and applied, for instance, to self-employment, which was noted to be increasing. The Report V(Rev.), in paragraph 62, noted that indeed there were specific forms of employment and groups of workers that remained disproportionately excluded from such protections, such as migrant workers and workers with disabilities or specific occupational groups such as domestic and home-based workers.
- 315.** The Government member of Sweden, speaking on behalf of the EU and its Member States supported the subamendment to replace the words "dangerous or unhealthy" with the word "hazardous" on the basis of the secretariat's explanation.
- 316.** The Employer Vice-Chairperson proposed a further subamendment to insert a reference to "coverage" to clarify that it was maternity protection coverage that was low.
- 317.** The Government member of Sweden, speaking on behalf of the EU and its Member States, did not support the subamendment.
- 318.** The representative of the Secretary-General proposed to move the words "including as regards hazardous work" immediately after "progress has been made ... for pregnant and nursing women" and to replace the words "maternity protection" with "that", such that the text read "In recent years, some progress has been made on health protection at the workplace for pregnant and nursing women, including as regards hazardous work, however that protection remains low".
- 319.** The Worker Vice-Chairperson did not support the secretariat's proposal, as the text would then read as though improvements had been made for some forms of employment or work

arrangements, which was neither the case nor the intention. He further noted that the word “or” should be replaced with “and” between the words “forms of employment” and “work arrangements”.

- 320. The Employer Vice-Chairperson supported the secretariat’s proposal provided it still included the deletion of the words “, for some forms of employment or work arrangements.”
- 321. The Government member of Sweden, speaking on behalf of the EU and its Member States, supported the subamendment to delete the words “, for some forms of employment or work arrangements.”
- 322. The Worker Vice-Chairperson supported the subamendment.
- 323. The amendment was adopted as subamended.
- 324. Point 10 was adopted as amended.

Point 11

- 325. Point 11 was adopted.

Point 12

- 326. The Worker Vice-Chairperson withdrew an amendment (A.101) to insert the words “global and domestic” before “supply chains”.
- 327. Point 12 was adopted.

Point 13

- 328. The Government member of Sweden, speaking on behalf of the EU Member States, introduced an amendment (A.23) to insert the words “and other relevant authorities” after the words “for labour inspectorate systems” and again after the words “Cooperation between labour inspectorates”. In many EU Member States, labour inspectorates were only responsible for some workplace checks such as OSH, and other authorities were responsible for the inspection of other labour rights, such as working time or wages. The intention of the amendment was to ensure that the point was inclusive of those other authorities.
- 329. The Chairperson proposed to remove the second inclusion of the words “and other relevant authorities”. It seemed redundant, as the phrase already referred to “and competent authorities”.
- 330. The Employer Vice-Chairperson and Worker Vice-Chairperson supported the amendment and agreed with the Chairperson’s proposal, although they could be flexible.
- 331. The Government member of Sweden, speaking on behalf of the EU and its Member States, stated her preference to keep both references and asked the secretariat to clarify whether all relevant authorities would be included in the notion of “labour inspectorate systems”.
- 332. A member of the secretariat noted that the authorities involved in labour inspections were not necessarily limited to labour inspectorate systems, as other authorities such as tax authorities and social security authorities also play a role in labour inspections.
- 333. The Chairperson proposed, in consultation with the secretariat, to insert the words “other relevant and” before the words “competent authorities”, such that the text read “Cooperation between labour inspectorates and other relevant and competent authorities”.

- 334. The Government member of Sweden, speaking on behalf of the EU and its Member States, supported the Chairperson's proposal.
- 335. The amendment was adopted with the Chairperson's proposal.
- 336. Point 13 was adopted as amended.

Point 14

- 337. The Worker Vice-Chairperson introduced an amendment (A.98) to include the wording "including collective bargaining" so that the text read: "During the COVID-19 crisis, the engagement of the social partners, through bipartite and tripartite social dialogue, including collective bargaining, at all levels, has proven essential to protect workers' health and for preserving jobs and workers' income, while ensuring business continuity." During the pandemic, there was a call to social partners to come together to address the crisis. Collective bargaining was indeed the main vehicle to address such crises, and it should be highlighted in the draft conclusions.
- 338. The Employer Vice-Chairperson did not support the amendment (A.98). Collective bargaining was just one form of social dialogue, and other forms had been vital in the COVID-19 response. He highlighted the role of workplace cooperation, which took place in the form of OSH bipartite committees in many companies to address COVID-19. He proposed two options to move forward, either delete "including collective bargaining" or to expand the wording as follows "including collective bargaining "at all levels and other forms of social dialogue such as workplace cooperation ...".
- 339. The Worker Vice-Chairperson recalled that workplace cooperation and collective bargaining were different, not to be equated with one another. The distinction between the two was made clear in the Centenary Declaration, which addressed collective bargaining and workplace cooperation in two separate paragraphs.
- 340. The Government members of Argentina, Sweden speaking on behalf of the EU and its Member States, and the United States supported the amendment (A.98). Workplace cooperation could be addressed, but not placed on the same level as collective bargaining.
- 341. The Employer Vice-Chairperson clarified that he was not putting into question that workplace cooperation was distinct from collective bargaining, merely that workplace cooperation had had an important role in addressing the COVID-19 pandemic, which was the subject of the point.
- 342. The Worker Vice-Chairperson recalled that the ILO only had a fundamental Convention on collective bargaining, which was the Right to Organise and Collective Bargaining Convention, 1949 (No. 98). There were no fundamental Conventions on other forms of social dialogue.
- 343. The Employer Vice-Chairperson asked the secretariat to provide their view on whether or not workplace cooperation had been an interesting means of addressing the impacts of COVID-19.
- 344. The representative of the Secretary-General said that, in her understanding, the Worker Vice-Chairperson was not saying that workplace cooperation, which was about consultation, information sharing addressing specific problems, had not been useful in the context of COVID-19. Simply that it could not be equated with or seen as a replacement for collective bargaining. Workplace cooperation differed from collective bargaining in fundamental ways, including the fact that it could exist without recognition of freedom of association; that in many countries, collective bargaining decisions and the outcomes of collective bargaining, including collective bargaining agreements had the legal status of regulation, which was not the case of

workplace cooperation; and that it did not involve any negotiation or address the full range of issues that collective bargaining covered. Making such a distinction in the text could help resolve the issue.

345. The Worker Vice-Chairperson proposed a subamendment to insert after the words “workplace cooperation” the words “that respects collective bargaining and its outcomes, and that does not undermine the role of trade unions”.
346. The Employer Vice-Chairperson did not support the subamendment, as it was aspirational in tone, whereas the point in question was addressing past actions.
347. The Worker Vice-Chairperson, echoing a proposal by the Chairperson, introduced a subamendment to create a separate sentence on other forms of social dialogue, qualifying the limits of their scope. The sentence could read: “Other forms of social dialogue such as workplace cooperation that respects collective bargaining and its outcomes, and that does not undermine the role of trade unions was also useful”.
348. The Employer Vice-Chairperson noted that it would be more prudent to discuss the matter in another point.
349. The Worker Vice-Chairperson withdrew the subamendment and the amendment.
350. Point 14 was adopted.
351. The section “Progress and challenges” was adopted as amended.
352. Part I was adopted as amended.

Part II. Framework for action

Title

353. The title of part II “Framework for action” was adopted.

Point 15

354. Point 15 was adopted.

Point 16

355. The Employer Vice-Chairperson introduced an amendment (A.51) to delete the words “for all workers” after the words “inclusive, adequate and effective labour protection”. While he shared the aspiration that all workers should enjoy inclusive, adequate and effective labour protection in principle, point 16 referred to the scope of application of existing international labour standards, on which limits had already been placed.
356. The Worker Vice-Chairperson did not support the amendment, as labour protection was for all workers, a notion that was reflected in the Centenary Declaration (Part III(B)), which referred to the need to strengthen “the institutions of work to ensure adequate protection of all workers”.
357. The Government members of Argentina, speaking on behalf of GRULAC, Gabon, speaking on behalf of the Africa group, Sweden speaking on behalf of the EU and its Member States, and Türkiye, did not support the amendment.
358. The Employer Vice-Chairperson said that they supported the language used in the Centenary Declaration and agreed with governments and workers on that aspect. However, each Convention limited its scope of application and therefore they did not cover all workers.

- 359.** The Government member of Argentina did not support the amendment and noted that the Conventions were referred to as providing guidance to the development of a framework to protect all workers.
- 360.** The Employer Vice-Chairperson proposed a subamendment to insert the words “where applicable” after the words “on matters”, to clarify the limited scope of application of the listed Conventions.
- 361.** The Worker Vice-Chairperson did not support the subamendment, reiterating that labour protection should apply to all workers. He cited paragraph 11(d) of the Conclusions concerning the third recurrent discussion on employment, which stated: “policies and institutions to ensure that all workers, regardless of their employment status, enjoy adequate protection taking into account: respect for fundamental rights; an adequate minimum wage, statutory or negotiated; maximum limits on working time; and safety and health at work”. He further recalled that similar language had already been adopted in point 2 of the draft Conclusions.
- 362.** The Government members of Canada, Sweden, speaking on behalf of the EU and its Member States, and Zimbabwe did not support the subamendment.
- 363.** The Employer Vice-Chairperson explained that the context was different, as point 2 was aspirational, while point 16 referred to the application of Conventions.
- 364.** The Worker Vice-Chairperson indicated that the sentence should be read in its totality and that point 16 was simply calling for a clear guiding framework for the development of future standards.
- 365.** The representative of the Secretary-General clarified that all ILO standards were applicable to all workers unless otherwise specified. Sometimes there was explicit reference to only workers who were in employment relationships, but other standards applied to all, including those who were self-employed. Some also applied to managers and third parties. Standards that had been ratified by a given country applied to the group that were meant to benefit from the protection, with some limitations on scope of application in some cases. However, the international labour standards referred to in point 16 were meant to provide elements to inform a framework for moving towards the development of protection with a view to achieving inclusive, adequate, and effective protection for all workers.
- 366.** The Employer Vice-Chairperson noted the explanation of the secretariat and although he was not fully convinced, he withdrew the subamendment and the amendment.
- 367.** Point 16 was adopted.

Point 17

- 368.** The Employer Vice-Chairperson proposed an amendment (A.52) to substitute “Achieving” with “Promoting inclusive, adequate and effective” before the words “labour protection” to use more realistic language.
- 369.** The Worker Vice-Chairperson proposed a subamendment to replace the word “Promoting” with the word “Achieving” before the words “inclusive, adequate and effective”. The statement should be aspirational, the goal was not promotion, countries should strive to achieve the end result.
- 370.** The Government members of Canada, Gabon, speaking on behalf of the Africa group, Sweden, speaking on behalf of the EU and its Member States, and the United States, supported the subamendment.

371. The Employer Vice-Chairperson indicated that the use of “Achieving” eliminated the possibility of progressive improvement and proposed a further subamendment to replace “Achieving” with “Advancing” to have a more realistic and inviting approach.
372. The Worker Vice-Chairperson did not support the further subamendment, and noted that point 17 was intended to identify the means by which to achieve a goal, not simply promote it.
373. The Government member of the United Arab Emirates proposed a further subamendment to replace “Achieving” with “Advance the achievement of”. The subamendment was not seconded and then she expressed support for the employers subamendment which used “Advancing”.
374. The Government member of Senegal, taking into account the Employer Vice-Chairperson’s point on the importance of accommodating progressive advancements, proposed a further subamendment to use “Progressive achievement of” in place of “Achieving”.
375. The Employer Vice-Chairperson seconded the subamendment.
376. The Government members of Canada, Indonesia, the United States and Zimbabwe supported the subamendment.
377. The Worker Vice-Chairperson supported the subamendment, noting reservations.
378. The amendment was adopted as subamended.
379. The Government member of Saudi Arabia, speaking on behalf of the GCC, introduced an amendment (A.148) calling for the deletion of “and a coherent framework that is gender transformative” after “policy approach”. He asked for clarification on the meaning of “gender transformative” and the mechanisms to achieve such transformation.
380. The representative of the Secretary-General stated that the term “gender transformative” had been used in two important high-level, tripartite documents, the Centenary Declaration and the Global Call to Action. She stated that “transformative” referred to an agenda that addressed the structural barriers that stood in the way of women’s access to the labour market, their progress in the labour market, their acquisition of skills and competencies that were rewarded, and their ability to achieve equal pay for work of equal value, including equal pensions. Structural barriers included the unequal distribution of unpaid care work and societal expectations that limited the amount of time women could devote to paid work, and their ability to remain in the labour market. In many countries, women had to drop out of the labour market following birth of children because they could not manage paid employment and family responsibilities in the absence of public childcare facilities and adequate work-life balance measures. As such, “gender transformative” went beyond “gender responsive”, which took into account the specific needs of men and women without removing the structural barriers to alter the balance between the two.
381. The Government member of Saudi Arabia, speaking on behalf of the GCC, stated that “gender responsive” was clearer to them and introduced a subamendment to replace the word “transformative” with “responsive”. Structural change and gender transformative were still not clear concepts.
382. The Worker Vice-Chairperson pointed out that gender-responsive was not interchangeable with gender-transformative, and that gender-transformative was more in line with what they were trying to achieve. The term “progressive” was already being used, giving some flexibility in the application of gender transformative policies.

383. The Government members of Argentina, speaking on behalf of GRULAC, Canada, Sweden on behalf the EU and its Member States, and the United States supported the amendment, but did not support the subamendment.
384. The Employer Vice-Chairperson supported the amendment and subamendment and introduced a further subamendment to add the words “supports a transformative agenda for gender equality” after the term “framework”. Such phrasing was balanced and already contained in the Centenary Declaration, which enjoyed broad support.
385. The Government member of Saudi Arabia speaking on behalf of the GCC, supported the further subamendment.
386. The Worker Vice-Chairperson supported the subamendment.
387. The amendment was adopted as subamended by the Employers’ group. The subamendment introduced by Saudi Arabia, on behalf of the GCC, fell.
388. The Employer Vice-Chairperson introduced an amendment (A.53) to add the sentence “It also requires a balance between the legitimate needs of both workers and employers.” to the end of point 17. The intention was to strike a balance in the text between workers and employers respective protection and responsibilities.
389. The Worker Vice-Chairperson did not support the amendment. Labour protection was first and foremost a human right for workers. While it was prudent to balance it with the needs of employers, fully respecting that employees had duties and obligations, the proposed wording was not appropriate.
390. The Government member of Saudi Arabia speaking on behalf of the GCC, supported the amendment.
391. The Government member of the United States did not support the amendment as labour protection included labour rights and should not be undermined.
392. The Government member of Sweden, speaking on behalf of the EU and its Member States did not support the amendment. The focus should be on labour protection, as noted in the Centenary Declaration.
393. The Worker Vice-Chairperson proposed a subamendment to delete the words “. It also requires a balance between”, and to add “while taking into account, through social dialogue,” before the words “the legitimate needs of both workers and employers”.
394. The Employer Vice-Chairperson supported the subamendment, which he further subamended to place a full stop after gender-equality, and to add after the period the words “This requires to take into account, through social dialogue, the legitimate needs of both workers and employers”. The meaning would not change, but the notion would gain in emphasis by placing it in a separate sentence.
395. The Worker Vice-Chairperson stated that they did not agree to make it conditional. He proposed a further subamendment to replace the word “requires” with the word “should” before the words “take into account”.
396. The Employer Vice-Chairperson supported the subamendment.
397. The secretariat proposed to replace the work “This” with “It”, for readability.
398. The amendment was adopted as subamended and with the editorial correction proposed by the secretariat.

399. Point 17 was adopted as amended.

Point 18

400. The Government member of Sweden, speaking on behalf of the EU Member States introduced an amendment (A.22) to move point 18 before point 15, as it would be better placed to frame part II of the conclusions "Framework for action" on labour protection and social security.

401. The Worker Vice-Chairperson and the Employer Vice-Chairperson supported the amendment.

402. The amendment was adopted.

403. Point 18 was adopted as amended.

Point 19

404. Three amendments (A.54, A.99 and A.55) were addressed concurrently.

405. The Employer Vice-Chairperson introduced an amendment (A.54) to replace the words "while promoting" with "in particular to promote" after the words "For sustainable enterprises to thrive,". He also introduced a second amendment (A.55), to replace the words "take account of" with the words "consider, in accordance with national laws and practices," before the words "the needs and circumstances of enterprises". He wished to highlight the link between the success of a sustainable enterprise and its capacity to promote labour protection. If the two amendments were to be adopted, the text of the point would state more clearly what enabling policies and frameworks were necessary for a sustainable enterprise to thrive, and thus to promote labour protection, and that those enabling policies and frameworks must be in line with national laws and practices.

406. The Government member of Brazil, speaking on behalf of GRULAC, supported the amendment to introduce the words "in particular to promote" but did not support the reference to national laws and practices.

407. The Worker Vice-Chairperson did not support the amendments. By removing the word "while", the original meaning, that sustainable enterprises thrived if and when they were promoting labour protection, would be lost. Yet, if sustainable enterprises did not promote labour protection, they would be failing in their obligation to be a vehicle for creating decent work. Moreover, it was not the intention of point 19 to give indications as to what laws and policies Member States should adopt, but merely to provide a framework for action.

408. The Worker Vice-Chairperson, introduced an amendment (A.99), to replace the words "that take account of" with the words "are needed to ensure that laws and regulations on labour protection adequately cover all enterprises and workers, taking into account" before the words "the needs and circumstances of enterprises", and to delete the words ", are needed." At the end of the sentence. Enabling macroeconomic policies and regulatory frameworks were necessary to ensure that adequate labour protection covered all enterprises and workers. The phrasing of the amendment was in line with what was agreed in the Conclusions concerning the promotion of sustainable enterprises adopted by the International Labour Conference in June 2007, which stated in point 9: "The promotion of sustainable enterprises also needs to place particular emphasis on supporting the transition of informal economy operators to the formal economy and ensuring that laws and regulations cover all enterprises and workers".

409. The Employer Vice-Chairperson did not support the amendment, noting that the thrust of the text was to refer not only to labour protection but to all other elements of the conditions for a conducive environment for sustainable enterprises referred to in the Conclusions concerning

the promotion of sustainable enterprises adopted by the International Labour Conference in June 2007, notably in point 8. The Workers' amendment would go in a different direction from the overall spirit of the paragraph.

410. The Government member of Sweden, speaking on behalf of the EU and its Member States did not support the amendment of the Workers' group as it would steer the focus away from sustainable enterprises.
411. The Government member of Brazil, speaking on behalf of GRULAC, supported the amendment of the Workers' group.
412. The Government member of the United States could support the amendment but preferred the original text proposed for point 19, as it was the most accurate.
413. The Employer Vice-Chairperson emphasized that point 19 focused on sustainable enterprises and not labour protection.
414. The Worker Vice-Chairperson agreed in principle that sustainable enterprises were the focus of the paragraph but that one of the conditions of the promotion of sustainable enterprises was that they would respect and ensure labour protection, as clearly stated in the Conclusions concerning the promotion of sustainable and productive enterprises adopted by the International Labour Conference in 2007. The phrasing of the 2007 Conclusions was reiterated in the Conclusions concerning the third recurrent discussion on employment (2022), in point 22.
415. The Employer Vice-Chairperson proposed reverting to the original text.
416. The Government members of Sweden, speaking on behalf of the EU and its Member States, Canada, Brazil, speaking on behalf of GRULAC, and Türkiye supported the proposal to revert to the original text.
417. The Worker Vice-Chairperson agreed to revert to the original text, which was clear and precise, but requested that it be clearly reflected in the summary record and report that the Workers believed that the Committee was working within the 2007 Conclusions, referenced in the discussions in 2022, which were crucial in that area.
418. The three amendments were withdrawn.
419. Point 19 was adopted.

Point 20

420. The Worker Vice-Chairperson introduced an amendment (A.100) to replace the text of the point to read: "Taking into account the need to address those in insecure forms of work and in misclassified employment relationships, while considering the diversity of enterprises and national circumstances, enables the design and implementation of well-tailored strategies that extend labour protection to all workers."
421. Following a concern raised by the Government member of Sweden speaking on behalf of the EU and its Member States on the meaning of "secure", the representative of the Secretary-General clarified that the words "highly insecure forms of work" appeared in paragraph 7, point (h) of the conclusions of the Tripartite Meeting Of Experts on Non-Standards Forms Of Employment, 2015 referring to workers engaged in forms of work in which they did not fully enjoy fundamental principles and rights at work. The expression "insecure work" or "insecure forms of work", was used in other contexts such as in paragraphs 3, 13(b)(ii), and 14(f) of the resolution on a Global call to action for a human-centred recovery from the COVID-19 crisis

that is inclusive, sustainable and resilient, 2021 and paragraphs 4, 16 and 23(c) of the Conclusions concerning inequalities and the world of work, 2021 although no further description or elaboration of what that wording encompassed existed.

- 422.** The Chairperson presented alternative text to point 20, drafted jointly by the Workers' and Employers' groups, which proposed inserting, after the opening words "Recognizing the", the phrase: "need to address the transition from informal to formal economy and from insecure to secure work that is decent, the". It also proposed deleting "workers and" after "diversity of", and deleting "and priorities" after "and of national circumstances", as well as inserting "for all workers" after "inclusive labour protection strategies" and deleting "in a broad range of contexts". The full text read: "Recognizing the need to address the transition from informal to formal economy and from insecure to secure work that is decent, the diversity of enterprises and of national circumstances, is a condition for the design and implementation of well-tailored and inclusive labour protection strategies for all workers". Issues related to diversity and insecurity had been at the centre of the negotiations and the proposed alternative text used the language adopted concurrently in the Quality Apprenticeships Recommendation, 2023, namely, "transition from informal to formal economy and from insecure to secure work that is decent" while also keeping the reference "for all workers".
- 423.** The Government member of Sweden, speaking on behalf of the EU Member States, proposed a subamendment to the alternative text to insert a comma after the word "economy" and to replace "and from insecure to secure work that is decent" with "and insecurity in some/certain forms of work", as not all forms of work were insecure. She proposed a further subamendment to retain the EU Member States' amendment (A.127) to insert "as well as enforcement" after "the design and implementation", and its further amendment (A.128) to insert the phrase "keeping in mind the importance of the promotion and implementation of international labour standards".
- 424.** The Government members of Argentina, speaking on behalf of GRULAC, Gabon, speaking on behalf of the Africa group, and Saudi Arabia supported the alternative text proposed by the Workers' and Employers' groups.
- 425.** The Worker Vice-Chairperson did not support the subamendments proposed by the EU Member States, arguing that the promotion of international labour standards was normal action expected of ILO Members and implicitly part of the actions outlined in the draft conclusions. His group was not changing its stance on the terms "insecure work" or "insecure forms of work" because a form of work that was insecure in one context might be secure in another. It was not deviating from the meaning of the concept but trying to be consistent with wording used elsewhere during the Conference and to merge the different interests of the constituents in order to reach a consensus text.
- 426.** The Government member of Sweden, speaking on behalf of the EU Member States, withdrew the subamendments.
- 427.** The amendment of the Workers' group was adopted as subamended.
- 428.** Amendments (A.4, A.126, A.127, A.128, A.56 and A.57) fell as a consequence.
- 429.** Point 20 was adopted as amended.
- 430.** Part II was adopted as amended.

Part III. Achieving inclusive, adequate and effective labour protection for all workers

Title

- 431.** The title of part III “Achieving inclusive, adequate and effective labour protection for all workers” was adopted.

Point 21

Chapeau

- 432.** The Employer Vice-Chairperson introduced an amendment (A.58) to delete the words “including collective bargaining,” after the words “based on social dialogue”.
- 433.** The Worker Vice-Chairperson, supporting the amendment, said that, while he preferred not to delete the words, collective bargaining, which was a critical part of social dialogue, the notion could be included in subsequent points.
- 434.** The amendment was adopted.
- 435.** The Government member of Sweden, speaking on behalf of the EU Member States, introduced an amendment (A.20) to delete the words “and priorities”, as it would be included in the notion of national circumstances.
- 436.** The Employer Vice-Chairperson, the Worker Vice-Chairperson, and the Government member of Brazil, speaking on behalf of GRULAC, supported the amendment.
- 437.** The Government member of Japan preferred the original text but could support the amendment in the spirit of consensus.
- 438.** The amendment was adopted.
- 439.** The chapeau to point 21 was adopted as amended.

Point 21(a)

- 440.** To facilitate the discussion three amendments (A.9, A.102 and A.103) were discussed concurrently.
- 441.** The Government member of the United States, speaking also on behalf of the Government member of Canada, introduced an amendment (A.9) to replace “and voluntary” with “including” to clarify that collective bargaining was one of the forms of social dialogue.
- 442.** The Worker Vice-Chairperson supported the amendment. The term “voluntary collective bargaining” was not in line with Convention No. 98, whereas it did refer to “voluntary negotiations”.
- 443.** The Employer Vice-Chairperson did not support the amendment.
- 444.** The Government member of Sweden, speaking on behalf of the EU and its Member States, supported the amendment, but stressed the importance of retaining mention of “collective bargaining”.
- 445.** The Government members of Gabon, the Philippines, Türkiye, and Brazil, speaking on behalf of GRULAC, supported the amendment.
- 446.** The Worker Vice-Chairperson introduced an amendment (A.102), agreed to by the Employers’ group, to delete the word “voluntary” before the words “collective bargaining” and a further amendment (A.103) to delete the word “appropriate” before the word “levels”.

- 447. The Government member of Argentina, speaking on behalf of GRULAC, supported the further amendment as collective bargaining should be at all levels.
- 448. The amendment by the Government members of the United States and Canada was adopted and the amendment by the Workers' group to delete "voluntary" fell as a consequence.
- 449. The further amendment by the Workers' group (A.103) was withdrawn.
- 450. Point 21(a) was adopted as amended.

New clause after Point 21(a)

- 451. An amendment (A.104) was withdrawn.

Point 21(b)

- 452. Point 21(b) was adopted.

Point 21(c)

- 453. The Government member of Sweden, speaking on behalf of the EU Member States, introduced an amendment (A.19) to delete "facing discrimination or" because the Drafting Committee had decided to have a separate paragraph on discrimination issues, which would be a new clause (d) under point 21.
- 454. As there was no objection, the amendment (A.19) was adopted.
- 455. To facilitate the discussion, two amendments (A.59 and A.105) were taken together. A further amendment (A.106) was later introduced to advance the discussion.
- 456. The Employer Vice-Chairperson introduced an amendment (A.59) to change the wording from "Extend labour protection" to "Extend access to labour and social protection" in order to broaden the scope to labour protection.
- 457. The Worker Vice-Chairperson introduced an amendment (A.105) to add "to all workers, especially" after "labour protection", a principle that the Committee had already well established. If his amendment were to be adopted, he would support the amendment introduced by the Employers' group (A.59).
- 458. The Employer Vice-Chairperson supported the amendment (A.105).
- 459. The Government member of the United States supported both amendments (A.59 and A.105).
- 460. The representative of the Secretary-General suggested to add the words "and social security" after the words "labour protection" to be consistent with text used earlier in the document, namely in part II, "Framework for action".
- 461. The Worker Vice-Chairperson introduced an amendment (A.106) to delete the words ", while considering the heterogeneity of models and levels of protection." at the end of the paragraph. The phrase suggested that it would be acceptable for certain groups to be afforded a lower level of protection.
- 462. The Chairperson presented alternative text, jointly agreed to by the Employer Vice-Chairperson and Worker Vice-Chairperson, for the clause to read: "Extend access to social protection and social security to all workers, especially to those most at risk of inadequate or no protection, including people in specific occupations, sectors and work arrangements or workers in MSMEs." The proposed language was considered balanced as it kept the notions of MSMEs

while removing “considering the heterogeneity of models and levels of protection”, which was controversial for the Workers’ group.

- 463. The representative of the Secretary-General proposed to replace “people” with “workers” before the words “in specific occupations” to ensure consistency, given that the term “workers” was used throughout ILO documents.
- 464. The amendment (A.105) was adopted as subamended; as a consequence, amendments (A.59, A.107 and A.106) fell.
- 465. Point 21(c) was adopted as amended.

Point 21(d)

- 466. Point 21(d) was adopted.

Point 21(e)

- 467. Point 21(e) was adopted.

Point 21(f)

- 468. The Worker Vice-Chairperson introduced an amendment (A.108) to replace the word “appropriate” with the word “correct” between the word “promote” and the words “classification of workers”.
- 469. The Chairperson introduced alternative text to point 21(f), jointly proposed by the Workers’ and the Employers’ groups, to replace the text of the clause to read: “ensure correct classification of employment relationships”, thus removing the reference to Recommendation (No. 198). The work of the ILO had in any case to be oriented around and guided by International Labour Standards.
- 470. The Government member of Sweden, speaking on behalf of the EU Member States, proposed a subamendment to replace the words “employment relationships” with “workers” before the words “classification of”, in line with the original text.
- 471. The Worker Vice-Chairperson did not support the subamendment. The wording “correct classification of employment relationships” had been used in the point 11(e) of the Conclusions concerning the third recurrent discussion on employment adopted by the International Labour Conference at its 110th Session (2022). Moreover, the wording was in line with Recommendation No. 198.
- 472. The Employer Vice-Chairperson supported the arguments put forward by the Worker Vice-Chairperson.
- 473. The Government member of Sweden, speaking on behalf of the EU Member States, withdrew the subamendment.
- 474. The amendment was adopted as subamended.
- 475. An amendment (A.60) fell as a consequence.
- 476. Point 21(f) was adopted as amended.

Point 21(g)

- 477. The Employer Vice-Chairperson introduced an amendment (A.61) to replace the word “limit” with “regulate” because strategies should be geared towards regulating working hours, not

limiting them, as the latter would exclude alternative forms of work that could be attractive for workers who sought a voluntary approach to overtime as a means to have extra income, which could also be attractive to enterprises to meet demand.

478. The Worker Vice-Chairperson did not support the amendment recalling that the first ILO standard was adopted in relation to working time to limit working hours to give workers time to have a life. It had been a fundamental issue in collective bargaining for 100 years and appeared in the Preamble to the ILO Constitution and in the Centenary Declaration. While regulations were necessary, the thrust should be to limit working hours.
479. The Government members of Argentina speaking on behalf of GRULAC, and Sweden speaking on behalf the EU and its Member States, did not support the amendment.
480. The Government member of Gabon, speaking on behalf of the Africa group, supported the amendment.
481. The Government member of the United States understood that the term “regulate” was a broader concept, which was appropriate. He proposed a subamendment to add the words “including establishing maximum working hours” after “strategies to regulate”.
482. The Employer Vice-Chairperson said that the proposed subamendment was not the best solution. He proposed an alternative subamendment to add the word “excessive”, so that it would read “strategies to regulate excessive working hours”, which would provide for a broad approach and clarity.
483. The Worker Vice-Chairperson, did not support the Employers’ group subamendment. Noting that there had been support for the word “limit”, he proposed a further subamendment to read “regulate, including by limiting working hours”.
484. The Government member of Argentina said that the term “regulate” had nothing to do with “limiting” and referred to the Hours of Work (Industry) Convention, 1919 (No. 1), which talked about limiting the working day. The subamendment proposed by the Workers’ group relativized that principle, which was not appropriate.
485. The Government members of Brazil, Sweden speaking on behalf the EU and its Member States, and the United Arab Emirates supported the subamendment proposed by the Workers’ group to read “regulate, including by limiting working hours”.
486. The Government member of the Philippines supported the original wording of the amendment, including the word “limit” as one did not preclude the other.
487. The Employer Vice-Chairperson supported the subamendment and proposed a further subamendment to add the words “as appropriate” after the words “to regulate” such that the text read “to regulate as appropriate, including by limiting working hours”.
488. The Worker Vice-Chairperson said that the Employer group’s subamendment excessively diluted the text. Limiting working time was a fundamental issue for the well-being and life of all workers, for gender equality, and for productivity in enterprises.
489. The Employer Vice-Chairperson, having heard the arguments put forward, withdrew the amendment.
490. The Employer Vice-Chairperson introduced an amendment (A.62) to add “by enabling workers and employers to agree on solutions that consider their respective needs and benefits” after “preserve work-life balance”, which was wording taken from the Centenary Declaration. It entrusted employers and workers with the task of seeking solutions that considered the needs and benefits of employers.

- 491.** The Worker Vice-Chairperson did not support the amendment, stating that working time was an issue negotiated in collective agreements, and could therefore be adjusted based on the needs of the enterprise, through unions in the workplace. It was not appropriate to open up negotiation on working time of individual workers. Moreover, it was contradictory to national legislation on working time and OSH.
- 492.** The Government members of Argentina, Brazil, Canada, and the United States, agreeing with the arguments put forward by the Worker Vice-Chairperson, did not support the amendment.
- 493.** The Employer Vice-Chairperson, having heard the arguments put forward, withdrew the amendment.
- 494.** For clarity, two amendments (A.63 and A.64) were taken together.
- 495.** The Employer Vice-Chairperson introduced an amendment (A.63) to insert the words “the ability of workers and employers to manage working time and the” before the words “protection for workers’ disconnection” and a second amendment (A.64) to insert the words “, according to national regulations and agreements between the parties”, after the words “for workers’ disconnection”. Management of working time was already a common practice among enterprises, and national strategies should allow for workers and employers to participate in working time management, within the framework of national legislation. Such strategies would help to achieve balance between workers and employers.
- 496.** The Worker Vice-Chairperson did not support the amendments. The chapeau of point 21 addressed Member States, which should take measures to limit working time. It should not be the sole responsibility of individual workers and employers. Working time management could be addressed through collective agreements, but within national frameworks that governments created.
- 497.** The Government member of the United States did not support the amendments. The chapeau already indicated that working arrangements would be addressed through social dialogue, taking into account national circumstances and priorities.
- 498.** The Government member of Sweden, speaking on behalf of the EU and its Member States, did not support the amendments. It was important that Member States have legal frameworks on working time.
- 499.** The Government members of Canada, Gabon, speaking on behalf of the Africa group, did not support the amendments.
- 500.** The Employer Vice-Chairperson clarified that the proposed amendments did not intend to curtail the role of national governments in designing and applying working time policies. It merely sought avenues to balance the respective working time needs of workers and employers through agreement between the parties, whether at sectoral or enterprise level. Moreover, national circumstances and priorities, as referenced in the chapeau, was not equivalent to national regulations. He was willing to withdraw the amendment referring to the ability of workers and employers to manage working time if the second amendment were to be adopted.
- 501.** The Government members of India and of the United Arab Emirates supported the amendment to make reference to national regulations.
- 502.** The Worker Vice-Chairperson maintained that there was no need for social dialogue and collective bargaining to appear twice, in the chapeau and in the clause. Multiple references would be incoherent and risked complicating the interpretation of the text.

503. The Employer Vice-Chairperson withdrew the two amendments.

504. Point 21(g) was adopted.

Point 21(h)

505. Point 21(h) was adopted.

Point 21(i)

506. Point 21(i) was adopted.

Point 21(j)

507. The Employer Vice-Chairperson introduced an amendment (A.65) to replace the word “for” with the words “that aim at” before the words “zero work-related deaths” as it was more realistic to focus on the means, rather than on the end goal.

508. The Worker Vice-Chairperson did not support the amendment. While it might be challenging to achieve zero deaths, it was crucial to be aspirational. It was not acceptable that workers sacrifice their lives while working. The goal should be zero work-related deaths, ambitious though it may be.

509. The Employer Vice-Chairperson affirmed that workers and employers alike must aim for that goal, as should state policies, but to aim for the outcome was a necessary means to achieve it, and was within a reasonable locus of control.

510. The Government members of Brazil speaking on behalf of GRULAC, Sweden speaking on behalf of the EU and its Member States, the United Kingdom, and the United States supported the amendment.

511. The Worker Vice-Chairperson supported the amendment, in the spirit of consensus.

512. The amendment was adopted.

513. The Government member of Sweden, speaking on behalf of the EU Member States, introduced an amendment (A.133), also on behalf of the United Kingdom and of the United States, to add the words “the prevention of” before the word “severe”, with the intention of clarifying that the goal should be preventing work-related injuries proactively, not just reactively.

514. The Employer Vice-Chairperson and the Worker Vice-Chairperson supported the amendment (A.133).

515. The amendment was adopted.

516. The Worker Vice-Chairperson introduced an amendment (A.109) to delete the word “severe”, as OSH policies should strive to prevent all work-related injuries or illnesses, not just the severe ones. The EU Member States, the United Kingdom and the United States had submitted an identical amendment (A.134).

517. The Government member of Eswatini noted that if the amendment were to be adopted, other references to “severe” in other points should also be removed, since all accidents, not just severe ones, should be prevented. The Government member of Ghana echoed that position.

518. The Government member of Brazil, speaking on behalf of GRULAC, supported the amendment.

519. The Employer Vice-Chairperson supported the amendment.

520. The two identical amendments were adopted.

- 521.** The Government member of Sweden, speaking on behalf of the EU Member States, introduced an amendment (A.138), also on behalf of the United Kingdom and the United States, to replace “or” with “and” and to replace “illnesses” with “illness” after the words “work-related injuries”. The Government member of the United Kingdom specified that the aim was for OSH strategies to capture both injuries and various illnesses. The choice of using “illness” or “illnesses” depended on which one was broader in scope.
- 522.** The Employer Vice-Chairperson supported the amendment.
- 523.** The Worker Vice-Chairperson supported the amendment, but preferred illnesses to illness.
- 524.** The amendment was adopted, reflecting “illnesses” instead of “illness”.
- 525.** The Government member of Sweden, speaking on behalf of the EU Member States, introduced an amendment (A.135), also on behalf of the United Kingdom and the United States, to replace the word “including” with the words “as well as” before the words “access to relevant social security benefits”. She viewed access to social security as being part of a larger labour protection strategy, not as a subset of OSH strategies.
- 526.** The Employer Vice-Chairperson supported the amendment.
- 527.** The Worker Vice-Chairperson supported the amendment.
- 528.** The amendment was adopted.
- 529.** The Employer Vice-Chairperson introduced an amendment (A.66) to replace the word “relevant” with the word “specific” before the words “social security benefits”. National strategies should have specific ambitions, not general ones.
- 530.** The Worker Vice-Chairperson did not support the amendment because the notion of “specific social security” was unclear. Relevant social security benefits consisted of employment injury benefits, sickness benefits, and survivor benefits, all of which were typically covered by OSH legislation, according to the Social Security (Minimum Standards) Convention, 1952 (No. 102).
- 531.** The Government members of Gabon, speaking on behalf of the Africa group, and Sweden, speaking on behalf of the EU and its Member States, did not support the amendment.
- 532.** The Employer Vice-Chairperson withdrew the amendment.
- 533.** The Government member of Sweden, speaking on behalf of the EU Member States, introduced an amendment (A.136), also on behalf of the United Kingdom and the United States, to add the words “policies and” before the words “management systems”, as OSH policies went beyond OSH management systems.
- 534.** The Government member of the United Kingdom added that national frameworks would need to exist before the management systems, as the framework through which one could deliver management systems.
- 535.** The Employer Vice-Chairperson and the Worker Vice-Chairperson supported the amendment.
- 536.** The amendment was adopted.
- 537.** The Government member of the United States introduced an amendment (A.137), also on behalf of the EU Member States and of the United Kingdom, to add the words “that take into account new and existing OSH risks like heat stress, mental health and psychosocial risks” after “management systems”, to ensure management systems accounted for new and existing risks.

538. The Worker Vice-Chairperson supported the amendment and proposed a subamendment to make the text clearer by adding the words “including those” before the words “that take into account” to capture both new and existing OSH risks more clearly.
539. The Employer Vice-Chairperson supported the intention of the amendment, and introduced a subamendment to remove the list of examples of OSH risks by placing a period after the words “existing OSH risks”, so as to avoid any debate around what else the list should include.
540. The Worker Vice-Chairperson did not support the subamendment, as the list served to provide examples of new forms of OSH risks. The use of the word “including” meant it was not exhaustive.
541. The Government member of Sweden, speaking on behalf of the EU Member States, did not support the subamendment and proposed a further subamendment to replace the word “like” with the word “including” after the words “OSH risks”.
542. The Employer Vice-Chairperson noted that new OSH risks varied across regions and could include radiation, ultra-violet rays, extreme temperatures, loud noises, and so on. It was not helpful to reflect only a few of them.
543. The Government member of Sweden, speaking on behalf of the EU Member States said they could be flexible. She withdrew the further subamendment and supported the subamendment to delete the list of OSH risks.
544. The Worker Vice-Chairperson supported the subamendment.
545. The amendment was adopted as subamended.
546. Point 21(j) was adopted as amended.

New clause after Point 21(j)

547. The Worker Vice-Chairperson introduced an amendment (A.111) to insert a new clause that read “Ensure minimum living wages, statutory or negotiated, that are regularly updated to take into account changes to the cost of living and are effectively enforced”.
548. The Worker Vice-Chairperson proceeded to introduce a subamendment to insert the word “adequate” before “minimum” and to delete “living” before wages, so that the new proposed clause would read: “Ensure adequate minimum wages, statutory or negotiated, that are regularly updated to take into account changes to the cost of living and are effectively enforced”.
549. The Government member of Ghana did not support inserting the word “adequate”, as minimum wages were negotiated through collective bargaining, and therefore the minimum wage could not be qualified as adequate or inadequate. He proposed a further subamendment to request the Workers’ group to delete the word “adequate”. As it was not seconded, the subamendment fell.
550. The Government member of Argentina, speaking on behalf of GRULAC, said that countries had different systems for determining minimum wages and the proposed change of word did not take into account the diversity of systems. She therefore proposed retaining the word “adequate”.
551. The Government member of Zimbabwe, speaking on behalf of the Africa group, and the Government member of Saudi Arabia supported the subamendment proposed by the Workers’ group.

- 552. The Worker Vice-Chairperson proposed a further subamendment, agreed to with the Employers' group, to delete "to take into account changes to the cost of living and are effectively enforced".
- 553. The amendment was adopted as subamended.
- 554. The new clause after point 21(j) was adopted as amended.

Point 21(k)

- 555. The Government member of Sweden, speaking on behalf of the EU Member States, introduced an amendment (A.18) to add the words "and other relevant authorities" after "labour inspectorates", to reflect the multiple authorities that had a role in addressing emerging and existing labour issues.
- 556. The Government member of Brazil, speaking on behalf of GRULAC, noting the secretariat's explanations given under point 13, said they would prefer to keep only "labour inspectorates" in the clause.
- 557. The Worker Vice-Chairperson could be flexible, but agreed that the subject of the clause were labour inspectorates and not other authorities such as tax authorities.
- 558. The Employer Vice-Chairperson agreed with the Worker Vice-Chairperson and said they would be flexible on this point.
- 559. The Government member of Sweden, speaking on behalf of the EU and its Member States, explained that in some EU Member States, labour inspectorates in charge of inspections, for example, for working time or wages were not necessarily under labour authorities. She asked the secretariat if, in the context of the application of the Guidelines on general principles on Labour Inspection, 2022, the labour inspectorate would be a broad term that would also include other authorities responsible for inspecting labour rights.
- 560. A member of the secretariat said that the terms "labour inspectorate" and "labour inspectors" could be understood broadly, with responsibilities that went beyond one particular area such as wages, working time, or OSH. Article 3(1) of Convention, No. 81, in fact stated that "The functions of the system of labour inspection shall be (a) to secure the enforcement of the legal provisions relating to conditions of work and the protection of workers while engaged in their work, such as provisions related to hours, wages, safety, health and welfare, the employment of children."
- 561. The Government member of Sweden, speaking on behalf of the EU Member States, withdrew the amendment.
- 562. Point 21(k) was adopted.

New clause after Point 21(k)

- 563. The Government member of Sweden, speaking on behalf of the EU Member States introduced an amendment (A.17) to insert a clause after point 21(k) that read: "Tackle the violation of labour rights in a coordinated and holistic manner at national, regional and global levels.". Such actions were important for the design of well-functioning labour protection systems and were not yet included in the draft conclusions.
- 564. The Worker Vice-Chairperson supported the amendment.
- 565. The Employer Vice-Chairperson felt the framing of "violation" was perhaps ill-suited to the clause and preferred the framing of non-compliance. Moreover, the notion of acting "at all

levels” was already considered in the word “holistic”. He therefore introduced a subamendment to replace the term “violation of labour rights” with the phrase “non-compliance with regards to labour protection rights in a coordinated and holistic manner”, and to end the sentence there, deleting the words “at national, regional and global levels”.

- 566.** The Worker Vice-Chairperson could accept the formulation with respect to non-compliance, but preferred to keep the words “labour rights” instead of “labour protection”. Moreover, he did not support the subamendment to delete “at national, regional and global levels”, as it was important to keep explicit references to the levels at which actions should be taken.
- 567.** The Government member of Sweden, speaking on behalf of the EU and its Member States, supported the wording around “non-compliance”, but preferred to keep the reference to “labour rights” as opposed to “labour protection rights”. Moreover, she did not support the subamendment to delete “at national, regional and global levels”, as it was important to tackle non-compliance at all of those levels, as well as across borders.
- 568.** The Employer Vice-Chairperson withdrew his subamendment to delete “national, regional and global levels”.
- 569.** The representative of the Secretary-General noted that the language of compliance tended to be used with reference to laws, rules or regulations, rather than with rights. Non-compliance with rights, however, was not a used expression. “Tackling violations”, as in the original text of the clause, would be the appropriate term to use with “labour rights”.
- 570.** The Government member of Gabon, speaking on behalf of the Africa group, proposed a subamendment to replace the language of non-compliance with the phrasing “Ensure respect for labour rights”.
- 571.** The Employer Vice-Chairperson supported the subamendment.
- 572.** The Worker Vice-Chairperson supported the subamendment.
- 573.** The Government member of Brazil supported the amendment as subamended.
- 574.** The Government member of Sweden, speaking on behalf of the EU Member States supported the subamendment, but proposed a further subamendment to replace the word “manner” with the word “approach” after the word “holistic”, as it felt more natural.
- 575.** The Worker Vice-Chairperson supported the subamendment and proposed a further subamendment to add the phrase “and compliance to labour protection policies, laws and regulations” after the term “labour rights”.
- 576.** The Employer Vice-Chairperson did not support the subamendment proposed by the Worker Vice-Chairperson and supported the subamendment proposed by Sweden on behalf of the EU Member States.
- 577.** The Worker Vice-Chairperson withdrew his group’s subamendment.
- 578.** The amendment was adopted as subamended, such that the text read “Ensure respect for labour rights through a coordinated and holistic approach at national, regional and global levels.”
- 579.** The new clause after Point 21(k) was adopted as amended.

Point 21(I)

- 580.** The Government member of Sweden, speaking on behalf of the EU Member States, introduced an amendment (A.16) to add the word “protection” after the word “OSH” to be consistent with the notions of social protection and labour protection.
- 581.** The Employer Vice-Chairperson and the Worker Vice-Chairperson supported the amendment.
- 582.** The amendment was adopted.
- 583.** An amendment (A.5) was withdrawn.
- 584.** The Employer Vice-Chairperson introduced an amendment (A.67) to remove the words “cross-border” before the words “portability of benefits”, with the understanding that what was meant was the portability of benefits for migrant workers from one country to another. If his understanding was correct, the topic would require further discussion at a later date.
- 585.** The Worker Vice-Chairperson pointed out that consensus had already been reached on portability of social security in 2021, in paragraph 13 of the Resolution concerning the second recurrent discussion on social protection (social security), in which Member States were called upon to “facilitate the acquisition and maintenance, including preservation and portability, of social security entitlements with a view to facilitating job transition for persons in temporary, part-time and self-employment and migrant workers without jeopardizing the social protection...”.
- 586.** The Government member of Zimbabwe did not support the amendment.
- 587.** The representative of the Secretary-General explained that the portability of benefits often featured as part of bilateral and multilateral social security agreements. To maintain coherence, she proposed to replace the term “social protection” with the term “social security”. Moreover, the Committee had already affirmed that social protection was the result of labour protection and social security.
- 588.** The Employer Vice-Chairperson supported the proposal made by the secretariat. If that proposal were to be adopted, he would be willing to reintroduce the words “cross-border”.
- 589.** The Government member of Canada supported the proposal made by the secretariat.
- 590.** The Worker Vice-Chairperson supported the proposal of the secretariat. He proposed a further subamendment to add the words “social security” before “benefit”, such that the text read: “social security and cross-border protection of social security benefits”. The representative of the Secretary-General noted that it was not necessary to repeat the words “social security” twice within the sentence, however, the Worker Vice-Chairperson preferred its inclusion.
- 591.** The amendment was adopted as subamended.
- 592.** The Government member of the Philippines introduced an amendment (A.34), seconded by the Government member of Japan, to insert the words “access to labour protection information” before the words “access to justice”. Millions of migrant workers could not access labour protection and social security policies because of numerous specific barriers they faced, including lack of access to information.
- 593.** The Employer Vice-Chairperson and the Worker Vice-Chairperson supported the amendment.
- 594.** The amendment was adopted.
- 595.** Point 21(I) was adopted as amended.

Point 21(m)

- 596.** The Government member of Sweden, speaking on behalf of the EU Member States, introduced an amendment (A.91) to add the words “and independent” after the word “effective” to highlight the uniqueness of the ILO supervisory mechanism, whose strength was partially in its independence.
- 597.** The Employer Vice-Chairperson recalled that the supervisory system, represented by the CEACR, was indeed composed of independent experts; however, most ILO organisms were not independent but tripartite, and should remain so. To avoid confusion, he proposed a subamendment to replace the word “independent” with the word “authoritative”, which was the agreed language in the Centenary Declaration. He asked the secretariat to confirm his understanding.
- 598.** The Worker Vice-Chairperson supported the subamendment but introduced a further subamendment to place the word “authoritative” before the word “effective”, such that it would read “authoritative and effective supervisory system”.
- 599.** The Government member of Sweden, speaking on behalf of the EU and its Member States, supported the subamendments.
- 600.** The Worker Vice-Chairperson noted that the clause aimed to “(e)quip the ILO”, whereas point 21 was intended to reflect the actions that Members should take, as stated in the chapeau. To resolve the incoherence, he introduced a further subamendment to replace the words “Equip the ILO with” with the words “Provide to the ILO information to maintain”.
- 601.** The Employer Vice-Chairperson supported the subamendment. He noted that employers’ and workers’ organizations were also part of the authoritative ILO supervisory system, and that their contributions to the ILO should also be considered.
- 602.** Responding to a question raised by the Government member of Canada, the representative of the Secretary-General clarified that the ILO’s role was not limited to providing information. It also engaged proactively and provided guidance. She further affirmed that the CEACR was the only independent supervisory machinery of the ILO. To ensure it was not only effective but also authoritative, as in trustworthy, would require going beyond providing it with information. A reformulation of the clause might capture the full extent of the contribution of the tripartite constituents to that end.
- 603.** The Worker Vice-Chairperson withdrew the subamendment. To reflect the Office explanation, he suggested another subamendment to replace the words “Equip the ILO with” with the words “Engage with a view to ensuring”.
- 604.** The Employer Vice-Chairperson stated that the new proposed subamendment would effectively exclude the social partners and therefore proposed to move the clause to proposed point 22. Otherwise, it would be necessary to reformulate the text of the clause to include the social partners.
- 605.** The Worker Vice-Chairperson assured the Employer Vice-Chairperson that the rules of tripartism would still apply were it to be included in point 21, as the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), stated that Member States had the obligation to respect tripartism.
- 606.** The Government member of Gabon, speaking on behalf of the Africa group, preferred the original text of the clause.

- 607.** The representative of the Secretary-General clarified that the scope or the meaning of the term “Members”, including as it appeared in point 21, encompassed all three ILO constituents.
- 608.** The Employer Vice-Chairperson was satisfied with the explanation of the secretariat and therefore introduced a subamendment to insert the words “in a tripartite setting”, such that the text would read “Engage in a tripartite setting with a view to ensuring”.
- 609.** The Government member of Sweden, speaking on behalf of the EU Member States, did not support the subamendment and withdrew the amendment.
- 610.** The Employer Vice-Chairperson and Worker Vice-Chairperson introduced identical amendments (A.69 and A.110) to replace the word “supports” with the phrase “takes into account the needs of” before the words “sustainable enterprises”. The Employer Vice-Chairperson stated that the intention was to keep the term consistent with the Centenary Declaration, and the Worker Vice-Chairperson echoed his arguments.
- 611.** The amendments were adopted.
- 612.** The Government member of Sweden, speaking on behalf of the EU Member States, introduced an amendment (A.92) to add the words “and promotes decent work.” after the words “sustainable enterprises” at the end of the clause. The objective of the ILO was to promote decent work, so it seemed appropriate to add there.
- 613.** The Employer Vice-Chairperson and the Worker Vice-Chairperson supported the amendment.
- 614.** The amendment was adopted.
- 615.** The Employer Vice-Chairperson introduced an amendment (A.68) to move point 21(m) after point 22(a). By placing it under point 22, it would be clear, even if redundant, that workers’ and employers’ organizations too should be included in equipping the ILO with a clear and robust body of standards. It was important that tripartism be reflected through the clause.
- 616.** The Chairperson stated that it must be read alongside the chapeau of point 22, which said “the organization should strengthen its support to governments, employers and workers organizations, by” and then “equipping the ILO”, which sounded incoherent.
- 617.** The Worker Vice-Chairperson did not support the amendment. Employers’ and workers’ organizations would always have to be consulted, as per Convention No. 144, so it was not worth making explicit mention of it in the clause.
- 618.** The Government members of Sweden, speaking on behalf of the EU and its Member States, the United Kingdom, and the United States did not support the amendment, as the chapeau clearly indicated the role of the social partners.
- 619.** The Employer Vice-Chairperson felt it was necessary to make explicit the role of employers’ and workers’ organizations, and the role of tripartism in equipping the ILO with standards. Nevertheless, he withdrew the amendment.
- 620.** Point 21(m) was adopted as amended.
- 621.** Point 21 was adopted as amended.
- 622.** Part III was adopted as amended.

Part IV. Mobilizing ILO means of action

Title

- 623.** The title “Mobilizing ILO means of action” was adopted.

Point 22

624. The chapeau was adopted.

Point 22(a)

625. The Employer Vice-Chairperson introduced an amendment (A.70) to add the word “effective” before the word “implementation”, such that the text read “Promoting the ratification and effective implementation of all fundamental Conventions”, to make explicit the need to ensure that implementation of Conventions was effective.
626. The amendment was adopted.
627. The Employer Vice-Chairperson introduced an amendment (A.71) to include the term “up-to-date” before the words “international labour standards”. Such should be the endeavour of the ILO: to ensure that international labour standards were up-to-date and that the supervisory bodies were reviewing them. The supervisory mechanism was already reviewing standards that had to do with labour protection, including OSH and maternity protection.
628. The Worker Vice-Chairperson did not support the amendment. Some very important Conventions had interim status, but they were not yet on the Standards Review Mechanism (SRM) agenda, while there were others that perhaps had not yet been identified as being out of date, but that were still open for ratification.
629. The Government member of Sweden, speaking on behalf the EU and its Member States asked the secretariat to clarify what international labour standards were considered to be up-to-date or out-of-date, and particularly whether interim instruments would be considered out of date.
630. The representative of the Secretary-General stated that standards that were considered up-to-date included those standards which had yet to be reviewed. If the SRM decided that a standard was subject to further review (as was the case for the OSH Conventions), it meant that it had gone through a review process and it had been decided that they needed to be revised to be able to respond to the changing realities of the world of work. There may indeed be standards that had not yet been reviewed, which may not be regarded as up-to-date, but upon which no decision had yet been taken. A decision would need to be taken as to whether they should be subject to further review or if they should be regarded as obsolete and therefore eliminated from the normative corpus of the ILO. Until that decision, they could be promoted by the ILO because they were in force in countries that had ratified them. Up-to-date instruments did not include those which were in an interim status; however once ratified, Conventions needed to be implemented, even if they were in interim status.
631. The Government member of Sweden, speaking on behalf the EU and its Member States, did not support the amendment.
632. In response to the question from the Government member of Gabon, the representative of the Secretary-General stated that the ten fundamental Conventions that articulated the fundamental principles and rights at work were up-to-date.
633. The Government member of Canada stated that they would not support the amendment. Until Members decided that a Convention needed to be abrogated or withdrawn, if it was still in force, the ILO should continue to support its ratification and implementation.
634. The Government member of the United States stated that they did not support the amendment, as it seemed to be limiting, and it seems to have also caused a great deal of confusion.

- 635. The Government member of Gabon did not support the amendment, given the explanations received.
- 636. The Employer Vice-Chairperson withdrew the amendment.
- 637. The Employer Vice-Chairperson introduced an amendment (A.72) to remove reference to “and other areas of labour protection” at the end of the paragraph to restrict the scope clearly to the agreed pillars of labour protection that were already mentioned.
- 638. The Worker Vice-Chairperson did not support the amendment. There might be other important standards that should be promoted with respect to labour protection.
- 639. The Government members of Brazil, speaking on behalf of GRULAC, and Sweden, speaking on behalf of EU and its Member States, did not support the amendment.
- 640. The Employer Vice-Chairperson withdrew the amendment.
- 641. Point 22(a) was adopted as amended.

Point 22(b)

- 642. The Employer Vice-Chairperson introduced an amendment (A.73) to insert the words “in a tripartite process” between the words “Providing technical assistance and guidance” and the words “on workers’ classification and developing and strengthening effective labour protection institution” to make explicit reference to tripartism, social partners and their respective needs regarding technical assistance and guidance provided by the Office.
- 643. The amendment was withdrawn.
- 644. Point 22(b) was adopted.

Point 22(c)

- 645. The Worker Vice-Chairperson introduced an amendment (A.112) to insert the words “wage-adequacy and” between the words “Supporting” and “the improvement of wage systems” as it was important to specify the role of ILO technical assistance on wage adequacy and not just on wage setting. He referred to the valuable technical support provided by the ILO on wage adequacy in the past, for instance, by way of proposing methodology on setting adequate minimum wages that informed national debates and reforms.
- 646. The Employer Vice-Chairperson supported the amendment.
- 647. The amendment was adopted.
- 648. The Employer Vice-Chairperson introduced an amendment (A.74) to insert the word “setting” between “wage” and “systems” so that it would read “Supporting the improvement of wage-setting systems”.
- 649. The Worker Vice-Chairperson supported the amendment.
- 650. The Government member of Sweden, speaking on behalf of the EU Member States, supported the amendment and introduced a subamendment to include the word “and updating” after the words “wage-setting”.
- 651. The Worker Vice-Chairperson supported the subamendment.
- 652. In response to a question from the Government member of Sweden, speaking on behalf of the EU and its Member States, a member of the secretariat clarified that wage-setting systems included a periodical actualization of the wage level.

- 653. The Government member of Sweden, speaking on behalf of the EU Member States, withdrew the subamendment.
- 654. The amendment was adopted.
- 655. The Government member of Sweden, speaking on behalf of the EU Member States, introduced an amendment (A.14) to add the word “adequate” before “minimum wages”, pointing out that in the context of labour protection reference to adequate minimum wages was needed.
- 656. The Worker Vice-Chairperson and the Employer Vice-Chairperson supported the amendment.
- 657. The amendment was adopted.
- 658. The Worker Vice-Chairperson introduced an amendment (A.113) to insert the word “living” between the words “minimum” and “wages”. However, given the adoption of previous amendments to the clause, he introduced a subamendment to delete the word “living” between the words “minimum” and “wages”.
- 659. The amendment was adopted as subamended.
- 660. Point 22(c) was adopted as amended.

Point 22(d)

- 661. Point 22(d) was adopted.

Point 22(e)

- 662. The Government member of Sweden, speaking on behalf of the EU Member States, introduced an amendment (A.13) to add the word “protection” after the word “OSH”.
- 663. Upon request of the Worker Vice-Chairperson, a member of the secretariat clarified that the addition of the word “protection” could lead to textual inconsistencies and that the term OSH was sufficient.
- 664. The Government member of Sweden, speaking on behalf of the EU Member States, withdrew the amendment.
- 665. Point 22(e) was adopted.

Point 22(f)

- 666. The Worker Vice-Chairperson introduced an amendment (A.114) to delete the words “specific forms of employment and work arrangements such as”.
- 667. The Chairperson introduced a subamendment jointly drafted by the Employers’ group and Workers’ group to replace the whole text after “Providing guidance on labour protection for workers” with the alternative text “including in temporary employment, platform work and telework” as a means of simplifying the text.
- 668. The amendment was adopted as subamended.
- 669. An amendment (A.115) to add the word “arrangements” after the word “‘hybrid’ forms of work” fell as a consequence.
- 670. Point 22(f) was adopted as amended.

Point 22(g)

- 671.** The Employer Vice-Chairperson introduced an amendment (A.75) to insert the words “seize opportunities offered by ICTs and” between the words “Enhancing their capacity to” and “respond to psychosocial risks” to highlight the opportunity offered by ICT and how the world of work could benefit from them.
- 672.** The Worker Vice-Chairperson did not support the amendment explaining that the focus should remain on the need of protection for workers in the context of new technology.
- 673.** The Government member of Canada did not support the amendment.
- 674.** The Government member of Switzerland did not support the amendment. She noted that point 23(e) might have been a better place to outline the opportunities together with the challenges.
- 675.** The Employer Vice-Chairperson withdrew the amendment.
- 676.** The Government member of Sweden, speaking on behalf of the EU Member States, introduced an amendment (A.12) to include “and work-related stress” after “psychosocial risks” in the first line of clause (g).
- 677.** The Worker Vice-Chairperson and the Employer Vice-Chairperson supported the amendment.
- 678.** The amendment was adopted.
- 679.** The Employer Vice-Chairperson introduced an amendment (A.76) to substitute “resulting” with “that may result” after the words “psychological risks”, as the wording used was too general and new forms of work organization did not necessarily result in work-related stress.
- 680.** The Worker Vice-Chairperson did not support the amendment citing concrete evidence on the link between new forms of work organization and psychosocial risks. He indicated that the focus was on enhancing the capacity to respond to such risks under all circumstances.
- 681.** The representative of the Secretary-General explained that there were risk factors that arose from new forms of work organization but depending on how they were managed they might or might not have resulted in work-related stress.
- 682.** The Government member of the United Kingdom supported the amendment and proposed a subamendment to add “any” before “psychosocial risks”.
- 683.** The Employer Vice-Chairperson, supported the subamendment.
- 684.** The Government members of Sweden, speaking on behalf of the EU and its Member States, Switzerland, and the United States supported the amendment and subamendment.
- 685.** The Government member of Argentina did not support the amendment.
- 686.** The Government member of Gabon, speaking on behalf of the Africa group, supported the amendment but did not support the subamendment.
- 687.** The Worker Vice-Chairperson supported the amendment and subamendment.
- 688.** The amendment was adopted as subamended.
- 689.** The Employer Vice-Chairperson submitted an amendment (A.77) to delete “including in workplace with high use of ICT and in the platform economy”. He indicated that issues related to the platform economy would be dealt with in the standard-setting discussion on decent work in the platform economy scheduled for 2025 and should not be pre-empted.
- 690.** The Worker Vice-Chairperson did not support the amendment.

- 691.** The Government member of Argentina did not support the amendment. The matter pertained to OSH beyond the platform economy, and so should be considered separately from the related standard-setting discussion.
- 692.** The Government members of Sweden, speaking on behalf the EU and its Member States and the United States did not support the amendment.
- 693.** The Employer Vice-Chairperson proposed a subamendment to replace the words “including in workplaces with high use of ICT and in the platform economy” with “new forms of work organization and digitalization” to keep the reference to “new technologies” as a risk factor, but through a more generic wording. As a result, the clause would read: “Enhancing their capacity to respond to any psychosocial risks and work-related stress that may result from new forms of work organization and digitalization”.
- 694.** The Worker Vice-Chairperson did not support the subamendment introduced by the Employers’ group as the term “digitalization” was far too broad. He proposed an alternative subamendment to replace the words “and digitalization” with the phrase “including in the workplaces with high use of ICT” and to delete the term “platform economy”.
- 695.** The Employer Vice-Chairperson supported the subamendment introduced by the Workers’ group, withdrawing his own subamendment.
- 696.** The amendment was adopted as subamended by the Workers’ group to read “from new forms of work organization, including in the workplaces with high use of ICT.”
- 697.** Point 22(g) was adopted as amended.

Point 22(h)

- 698.** Point 22(h) was adopted.

Point 22(i)

- 699.** Point 22(i) was adopted

Point 22(j)

- 700.** The Employer Vice-Chairperson introduced an amendment (A.78) to replace the words “developing for submission to” with the word “Inviting” and also to replace “a proposal for the convening of a tripartite meeting of experts” with “to consider, based on the SRM recommendations future action on the issue of” so that the clause would read “Inviting the Governing Body to consider, based on the SRM recommendations, future action on the issue of organization and scheduling of working time”. It seemed unnecessary to have a tripartite meeting of experts on the subject as it was already being considered by the SRM and that discussion should not be anticipated or duplicated. He expressed important concerns regarding the impact such duplication and proliferation of work could have on the ILO’s human and financial resources.
- 701.** The Worker Vice-Chairperson did not support the amendment. Paragraph 21(a) of the Conclusions of the 2015 Recurrent discussion on labour protection stated that “the Governing Body may wish to consider organizing, within existing resources, a tripartite meeting of experts on the various developments and challenges and their impact on the organization and scheduling of working time”. Since no such meeting had yet been organized, the wording proposed by the Employer Vice-Chairperson, would entail taking it off the agenda. It was

important to hold the tripartite meeting of experts, and to do so before the SRM, so that the issues that needed to be discussed at the SRM could be identified.

- 702.** The Government member of Brazil did not support the amendment. The meeting would be important for all constituents.
- 703.** The Government member of Sweden, speaking on behalf of the EU and its Member States, did not support the amendment. The last TME on working time took place in 2011 hence it was time for another meeting to discuss developments in the world of work and also make recommendations on an issue of great significance to the EU. Moreover, the SRM was tasked with the review of existing labour standards in terms of their classification, but could not provide expert analysis and recommendations on substantial matters.
- 704.** The Government members of Argentina, and Gabon, speaking on behalf of the Africa group, did not support the amendment.
- 705.** The Government member of Saudi Arabia supported the amendment.
- 706.** The Employer Vice-Chairperson proposed a subamendment to replace the wording of the clause with the following wording: "Inviting the SRM to advance the review of the normative instruments on working time in its future program of work and for the Governing Body to consider the need for possible future action accordingly".
- 707.** The Worker Vice-Chairperson did not support the subamendment.
- 708.** In the interest of clarity, the representative of the Secretary-General stated that tripartite meetings of experts were aimed at getting a tripartite expert view on the new developments and are not restricted to the review of ILS. She indicated and that such a meeting might be of help for work that the SRM would have need to carry out when revising standards on working time.
- 709.** The amendment was withdrawn.
- 710.** Point 22(j) was adopted.

Point 22(k)

- 711.** The Employer Vice-Chairperson introduced an amendment (A.79) for the insertion of "and," after the words "World Trade Organization", and deletion of the bracketed text "[by leading the Global Coalition for Social Justice and in the context of efforts to implement the SDG 5, 8 and 10]". While the Employers' group was in favour of the Global Coalition for Social Justice, they were not yet clear on the substance of its scope and mandate.
- 712.** The Worker Vice-Chairperson did not support the amendment. The ILO was the only tripartite international organization whose sole purpose was furthering social justice. The genesis of its decisions was based on the tripartism enshrined in all its the work, including in the Governing Body where decisions on the Global Coalition for Social Justice were being taken.
- 713.** The Government member of Sweden, speaking on behalf the EU and its Member States did not support the amendment. Although the exact format of the Global Coalition for Social Justice was yet to be determined, its existence was not in question and it was important to indicate the leadership role the ILO should have in that regard.
- 714.** The Employer Vice-Chairperson proposed a subamendment to clarify the idea of progressive implementation. He proposed replacing "by leading" with "with a view to leading".

- 715. The Worker Vice-Chairperson did not support the subamendment as it diluted the role of the ILO.
- 716. The Employer Vice-Chairperson withdrew the amendment.
- 717. Point 22(k) was adopted.

New clause after point 22(k)

- 718. The Government member of the Philippines withdrew an amendment (A.35) calling for the insertion of a new point after point 22(k) that said: "Providing technical assistance and guidance to countries of origin, transit and destination of migrant workers in engaging in bilateral and regional cooperation to ensure effective labour protection for the migrant workers".

Point 23

- 719. The Chairperson proposed to address a minor linguistic issue within the chapeau of point 23 by replacing the words "in the following areas" by "in relation to" so that the chapeau read "The Organization should intensify knowledge development and capacity-building activities, particularly in relation to: "
- 720. The chapeau of point 23 was adopted as amended.

Point 23(a)

- 721. Point 23(a) was adopted.

Point 23, new clause after point 23(a)

- 722. The Employer Vice-Chairperson introduced an amendment (A.37) for the introduction of a new clause after point 23(a) stating "The cost of labour protection measures on employment to better understand combinations of wage, social protection and fiscal policies that are conducive to inclusive, adequate and sustainable protection in different social economic circumstances". Information on wages, social protection and fiscal policies would be of great interest and benefit for governments, employers and workers alike, and would strengthen the ILO's reporting on social protection and benefit better policy design.
- 723. The Worker Vice-Chairperson did not support the amendment because it inferred a trade-off between labour protection and employment because of the costs associated with labour protection.
- 724. The Government members of Argentina and Zimbabwe did not support the amendment.
- 725. The Government member of the United States proposed a subamendment for alternative text, reading : "Sustainable strategies for employers to provide inclusive, adequate and effective labour protection in different socioeconomic circumstances."
- 726. The Employer Vice-Chairperson did not support the subamendment as the proposed text was too far from the original intent of the Employers' group.
- 727. The Employer Vice-Chairperson introduced a subamendment to his own amendment to replace the whole proposed clause with the sentence: "the impact of labour protection measures on employment, as well as the complementarities between employment, social protection, fiscal and macroeconomic policies."
- 728. The Worker Vice-Chairperson supported the subamendment.

- 729. The Government members of Brazil, Türkiye and Gabon speaking on behalf of the Africa group, supported the amendment as subamended.
- 730. The amendment was adopted as subamended.
- 731. The new clause after point 23(a) was adopted.

Point 23(b)

- 732. The Employer Vice-Chairperson introduced an amendment (A.80) to delete the phrase “notably the development of the entities of the social and solidarity economy” at the end of the clause. In principle he was not against such entities, but not in the context of sustainable enterprises.
- 733. The Worker Vice-Chairperson did not support the amendment. The reference was in line with the Centenary Declaration, which stated in Part II, section A(ix) that the ILO must direct its efforts to “sustainable enterprises, in particular micro, small and medium-sized enterprises, as well as cooperatives and the social and solidarity economy, in order to generate decent work, productive employment and improved living standards for all”.
- 734. The Government member of Brazil, speaking on behalf of GRULAC, proposed a subamendment to include the reference to the social and solidarity economy in a new sub-clause that would read: “Development of entities of the social and solidarity economy”.
- 735. The Employer Vice-Chairperson proposed a new subamendment to replace the word “notably” with the word “including”.
- 736. The Government member of the Democratic Republic of the Congo emphasized that the inclusion of the development of the entities of the social and solidarity economy, including cooperatives, was very important as for many countries in their capacity to improve working conditions of workers and enable them to contribute to the social security system.
- 737. The Worker Vice-Chairperson proposed a subamendment to include a reference to cooperatives, as there existed research and standards on cooperatives showing their value.
- 738. The Employer Vice-Chairperson supported the subamendment.
- 739. The Government member of Brazil, speaking on behalf of GRULAC, noted that the term cooperatives was already included in the term of social and solidarity economy entities.
- 740. A member of the secretariat confirmed that the term “social and solidarity economy” included cooperatives.
- 741. The Worker Vice-Chairperson withdrew his subamendment.
- 742. The representative of the Secretary-General proposed alternative text reading “The interdependence between labour protection and sustainable enterprises, notably MSMEs, labour protection and the development of the entities of the social and solidarity economy, as well as the interdependence between labour protection and the other strategic objectives of the Decent Work Agenda.”
- 743. The Government member of Argentina voiced concern about the clarity of the proposal as interdependence between labour protection and the development of the entities of the social and solidarity was not clear.
- 744. The representative of the Secretary-General explained that it meant that labour protection was an issue of relevance within the social and solidarity economy and for the entities operating within that segment of the economy and that further research would be required to understand the relationship between the two.

- 745.** The Employer Vice-Chairperson proposed a subamendment to insert “as well as” between “notably MSMEs,” and “labour protection”.
- 746.** The Chairperson suggested that the second “as well as” be replaced by “and” to avoid duplication, to read “notably MSMEs, as well as labour protection and the development of the entities of the social and solidarity economy, and the interdependence (...)”.
- 747.** The Government member of Switzerland underlined that the focus should remain on the interdependence between labour protection and sustainable enterprises.
- 748.** The Government member of Argentina proposed a subamendment to add a new clause on the social and solidarity economy.
- 749.** The Employer Vice-Chairperson introduced a subamendment, after the words “notably MSMEs”, to insert the phrase “as well as labour protection and the development of the entities of the social and solidarity economy, and the interdependence”. The text would then read “The interdependence between labour protection and sustainable enterprises, notably MSMEs, as well as labour protection and the development of the entities of the social and solidarity economy, and the interdependence between labour protection and the other strategic objectives of the Decent Work Agenda.” The subamendment was jointly introduced by the Workers’ group.
- 750.** The Government member of Gabon supported the subamendment.
- 751.** The Government member of Brazil said they could be flexible but introduced a subamendment to add a point that would reflect the text that was approved in the 2022 Resolution concerning decent work and the social and solidarity economy: “Develop guidance on effective enforcement of labour protection measures for entities in the social and solidarity economy”.
- 752.** The Employer Vice-Chairperson did not support the subamendment.
- 753.** The Government member of Brazil withdrew the subamendment.
- 754.** The amendment was adopted as subamended.
- 755.** Point 23(b) was adopted as amended.

Point 23(c)

- 756.** An amendment (A.81) to delete the word “and” before the word “collective bargaining” and to insert the words “and other forms of social dialogue such as workplace cooperation” after the words “collective bargaining” was withdrawn.
- 757.** The Employer Vice-Chairperson introduced an amendment (A.82) to delete the words “including through the flagship social dialogue reports.”.
- 758.** The Worker Vice-Chairperson introduced a subamendment, jointly agreed to by the Employers’ group, to add a new clause after point 23(c), which used wording from the Centenary Declaration addressing workplace cooperation. The new clause would read: “The role of tools such as workplace cooperation to help ensure safe and productive workplaces in such a way that it respects collective bargaining and its outcomes and does not undermine the role of trade unions”. The subamendment would allow for the separation of the notions of collective bargaining, addressed in point 23(c), and workplace cooperation. It would also ensure protection of the role of trade unions while outlining the importance of workplace cooperation.
- 759.** The amendment was adopted as subamended.
- 760.** Point 23(c) was adopted as amended.

Point 23(d)

- 761.** The Employer Vice-Chairperson introduced an amendment (A.83) to delete the words “the misclassification of workers, and” after the words “Ways to address”.
- 762.** The Chairperson introduced an alternative text, jointly drafted by the Employer Vice-Chairperson and Worker Vice-Chairperson, to replace the text of the clause with alternative text that read: “Ways to ensure the correct classification of employment relationship, and the effectiveness of strategies to facilitate the successful transition to formal economy and from insecure to secure work that is decent and provides access to social security and labour protection to all”.
- 763.** Addressing a query raised by the Government member of Belgium on whether insecure work corresponded to informality or whether other forms – such as temporary work – could also be insecure, a member of the secretariat explained that “transition from insecure to secure work” was language that had never been used before the Quality Apprenticeships Recommendation, 2023. The mention of insecure work was included in the “Conclusions of the Meeting of Experts on Non-Standard Forms of Employment”. Moreover, in the informal economy, almost all work could be considered as insecure as there was, by definition, a lack of protection.
- 764.** The Worker Vice-Chairperson pointed out that point 23(d) had two separate objectives. It did not only address the transition to formal economy, but also the transition from insecure to secure work. He underlined that those were two separate concepts, as insecure work could be found also in the formal economy.
- 765.** The Government member of Sweden, speaking on behalf of the EU Member States, proposed a subamendment to replace “employment relationships” with “workers” and to replace “from insecure to secure work” with “minimize insecurity in the world of work as to promote” after “formal economy and”. The wording of the subamendment would illustrate the spirit of the tripartite negotiations that should be going on and it was more appropriate to be talking about minimizing insecurity in the world of work.
- 766.** The Employer Vice-Chairperson asked that the EU and its Member States take account of the bipartite agreement between the Employers’ and the Workers’ groups on the subject, which was very sensitive.
- 767.** The Government member of Sweden, speaking on behalf of the EU Member States, proposed a further subamendment to replace “ensure” with “promote”.
- 768.** The Worker Vice-Chairperson emphasized the importance of retaining the wording of the alternative text, which was a strong text, carefully negotiated between the Workers’ and Employers’ groups to reflect all interests. He did not support replacing the word “ensure” with “promote”; it was essential to ensure decent work.
- 769.** The Government member of Gabon, speaking on behalf of the Africa group, supported the alternative text.
- 770.** The Government member of Sweden, speaking on behalf of the EU Member States, withdrew the subamendments.
- 771.** The amendment was adopted as subamended.
- 772.** Four amendments (A.116, A.11, A.117 and A.6) fell as a consequence.
- 773.** Point 23(d) was adopted as amended.

Point 23(e)

- 774.** The Employer Vice-Chairperson introduced an amendment (A.84) to point 23(e), to insert “opportunities and” between “awareness of the” and “challenges of digitalization”, as per the suggestion made by the Government member of Switzerland during a previous discussion on the matter.
- 775.** The Worker Vice-Chairperson proposed a subamendment to replace “opportunities and challenges” with “challenges and opportunities”.
- 776.** The Government members of Switzerland and the United States agreed that digitalization could also represent an opportunity.
- 777.** The Government member of the United States supported the amendment and subamendment on condition that a reference to algorithmic bias be maintained, notably by the withdrawal of another amendment (A.85) that proposed to delete the words “, including artificial intelligence and algorithmic management”.
- 778.** The Employer Vice-Chairperson agreed to withdraw the amendment (A.85) should the amendment (A.84) be adopted.
- 779.** The Government member of Sweden, speaking on behalf of the EU and its Member States, supported the subamendment.
- 780.** Responding to a concern raised by the Government member of Canada, a member of the secretariat said that there was no incompatibility between opportunities of digitalization and OSH, noting the example of telework, which had helped to preserve the safety and health of workers during the pandemic.
- 781.** The amendment was adopted as subamended.
- 782.** The amendment (A.85) was withdrawn.
- 783.** The Worker Vice-Chairperson introduced an amendment (A.147) to insert the words “The Organization should evaluate the need for a tripartite discussion on the topic of artificial intelligence, including algorithmic management, possibly through a meeting of experts” after “including emerging OSH risks”, to reflect the need for a tripartite meeting of experts to discuss in detail the effects of digitalization on labour rights and protection and policy solutions, as well as possible support that could be provided by the ILO. An experts’ meeting based on research would enable the ILO and its Members to receive the necessary guidance on how to move forward.
- 784.** The Employer Vice-Chairperson did not support the amendment as, due to the large number of requests for tripartite discussions at the technical level, it would overload agendas and incur heavy costs. Moreover, the matter would be discussed in detail as part of the 2025–26 standard-setting discussion on the platform economy.
- 785.** The Government member of Sweden, speaking on behalf of the EU Member States, supported the amendment but introduced a subamendment to replace “including” with “and”, to read “artificial intelligence and algorithmic management”.
- 786.** The Government member of Gabon, speaking on behalf of the Africa group, supported the amendment.
- 787.** The Employer Vice-Chairperson proposed a subamendment to replace the last sentence, to read “(The Organization should) invite the Governing Body to discuss and explore options to address the issue of artificial intelligence, including algorithm management”.

- 788.** The Worker Vice-Chairperson questioned the relevance of a discussion on a political level in the Governing Body without any documentation and reports.
- 789.** In response to a request by the Worker Vice-Chairperson, the representative of the Secretary-General underlined that having a tripartite expert meeting on the issue would allow for a much more in-depth discussion that would be grounded on empirical evidence and would help to draw some insights for further guidance by the Organization. A tripartite meeting of experts was not a political meeting, but a technical meeting, which benefited from the views, insights, knowledge and experience of experts on a particular topic at hand.
- 790.** The Worker Vice-Chairperson introduced a further subamendment, to read “to invite the Governing Body to discuss and explore the issue of artificial intelligence, including algorithmic management, and evaluate the need for a tripartite discussion on the topic.”
- 791.** The Employer Vice-Chairperson said that his group could support the further subamendment if the reference to a tripartite discussion were removed.
- 792.** The Worker Vice-Chairperson emphasized that the formulation of the further subamendment provided a good solution because, first, it was for the Governing Body to decide on any such tripartite meetings of experts, and, second, it was simply a matter of evaluating whether there was a need for a discussion.
- 793.** The Government member of Sweden, speaking on behalf of the EU Member States, proposed a further subamendment to replace “including” with “and” because artificial intelligence and algorithmic management were different concepts and not interdependent.
- 794.** The Worker Vice-Chairperson proposed a further subamendment to insert the word “further” before the words “discussion on the topic”, to read “evaluate the need for a further discussion on the topic”, which could include a tripartite meeting.
- 795.** The Chairperson suggested, for stylistic reasons, avoiding using the word “discussed” twice and suggested instead “invite the Governing Body to consider” or “explore and evaluate the need for further discussion”.
- 796.** The Employer Vice-Chairperson supported the further subamendment proposed by the Workers’ group.
- 797.** The Committee asked the secretariat to revise the sentence to improve readability.
- 798.** The Chairperson introduced a proposal from the secretariat, to replace the word “Exploration” with “Examination” before the words “of the issue of artificial intelligence and algorithmic management”
- 799.** The amendment was adopted as subamended.
- 800.** The Worker Vice-Chairperson introduced an amendment (A.146) to add the wording “to support the development of policy responses that ensure fairness and transparency, prevent discriminatory biases and ensure human monitoring and evaluation of all decisions” to the end of the clause. There were already examples of discriminatory bias in the use of artificial intelligence and algorithmic management, and having ILO research on the topic would support Member States in making policy decisions. There was a real need to understand how artificial intelligence and algorithms functioned, and transparency would allow for enhancing such an understanding. There was also a need to have a human who could monitor and evaluate all decisions.
- 801.** The Employer Vice-Chairperson did not support the amendment as the sentence contained too many ideas and would impose conditions on what the Governing Body could decide and/or do.

- 802.** The Government members of Argentina, and Sweden, speaking on behalf of the EU and its Member States, supported the amendment.
- 803.** The Government member of the United States proposed a subamendment to shorten the clause to read “to support policy responses that ensure fairness, transparency and human review of decisions”.
- 804.** The Government member of Türkiye seconded the subamendment, and the Government members of Brazil, Argentina, Gabon speaking on behalf of the Africa group, and Sweden speaking on behalf of the EU and its Member States, supported it.
- 805.** The Employer Vice-Chairperson sought clarification on what was meant by “fairness, transparency and human review of decisions”.
- 806.** The Government member of the United States said that all of the issues raised by the Workers’ group were correct and had been identified in his Government’s opening remarks. There was already evidence of issues regarding fairness, transparency, discrimination and human review, and he gave examples of discriminatory bias against women.
- 807.** The Worker Vice-Chairperson supported the subamendment.
- 808.** The Employer Vice-Chairperson suggested a further subamendment to better address the concerns of the Government member of the United States by replacing “human review of decisions” with “non-discriminatory decisions”.
- 809.** The Chairperson said that to decide whether a decision was discriminatory or not it might need to be reviewed, which would mean having some sort of human control on the process.
- 810.** The Government members of Argentina and Switzerland did not support the further subamendment proposed by the Employers.
- 811.** The Employer Vice-Chairperson reiterated his concern that they were pre-empting the 2025–26 standard-setting discussion on the platform economy. They did not have the same level of understanding of the material and were talking about issues that must be discussed in the Governing Body.
- 812.** The Government member of the United States stated that the issue of artificial intelligence and algorithmic management was far broader than the upcoming platform standard-setting discussion.
- 813.** The Government member of Sweden, speaking on behalf of the EU and its Member States, expressed their full support for the subamendment proposed by the Government member of the United States.
- 814.** The Government member of the United States said that they were willing to drop the “human review of decisions” and adopt the “non-discriminatory” proposed by the Employers’ group.
- 815.** The Worker Vice-Chairperson confirmed that he supported the subamendment proposed by the Government member of the United States.
- 816.** The amendment was adopted as subamended.
- 817.** Point 23(e) was adopted as amended.

Point 23(f)

- 818.** The Employer Vice-Chairperson introduced an amendment (A.86) to delete the words “such as temporary employment, platform work and telework and “hybrid” forms of work”

- 819. The Chairperson introduced a proposal to replace the text of the clause with alternative text jointly drafted by the Employers' group and Workers' group that read: "means for providing access to labour protection and social security to workers, including in temporary employment, platform work and telework". The new text balanced the interests and concerns of workers and employers and excluded the reference to "hybrid" forms of work that was an unclear concept.
- 820. The amendment was adopted as subamended.
- 821. Three other amendments (A.119, A.120 and A.121) fell as a consequence.
- 822. Point 23(f) was adopted as amended.

Point 23(g)

- 823. The Employer Vice-Chairperson introduced an amendment (A.87) to replace "strengthen" with "promote", which was a more consistent with the wording used in other parts of the draft conclusions.
- 824. The Worker Vice-Chairperson did not support the amendment as he considered that it would dilute the substance of the paragraph; labour protection should be strengthened, not just promoted.
- 825. The Government members of Canada, Gabon, speaking on behalf of the Africa group, and Sweden, speaking on behalf of the EU and its Member States, did not support the amendment.
- 826. The Employer Vice-Chairperson, in the interest of reaching a consensus, withdrew the amendment.
- 827. The Worker Vice-Chairperson introduced an amendment (A.122) to the clause to add "and protection of fundamental rights and principles at work" right after "labour protection". He considered it to be very timely given the ongoing discussion and international debates around human rights in supply chains.
- 828. The Employer Vice-Chairperson proposed a subamendment to replace "and protection of" with "and the respect, promotion and realization of".
- 829. The Chairperson said that the secretariat had pointed out that the correct terminology was "rights and principles", contrary to what was included in the clause.
- 830. The Government member of Sweden, speaking on behalf of the EU and its Member States, supported the subamendment.
- 831. The Government member of Brazil, speaking in his national capacity, supported the subamendment. He introduced a further subamendment to add "and to promote due diligence" before "in supply chains".
- 832. The Government member of Argentina seconded the further subamendment.
- 833. The Employer Vice-Chairperson did not support the further subamendment proposed by the Government member of Brazil and requested that he withdraw it.
- 834. The further subamendment was withdrawn.
- 835. The Government member of Argentina asked whether human rights at work were considered in the proposal.
- 836. The representative of the Secretary-General replied that principles and rights were human rights; thus, they were human rights but related to work.

- 837.** The Worker Vice-Chairperson supported the subamendment proposed by the Government member of Brazil.
- 838.** The amendment was adopted as subamended.
- 839.** The Worker Vice-Chairperson introduced an amendment (A.123) to add “global and domestic” before “supply chains” to make it clear in the text that both global and domestic supply chains were being addressed.
- 840.** The Employer Vice-Chairperson did not support the amendment; “supply chains” was an accepted term that included everything. He requested that the Workers’ group withdraw the amendment.
- 841.** The Government members of Gabon, speaking on behalf of the Africa group, and Sweden, speaking on behalf of EU and its Member States, supported the amendment.
- 842.** The Government member of the United States did not support the amendment in order to preserve the language agreed upon in earlier drafting sessions. During those drafting sessions, “supply chains” was agreed upon in a tripartite manner, with the secretariat clarifying that “supply chains” included both global and domestic supply chains. The United States did not want to open the possibility of relitigating the language that already garnered agreement.
- 843.** The amendment was withdrawn.
- 844.** The Employer Vice-Chairperson withdrew an amendment (A.88) to delete the words “, in the framework of the MNE Declaration,”.
- 845.** The Employer Vice-Chairperson, introducing the amendment (A.89), said that the substance of the amendment concerned the mandate of the ILO. The amendment proposed to replace the word “enforce” with “address requests for support with implementing” because it would be more relevant and fully in line with the language of the Programme and Budget proposals for 2024–25.
- 846.** The Worker Vice-Chairperson did not support the amendment, as the language proposed was weak and ILO Member States requested the Organization to “enforce” the necessary labour clauses in trade agreements.
- 847.** The Government members of Canada, Gabon, speaking on behalf of the Africa group, Sweden, speaking on behalf of the EU and its Member States, and the United States, did not support the amendment.
- 848.** The Employer Vice-Chairperson sought clarification on the meaning of the verb “enforce” within the specific context of point 23, clause (g).
- 849.** The representative of the Secretary-General replied that the original wording was a reference to knowledge development and capacity-building activities and gave examples. Such actions went beyond requesting the signatory to a bilateral agreement to respect fundamental principles and rights at work and often referred to providing support to labour inspection services or other institutions that might help in the implementation of labour provisions.
- 850.** The Employer Vice-Chairperson stressed that none of the examples provided by the Office reflected the implementation of labour provisions in trade agreements, hence it would be useful to find a verb that would better capture what the Employers’ group was trying to define within the clause.
- 851.** The representative of the Secretary-General proposed to replace “and enforce” with “and to help enforce”; thereby, the ILO was contributing to strengthening the labour inspection

services that were responsible for ensuring fulfilment of the commitments that had been made by the parties regarding respect for the fundamental principles and rights at work.

852. The amendment was adopted as subamended.

853. Point 23(g) was adopted as amended.

New clause after point 23(g)

854. An amendment (A.36) was withdrawn.

Point 23(h)

855. An amendment (A.33) was withdrawn.

856. The Employer Vice-Chairperson introduced an amendment (A.90) to insert the words “Contributing to a better understanding of living wages by undertaking” before the words “Peer-reviewed research” and to replace the words “of living wages” with the words “in that respect” after the words “on concepts and estimations”.

857. The Worker Vice-Chairperson introduced a subamendment to replace the clause with alternative text jointly agreed to by the Workers’ and the Employers’ groups, which read: “Peer-reviewed research on concepts and estimates of living wages, as well as technical assistance to Member States, upon request, in line with the 2022 Resolution concerning the third recurrent discussion on employment, and on that basis propose to the Governing Body, for its considerations, a tripartite follow-up discussion on wage policies, including living wages.”

858. The Government members of Argentina and of the United States supported the subamendment.

859. The representative of the Secretary-General suggested that the verb “propose” be replaced by a noun “a proposal” for linguistic consistency with the list of actions, so that the phrase would read “and on that basis a proposal to the Governing Body”.

860. The amendment was adopted as subamended.

861. Another amendment (A.124) fell as a consequence.

862. Point 23(h) was adopted as amended.

Point 23(i)

863. The Chairperson proposed to address another linguistic issue within point 23(i) to replace the word “Updating” with “The updating” and replace the phrase “putting in place” with “the establishment of” so as to read “The updating of the ILO Working Conditions Laws Database and the establishment of a repository of policies and regulations on labour protection and analyses of what works.”

864. The proposal was accepted.

865. Point 23(i) was adopted as edited.

New clause after point 23(i)

866. The Worker Vice-Chairperson introduced an amendment (A.125) to insert a new clause in to read “undertaking research on how public procurement rules can foster adherence to labour rights and support increased labour protection, in line with Convention No. 94”. Conducting such research would be of benefit for all, not least for public authorities in strengthening

labour protection, for trade unions in campaigning for strong public procurement guidelines to support higher wages, and for employers by reducing the risk of downward competition on the basis of low labour cost protection within procurement bids.

- 867.** The Employer Vice-Chairperson did not support the amendment, as it would impose requirements on employers but not on governments, for example with respect to public procurement. There was also a concern for the provisions in too much detail in the agreement, and that, moreover, the State should not interfere in the setting of salary rates. The data that would be asked of the Office according to the new paragraph would be problematic for the employers to provide.
- 868.** The Government member of Sweden, speaking on behalf of the EU Member States, supported the amendment but proposed a subamendment to replace “in line with” with “taking into account”.
- 869.** The Government member of Brazil, speaking on behalf of GRULAC, supported the subamendment proposed by the EU Member States.
- 870.** The Employer Vice-Chairperson said that the Employers’ group could agree to the subamendment if the reference to Convention No. 94 were deleted.
- 871.** The Worker Vice-Chairperson insisted on keeping the reference to the Labour Clauses (Public Contracts) Convention, 1949 (No. 94). He recalled the discussion from June 2015 on labour protection when it was decided “to identify priorities for the ILO action towards more inclusive and effective labour protection. Furthermore, it was decided to give particular attention to public procurement policies in paragraph 21(e) of the conclusions concerning labour protection of June 2015: “Promote labour protection through responsible public procurement practices and through the promotion of the ratification and effective implementation of the Labour Clauses (Public Contracts) Convention, 1949 (No. 94).” That had been the first step; henceforth there should be research to evaluate those efforts and ascertain whether there had been any impact. The Workers supported the subamendment proposed by the EU Member States.
- 872.** The Employer Vice-Chairperson agreed to maintain the reference to Convention No. 94.
- 873.** The amendment was adopted as subamended.
- 874.** The new clause after point 23(i) was adopted as amended.
- 875.** Point 23 was adopted as amended.
- 876.** Part IV was adopted as amended.

Approval of the draft conclusions concerning the second recurrent discussion on labour protection

- 877.** The draft conclusions were adopted as amended.

Approval of the draft resolution concerning the second recurrent discussion on labour protection

- 878.** The Chairperson introduced the draft resolution.
- 879.** The draft resolution was adopted.

Closing remarks

- 880.** The Employer Vice-Chairperson and the Worker Vice-Chairperson thanked wholeheartedly the constructive spirit in which the Governments engaged in the dialogue and acknowledged the hard work of the Office and everyone who had made the Committee's session a success.
- 881.** The Government member of Saudi Arabia, speaking on behalf of the GCC, thanked the Chairperson, the Employers and the Workers for the successful conclusion of the meeting and welcomed the constructive dialogue in the quest to help protect workers and ensure social equity. The countries that he was representing would continue to make progress in their respective national legislations to ensure a better labour environment.
- 882.** The Government member of Sweden, speaking on behalf of the EU and its Member States, thanked the Chairperson and the two Vice-Chairpersons for their engagement in the discussions, as well as other Government members. She expressed gratitude to the Office for preparing the discussion and guiding the Committee and to the interpreters and translators for their excellent efforts in facilitating the work. She welcomed the effective bipartite cooperation and negotiations between the social partners but pointed out that the Labour Conference conclusions were meant to be adopted based on tripartite negotiations and expressed regret that not enough space had been left for Governments' positions to be taken into consideration. As she had been unable to engage in the bipartite negotiations and that the language between the social partners had been unclear, she wished to reiterate two points: first, when the draft conclusions referred to "transition from insecure to secure work that is decent", the EU Member States understood it to cover efforts to minimize the prevalence of unsure forms of work. Second, when talking about ensuring the correct classification of employment relationships, the EU Member States understood it to include the need to assess and make a correct and appropriate judgement on the existence of an employment relationship as well as any next steps in allocating the correct classification on the type of employment relationship that existed.
- 883.** She said that, since the previous recurrent discussion on labour protection in 2015, the transformation in the world of work had gained momentum, giving rise to new forms of employment and new challenges to guarantee inclusive, adequate and effective labour protection for all workers. She expressed excitement about the upcoming work of the ILO on building knowledge on the impact of digitalization and algorithmic management on labour protection. The adoption of the conclusions would serve to underscore the fundamental importance of developing and constantly adapting inclusive, adequate and effective labour protection systems, allowing for all workers to work in decent conditions, in a healthy environment and with dignity.
- 884.** The Government member of Gabon, speaking on behalf of the Africa group, thanked the Chairperson for conducting the meetings, the Office for its clarifications, the social partners for their flexibility and all the Governments involved and expressed the enthusiasm of her group for continuing discussions and providing their support.
- 885.** The Government member of Argentina, speaking on behalf of GRULAC, thanked the Workers' and Employers' groups as well as the Government members for the fruitful discussions. She expressed her gratitude to the Chairperson and the Vice-Chairpersons, as well as to the Office for the support, advice and clarifications provided. She recalled the fundamental role of labour protection in achieving social justice and decent work.
- 886.** The Chairperson thanked the participants for their words of support, stressed the important outcomes achieved by the Committee and congratulated it on the collective effort. He

expressed appreciation for the spirit of compromise and dialogue. Addressing the concerns voiced by the Government member of the EU and its Member States, he pointed out that bipartite negotiations had been needed to find a solution in the latter stages of the meeting, but nonetheless the Governments still played a key role. In several situations, when the position of Employers and Workers differed, the opinions expressed by Government members were a deciding factor. He concluded by thanking the Government members for their active participation, as well as the Office and the interpreters.