

Fighting discrimination at work: Progress at risk



# ILO in History

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# The ILO in 1941: Preserving and extending the social frontiers of democracy

Not long after the Second World War broke out in 1939, Switzerland was surrounded by Germany and its allies. It became clear that normal operations of the Geneva-based ILO were no longer possible. The Office moved to Montreal, Canada, in May 1940, where it was accommodated at McGill University.

It was a move into uncharted waters. When he left the Organization in 1941, ILO Director John G. Winant described the challenge awaiting his successor, Edward Phelan. It is the task of the ILO, he wrote, "to preserve and extend the social frontiers of democracy" because the future of mankind depends "upon the type of civilization which emerges after this war, upon the type of world institutions which are created after it".

The Allies were mainly concerned about the war which they were uncertain of winning. And they were all too aware that the outcome of the war required the active support of workers. Linking the credibility of an institution such as the ILO to the preservation of democracy, social progress and winning the war was, therefore, of immeasurable importance.

The ILO not only had to survive. It had to define its role in the context of the post-World War II world as well. The relationship between social development and economic expansion was at the centre of this debate on an extension of the ILO mandate.

It was felt that the best way to demonstrate the Organization's vitality was to hold an International Labour Conference. During a state of war, this was not easy, but finally, in October 1941, Columbia University hosted a Conference in New York – an "extraordinary" Session that did not vote on any Conventions or Recommendations and clearly supported the war efforts of the Allies.

The Conference concluded on 6 November 1941 in the White House with a speech by US President Roosevelt – an event that received worldwide media attention. A concept for a



Workers' delegates under war posters, International Labour Conference Special Session, New York, 1941

new ILO with an increased focus on economic matters had emerged during the Conference but the initial idea, which was to transform the ILO into an institution which could cover the complete social and economic field, was quickly deemed unfeasible. It implied that the tripartite structure had to be either discontinued or expanded - but one option was unthinkable for the workers, the other for the governments and employers.

Three years later, only a few weeks before the Allies landed in Normandy, the International Labour Conference met again, this time in Philadelphia, to define a new set of aims and purposes for the ILO. In an expression of belief in the statement from the ILO Constitution that "lasting peace can be established only if it is based on social justice", tripartite delegates from 41 member States adopted a visionary declaration that would not only ensure the survival of the ILO in the post-war area but also define the social parameters of what today we call globalization and interdependence.

# **LASTING PEACE CAN BE ESTABLISHED ONLY IF IT IS** BASED ON SOCIAL JUSTICE

The Declaration of Philadelphia established that labour is not a commodity. That freedom of expression and association are essential to sustained progress. That poverty anywhere constitutes a danger to prosperity everywhere. And that "all human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity".

If the ILO survived and was soon in full swing again this was largely due to the adoption of the Declaration of Philadelphia. Its principles are as relevant today as they were in 1944. ■

# Contents August 2011, No. 72



Work-related discrimination continues to exist for many of the world's 650 million persons with disabilities



### **Cover Story**

#### Discrimination at work

In its new Global Report on equality at work the ILO notes that in spite of continuous positive advances in anti-discrimination legislation, the global economic and social crisis has led to a higher risk of discrimination against certain groups.

This issue of the magazine looks at old and new spaces for discrimination at work. It shows that discrimination based on sex, race and migration status remains widespread, while specific categories of employees, including older workers and smokers, often have to overcome the reluctance of employers to hire and retain them.

Created in 1919, the International Labour Organization (ILO) brings together governments, employers and workers of its 183 member States in common action to improve social protection and conditions of life and work throughout the world. The International Labour Office, in Geneva, is the permanent Secretariat of the Organization.



#### **General Articles**

- 26 Domestic work is not just a "domestic issue"
- 29 Recognition for India's invisible workers
- **31** Will Arab States ratify the historic international labour standard on domestic work?
- 33 Gender-based violence comes at high social and economic cost

### News 100th Session of the **International Labour Conference**



- 36 Toward a new era of social justice
- 38 Basic labour rights for domestic workers
- 40 Heads of State and Government at the Conference

- 43 Youth leaders tell ILO they need jobs
- **44** Promoting empowerment of women in the workplace
- 44 World Day Against Child Labour 2011



- 45 South-South and Triangular Cooperation
- 46 Situation of workers in the occupied Arab territories
- 47 ILO Governing Body elects new chair
- 47 President Sarkozy urges G20 to strengthen social dimension of globalization
- 49 First global partnership to advance rights of indigenous peoples

#### **Around the Continents**

50



### **Media Shelf**

54



# Cover Story

# Discriminat

# Crisis has opened up new space for discrimination at work

Economically adverse times are a breeding ground for discrimination at work and in society more broadly. The ILO's new Global Report entitled Equality at work: The continuing challenge1 cites equality bodies which are receiving increased numbers of complaints, showing that workplace discrimination has become more varied and discrimination on multiple grounds is becoming the rule rather than the exception.

and inspection services, and in funds available to specialized bodies dealing with nondiscrimination and equality, can seriously compromise the ability of existing institutions to prevent the economic crisis from generating more discrimination and more inequalities.

The report warns against a tendency during economic downturns to give lower priority to anti-discrimination policies and workers' rights in practice. "We see this with the rise of populist solutions," says ILO Director-General Juan Somavia, adding that "this threatens painstaking achievements of several decades". According to the report, austerity measures and cutbacks in the

budget of labour administration

<sup>&</sup>lt;sup>1</sup> Equality at work: The continuing challenge, Global Report under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work, International Labour Conference, 100th Session 2011, International Labour Office, Geneva.

# ion at work

The lack of reliable data in this context makes it difficult to assess the exact impact of these measures, says the report. It therefore calls on governments to put into place human, technical and financial resources to improve data collection on discrimination at the national level.

> The report also notes that new forms of discrimination at work are arising, while the old challenges remain at best only partially answered.

#### The ILO response

The Global Report recommends a series of steps to combat discrimination. These include four priority areas, including the promotion of the universal ratification and application of the two fundamental ILO Conventions on equality and non-discrimination; the development and sharing of knowledge on the elimination of discrimination in employment and occupation: development of the institutional capacity of ILO constituents to more effectively implement the fundamental right of nondiscrimination at work; and strengthening of international partnerships with major actors on equality.

Ratifications of the two fundamental ILO Conventions in this area – the Equal Remuneration Convention, 1951 (No. 100),

# **6 6** DISCRIMINATION THREATENS PAINSTAKING **ACHIEVEMENTS OF SEVERAL DECADES**

and the Discrimination (Employment and Occupation) Convention, 1958 (No. 111) - stand at 168 and 169 respectively, out of a total of 183 ILO member States. When ratification levels are over 90 per cent, the target of universal ratification is attainable, the report says.

"The fundamental right of non-discrimination in employment and occupation for all women and men is part and parcel of decent work policies for sustainable and balanced economic growth and fairer societies," Mr Somavia said. "The right response is to combine policies for economic growth with policies for employment, social protection and rights at work, enabling governments, social partners and civil society to work together, including changing attitudes through education."

The report is part of a series of studies issued annually on core ILO labour standards and was prepared under the Declaration on Fundamental Principles and Rights at Work adopted by the International Labour Conference in 1998. The Declaration focuses on four fundamental principles – freedom of association, the elimination of child labour, the elimination of forced labour and of discrimination



#### AMONG THE KEY FINDINGS OF THE REPORT:

- Significant progress has been made in recent decades in advancing gender equality in the world of work. However, the gender pay gap still exists, with women's wages being on average 70–90 per cent of men's. While flexible arrangements of working schedules are gradually being introduced as an element of more family-friendly policies, discrimination related to pregnancy and maternity is still common.
- Sexual harassment is a significant problem in workplaces. Young, financially dependent, single or divorced women, and migrants are the most vulnerable, while men who experience harassment tend to be young, gay, or members of ethnic or racial minorities.
- Combating racism is as relevant today as it ever was. Barriers impeding equal access to the labour market still need to be dismantled, particularly for people of African and Asian descent, indigenous peoples and ethnic minorities, and above all women in these groups.
- Migrant workers face widespread discrimination in access to employment, and many encounter discrimination when employed, including in access to social insurance programmes.

- Rising numbers of women and men experience discrimination on religious grounds, while discrimination on the basis of political opinion tends to take place in the public sector, where loyalty to the policies of authorities in power can be a factor in access to employment.
- Work-related discrimination continues to exist for many of the world's 650 million persons with disabilities, as their low employment rate reveals.
- Persons with HIV/AIDS can suffer discrimination through mandatory testing policies, or testing under conditions which are not genuinely voluntary or confidential.
- In the European Union, a total of 64 per cent of those surveyed expected that the economic crisis would lead to more age discrimination in the labour market.
- In a limited number of industrialized countries, discrimination based on lifestyle has emerged as a topical issue, especially in relation to smoking and obesity.

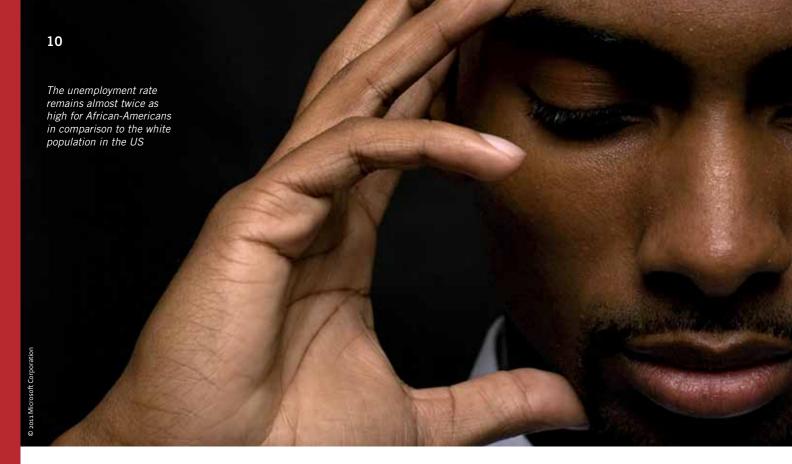
# Racial discrimination and the global economic downturn

Racial discrimination in the world of work is on the increase in the aftermath of the global economic downturn, posing tough questions about policies that have been pursued over the past decade. Gary Humphreys reports.

For Lisa Wong, Senior Declaration Officer in the ILO's Programme on Promoting the Declaration on Fundamental Principles and Rights at Work, the reports that racial discrimination in the world of work is on the increase in the aftermath of the global economic downturn come as no surprise.

"Ethnic minorities face discrimination in the labour market and limited access to education and health care even when the economy is going well," she says, "and in downturns those problems are exacerbated."

**6** THE SITUATION FACED BY **PEOPLE OF AFRICAN DESCENT** IS A MATTER OF PARTICULAR **CONCERN AROUND THE GLOBE** Lisa Wong



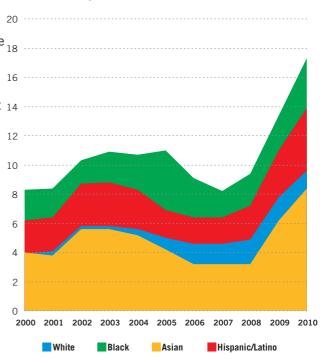
Wong also notes that pro-cyclical austerity packages that have been introduced by governments concerned about debt levels can add to the woes of minorities, especially where social assistance or integration programmes are impacted. Finally, ethnic minorities, like migrant workers, become more vulnerable to scapegoating during downturns, and are easy targets for the racist rhetoric of political extremists, which of course feeds into further discrimination.

While the drivers of racial discrimination and the socioeconomic exclusion it gives rise to are 18 well understood, monitoring them is not easy. "One of the key problems we face with regard to this issue is measurement," says Wong, referring to the ILO's recently published report 14 Equality at work: The continuing challenge. "The frequent unavailability of data and the absence of a clear definition of the grounds of discrimination at the national level make it hard to monitor progress and to target initiatives," she says. There is thus an urgent need for governments to commit to putting in place the human, technical and financial resources needed to improve data collection (see box).

One of the best proxy indicators of discrimination in the world of work is the unemployment rate, and here the evidence that certain racial minorities are being particularly hard hit in the current economic downturn is solid. For example, in the United States, Department of Labor numbers show

marked differences in outcomes for African-Americans compared with whites or indeed other minorities (see graph). Indeed the unemployment rate remains almost twice as high for African-Americans relative to the white population in the United States, and the gap has widened since the beginning of the crisis (see graph).

### United States: Unemployment trends 2000–10 (per cent)



Source: United States Department of Labor. Unemployment rates (percentages by race and ethnic group). Retrieved 10 May 2010 from http://data.bls.gov/PDQ/servlet/SurveyOutputServlet.

"The situation faced by people of African descent is a matter of particular concern around the globe," says Wong, noting that trends comparable to those reported in the United States can also be seen in Europe. In South Africa there is higher unemployment for blacks compared to the white minority, and lower representation of blacks in top management positions.

According to Rafaela Egg, a Brazil-based ILO specialist in gender and racial equality in the world of work, Brazil too is affected, data showing that the unemployment rate among "black" and "brown" workers stands at around 10.1 per cent, compared to 8.2 per cent among white workers. "Part of the problem in the country is the widespread perception that Brazil does not suffer from racial discrimination," Egg says. "Racial issues have not been highlighted enough because of that."

#### Limited progress

While the economic downturn is certainly having a negative impact on racial discrimination in the world of work, the truth is that even before 2008 progress in this area was limited. "Since 2001, when the Durban Declaration and Programme of Action (DDPA) against racial discrimination was first drawn up, there has been very little change," says Wong. This lack of progress was noted at the Durban Review Conference held in Geneva

in April 2009 which called for UN member States to take effective measures to prevent the emergence of movements based on racism and discriminatory ideas.1

That is not to say that there have been no attempts to initiate change. In Europe, for example, there have been a number of initiatives to promote generic skills development and the economic participation of Roma and Travellers, notably in Bulgaria and Ireland. The predicament of the Roma in Europe is a matter of considerable concern with regard to acts of discrimination and xenophobia, and a number of stakeholders have focused efforts on improving their situation. In Slovakia, which has come under fire from Amnesty International for its treatment of Roma, US Steel Kosice, a subsidiary of United States Steel, has developed a project focused on promoting employment for citizens of the village Velka Ida, where 40 per cent of the population is Romani.

At the national level, Finland stands out in its proactive position on racial discrimination, and in December of 2009 it launched a National Policy on Roma which promotes the participation of Roma in vocational education



<sup>1</sup> UNESCO: Strengthening the fight against racism and discrimination: UNESCO's achievements from the 2001 World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance to the 2009 Durban Review (Paris, 2009), p. 71.

#### THE NEED FOR BETTER DATA

Hard data on racial discrimination is notoriously difficult to acquire, and often comes down to some kind of self-reporting. And while such reporting may be indicative of underlying trends, it relies heavily on individuals' interpretation of what is happening. Data based on employment discrimination complaints are similarly "soft", though again may be indicative. There is certainly no shortage of numbers. For example in 2009, 45 per cent of all employment discrimination complaints received by the Centre for Equal Opportunities and Opposition to Racism in Belgium were race-related; and of these, 36.5 per cent concerned access to employment while 56.1 per cent concerned conditions of work. The Australian Human Rights Commission reported similar figures, while in

France, HALDE (Haute Autorité de Lutte contre les Discriminations et pour l'Egalité), which focuses on combating discrimination and promoting equality, reported that race discrimination remained the main reason for discrimination complaints.

The problem with such data is that in some contexts rising complaints may actually indicate progress, reflecting a better understanding of what discrimination is or increased trust in the impartiality and efficiency of the judiciary or other redress systems or such complaints may be indicative of other factors altogether. In the United States, for example, the Equal Opportunity Employment Commission (EOEC) recently reported a record number of workplace racial

discrimination complaints for 2010. Spokeswoman Justine Lisser pointed out that the spike might reflect economic hard times rather than an increase in racial discrimination per se, arguing that when people are less likely to find a new job, they are more inclined to file a charge of discrimination. For Patrick Taran, Senior Migration Specialist at the ILO's International Migration Programme, the lack of hard data is a problem not just because it makes monitoring difficult, but because it also gives people an excuse for inaction. "We really need focus on data collection so that we can target responses better and so that people can't say, 'We don't have data on this so the problem doesn't exist or we don't have the data so we can't address the problem'."



and training and supports their access to the labour market. The vision of the Government is that by 2017, Finland will be a front-runner in Europe in promoting the equal treatment and inclusion of the Roma population.

However, such initiatives are few and far between and the European Roma Rights Centre (ERRC) states that racial discrimination against Roma is still common throughout Europe and contributes to their exclusion and poverty. Many Roma remain uneducated and unemployed, living in segregated, substandard housing, and facing much lower life expectancy than that of non-Roma. Needless to say, the absence of education, training and work experience is a huge barrier to labour market participation.

There have also been a number of microcredit schemes and vocational training programmes such as the Gypsy Development Programme launched in Spain. Also notable is the START programme in Hungary, and the Traveller Internship Programme in Ireland. For Wong, these kinds of initiatives are useful but more of them are needed, and those that are up and running would benefit greatly from stronger coherence and cooperation.

### **S** IN MY MANY YEARS OF WORKING ON RACIAL DISCRIMINATION IN THE **WORKPLACE I HAVE NEVER SEEN AFFIRMATIVE ACTION WORK**

Paul Abell, diversity consultant and associate partner at Leeuwendaal, a Netherlandsbased independent specialist in personnel, management and organization, and legal advice.

The absence of education, training and work experience are significant barriers to the Roma's labour market participation

#### Affirmative action questioned

Meanwhile, questions are beginning to be raised about the value of mainstays of antidiscrimination strategies such as affirmative action or quota systems "In my many years of working on racial discrimination in the workplace I have never seen affirmative action work." says Paul Abell. Associate of the Amsterdam-based diversity consultancy Leeuwendaal.

For Abell, affirmative action programmes tend to create resentment in the majority group which can perceive itself as being discriminated against, while the minority being supported can feel stigmatized.

For Wong, however, it is too early to give up on affirmative action. "The impact of affirmative action programmes in achieving their objectives is still being debated," she says, "but there is evidence that points to their usefulness. It may just be that the process needs more time to show clear results." Wong also points to bodies such as the South African Commission for Employment Equity, which has cautioned against abandoning affirmative action programmes too soon, saying that any progress that had been made could easily be lost if a specific date was set to end affirmative action in South Africa.

Despite the prevailing gloom about progress on racial discrimination in the workplace, Abell believes that greater diversity is inevitable in the future, given demographic trends in European countries. "Countries like the Netherlands are ageing and they need to make better use of their minorities and immigrants," he says. "So there will be more of an effort to pursue diversity policies." Abell says that he already sees construction companies focusing on diversity strategies as they think about their future workforce needs. "They are already looking around for workers to take jobs in the coming years. And they know those workers will not necessarily be white."



# The economic crisis and discrimination against migrant workers

Migrant workers are subject to increased discrimination during economic downturns. An effective policy response depends on social dialogue in which competing interests are acknowledged. Gary Humphreys reports.

Migrant workers are among the groups most affected by economic downturns, partly because they are often employed in sectors such as construction or tourism which tend to get hit first. But they are also subject to greater discrimination when times get hard, and while data on this are lacking, the current crisis appears to be no exception. "In times of economic insecurity migrants always seem to be among the first to be blamed, and this crisis is no different," says Patrick Taran, Senior Migration Specialist at the ILO International Migration Programme.

While data may be in short supply, shocking incidents are not. Notable examples include the attacks on migrant workers in South Africa in 2008, where more than 60 foreign migrants were killed and around 10,000 were left homeless, and more recently the attacks on migrant workers in Rosarno, Italy, where two days of unrest left 53 migrant workers injured and resulted in 1,000 being sent to deportation centres.

For Taran the issue could not be more serious. "We are seeing behaviour that is threatening coherence," he says. "It is threatening democratic rule, it is threatening individual livelihoods and well-being – all of this makes it an extremely urgent issue to address." To push back against this growing wave Taran recommends strengthening the implementation and enforcement of anti-discrimination law which, in his opinion, is in most countries already adequate to the task.

#### Need for a comprehensive approach

This will not be enough on its own, however, and Taran stresses the need for a comprehensive approach to the problem that includes improving the working conditions not just of migrant workers but also of vulnerable national workers in migrant employment countries. Madeleine Sumption, a policy analyst at the Migration Policy Institute, a Washington-based independent, non-profit think tank, takes a similar line. "Immigration issues need to be seen as part of a bigger picture," she says. "There are various things going on and you have to solve those problems together." One of those "various things" is the impact of immigration on the host country workforce.

# **SIMMIGRATION ISSUES NEED TO BE SEEN AS PART OF A BIGGER PICTURE**

One of the most frequent charges levelled against migrant workers is that they accept work for lower wages and lead to the disintegration of benefits and working conditions in the host country. Again, the lack of hard data on this subject makes it difficult to argue the point with any clarity, but the basic proposition has some support.

Sumption says: "The consensus among economists regarding the longer term prospects is that immigration has a small but positive impact on wages and employment because immigration makes the economy grow. However, there is a segment of the workforce - somewhere around the bottom 10 per cent of earners - that does lose out as a result of immigration." Specifically, says Sumption, the bottom 10 per cent can expect to see slightly lower wage growth as a result of immigration and a little more competition for jobs.

Does that mean that the lowest 10 per cent of earners have a legitimate grievance? Certainly this is the position taken by political extremists and it is a grievance they exploit to great effect, but Sumption points out that the impact of immigration on the lowest earners is quite a lot smaller than other factors, notably a lack of education. "If you look at the gain

a person would get from one more year of education, it would be significantly larger that what you would expect them to lose as a result of immigration," she says, arguing that policy focused on education, including workforce development and retraining, or policies that help people engage with the world of work more flexibly, are in the long run likely to be more effective than trying to shut out immigrants or for that matter enforcing antiimmigration legislation.

This is fine as far as it goes, but "in-the-longrun" solutions need to be supplemented by policy that addresses pressing and immediate issues. For Claire Courteille, Director of the Equality Department at the Brussels-based International Trade Union Confederation (ITUC), a more promising approach to tackling the key issue posed by immigration, which her members consider to be salary dumping, is to focus on the way migrant workers are treated by employers. "Our position is if [people] work here they should be entitled to all social security benefits, the same health safety regulation, the same wages, and have their right to join a union recognized. The principle of equal treatment for migrant workers has to be the cornerstone of any migration policy," she says.

But isn't this precisely the kind of open door policy that inflames discrimination against migrant workers? Courteille doesn't think so. "If you allow people to come in to do, for example, agricultural work and you do not guarantee them equal treatment with local workers you will see social dumping, where the employers are going to go for cheaper labour. If on the other hand, employers are unable to hire workers below the going rate, the domestic workforce will feel more comfortable about migrant workers coming in and there will be a decline in discrimination."

Courteille also points out that a corollary benefit of policy based on equal treatment will be a reduction in exploitation and trafficking. As for opening the door to illegal migrants, Courteille argues that the door is already open; borders are porous, especially in Europe. "The fact is the majority of construction workers in Brussels are illegal undocumented workers," she says. She also believes that properly enforced equal treatment laws would actually discourage employers from hiring illegal migrants in the first place.

#### Focus on migrants' positive contribution

Courteille believes that another way to deal with discrimination is to focus on the positive contribution made by immigrants. "Migrant workers bring a lot more than just unskilled labour," she says. "They are also a source of entrepreneurial drive and skills."

This point was underlined recently by Michael Hüther, Director of the Cologne-based Institute for the German Economy (IW), when IW announced that Germany is likely to see a net inflow of 800,000 migrant workers from Central and Eastern Europe over the next two years, a significant jump from the previous government estimate of 280,000. Hüther said the influx was necessary to support economic growth at a time of increasing skill shortages. Predictably, German unions called for measures to prevent salary dumping and

unfair competition for the least skilled German workers, including a minimum wage for contract workers.

The bottom line is that there are competing interests in national economies. These can be boiled down to business wanting either high-end skills or low-end, cut-price labour; a domestic workforce that wants to protect itself against the creeping informalization of "social dumping"; and governments that tend to straddle the divide, taking positions depending on their political agenda. Pushing back against discrimination, by strengthening anti-discriminatory measures that have been identified by the United Nations conferences, for example, or enforcing legislation that is already in place without acknowledging the challenge that immigration poses for certain segments of national economies, only plays into the hands of demagogues who rely on peoples' sense of grievance to advance their interests.



# **Female Future:** Turning the tide

Legislation establishing quotas that ensure gender diversity in senior management positions and on boards understandably has many takers, even as some still struggle with the real face of "positive discrimination". **Qurratul-Ain Haider, a Geneva-based** journalist, reports.

"I wanted to become more secure... when it comes to presentations and decision-making, especially in a room full of men in their 50s. I also wanted to identify a strategy for my future career. The Female Future programme has given me some ideas about how I can move in the direction I would like..." says Heidi Lie, Commercial Training Administrator, Citroën Norway.

Making a mark for herself in the early years of her career - in what she describes as "quite a masculine environment", Lie, 32, is trying to ensure that she has a career graph that steers her to the senior management level, a place where women are a minority



(see box: "The 'missing' CEOs"). In other words, Lie has made a conscious effort to ensure that the proverbial workplace glass ceiling does not stunt her professional growth.

Heidi's concerns about her career are not unfounded. According to the 2011 ILO Global Report on discrimination, women continue to suffer discrimination at the workplace in terms of the jobs available to them, remuneration, benefits, working conditions, and access to decision-making positions. Recent data show that 829 million women live in poverty worldwide, while the equivalent figure for men is 522 million.

Recent independent surveys conducted in Europe and Asia have also shown that few women reach senior management levels or company boards in their career span, for a variety of reasons.

However, Lie – despite her concerns – has been more fortunate than many of her peers across the world (see box: "Combining family life and a career is possible").

#### Fast-track talented women

As a result of Norway's pioneering quota policy of 2002, all boards of public limited companies must have at least 40 per cent female membership (by 2005) failing which a company can be dissolved by the national courts. Consequently, the number of women on supervisory boards in Norway rose to 42 per cent by 2009, from 25 per cent in 2004.

Responding to the statutory quota and also to the reservations about the actual numbers of women ready for recruitment to senior positions, the Confederation of Norwegian Enterprises (NHO) established the Female Future (FF) programme – an 18-month training and networking programme to identify and fast-track talented women in the Norwegian workforce into leadership positions.

The success of the project and the positive difference it has made to gender mainstreaming and to the lives of the women professionals can be gauged from the fact that the Female Future programme is no longer just a European experience. Austria, Japan and Uganda have initiated their own FF programme modelled after NHO's initiative.

Uganda identified 21 women for the July 2011 FF training. The NHO has worked with its sister organization, the Federation of Uganda

Employers, to adapt the relevant aspects of FF to Uganda's needs. Talking about the positive impact of the Uganda Female Future programme, Etambuyu A. Gundersen, Adviser, Secretariat for Private Sector Development, NHO, states that bringing about gender equality at the senior management level makes good business sense, too.

"Our meetings in Uganda in this whole process have witnessed an enthusiasm for this programme from both the private and public sector, there is an understanding that Female Future is an important tool for enhancing gender equality in the workplace and also that having diversity in management and on boards has the proven potential to enhance a company's profitability, so in the end it makes business sense for companies to involve themselves in the FF project," says Gundersen.



Meet the CEOs who attended the launch of Female Future in Uganda and signed up as ambassadors of the programme. CEOs are the driving force behind Female Future as they nominate participants from their companies

#### Move for more gender diversity

The move for more gender diversity at senior management level has been gaining ground.

In January this year, France introduced legislation to ensure that 40 per cent of executive board members of the large publicly listed companies will be female by 2017. Legislation establishing quotas has already been passed in countries such as Iceland, the Netherlands and Spain.

The Geneva-headquartered International Organisation of Employers (IOE) and its members continue to support efforts to combat discrimination at the workplace. They have provided leadership and advocacy, offering practical guidance to national employers by drafting codes, promoting good practices, arranging training and providing guidance materials.

The International Trade Union Confederation (ITUC) gives priority to defending the rights of workers who are most vulnerable to discrimination, including women, migrants, and racial or ethnic minorities, through its Decent Work, Decent Life Campaign. A new campaign, launched in 2008, further promotes gender equality in national policies on the basis of the Equal Remuneration Convention, 1951 (No. 100). Altogether 102 trade unions from 64 countries have participated in this campaign.

#### Inequality still obvious

Yet, despite the growing consensus that breaking the glass ceiling is not a mere representational move, women continue to be under-represented at senior management and board levels.

Virginija Langbakk, Director, European Institute for Gender Equality (EIGE) is quoted in the media as saying, "Inequality is still obvious in many areas. Women represent an average of 59 per cent of university graduates in the European Union (EU) yet only three per cent of company presidents are women and only 12 per cent of corporate boards. On average, in the EU, women's unemployment rate remains higher than men's."

## **C** CONVINCING PREDOMINANTLY MALE SENIOR MANAGEMENT OF COMPANIES TO TAKE **PROACTIVE MEASURES** IS THE CHALLENGE

One would assume that the prevalent gender imbalance would be reason enough for companies to identify talented women (termed as "pearl diving" by the Female Future programme) and thus fast-track them to senior positions.

However, while some believe that deliberate efforts, such as the quotas, is the answer to the gender imbalance, "convincing predominantly male senior management of companies to take proactive measures is the challenge", says Ayomi Fernando, Head, Responsible Business Initiatives Unit, Employers' Federation of Ceylon (EFC). She explains, "Many companies think that an efficient and capable woman has a fair shot at reaching the highest positions in the company. There have been a few who have done so and their numbers are increasing."

Fernando believes that organizations must "look inwards, take stock of what prevents women from reaching these positions, and introduce appropriate measures" that facilitate family/work-life balance too. The EFC encourages gender mainstreaming amongst its

member companies through advocacy, training, and providing resource persons.

Given that only the meritorious should rise to positions of decision-making and authority, there are voices questioning the fairness of what appears to be "positive discrimination".

Susan Maybud, Senior Gender Specialist, ILO, prefers to use "affirmative action" rather than "positive discrimination" - a term which she states appears to "make a positive out of a negative". The premise behind affirmative action, in this case, explains Maybud, "is that you are trying to encourage the promotion of women... by giving them an opportunity to prove themselves... trying to ensure that you don't have women held at the lower rungs and promotions given to men by men."

#### A lifecycle of "accumulated discrimination"

She states that the Norway 40 per cent quota initiative is a "bold and good move" and one that helps bring about a balance that reflects reality and responds to the lifecycle of "accumulated discrimination" that women face. However, she emphasizes that while working towards gender diversity in the workplace, "the idea is to move away from tokenism to representation...to have 40 per cent of either sex". This can be understood from the ILO's mandate on gender equality (grounded in international labour Conventions of particular relevance to gender equality): to promote equality between all women and men in the world of work.

At the end of the day, despite the "positive discrimination" debate in some corners, the time invested in skill-building, mentoring and bringing about a change in attitudes in order to have more women in senior positions will, Maybud says, result in more "family benefits" and benefits to society.

Those at the helm of bringing about such a gender balance and a change in attitudes are – to quote Peter Gabriel's eponymous 1990s album – "shaking the tree". Women professionals such as Lie, the women in the Uganda FF programme and those in countries now striving for representation are turning the tide in favour of diversity.



Legislation in some countries is helping to fast-track the careers of talented women



In India, women's representation on boards is still at less than 1 per cent, according to a recent study. Most companies are on the fence when it comes to clear gender-inclusive programmes for senior leadership positions

#### THE "MISSING" CEOS

### A study in India throws light on the gender darkness at the top

In a recent study of over 200 companies in various industries, conducted by the Human Resources (HR) consulting and outsourcing firm Aon Hewitt India, HR teams, business leaders and the CEOs were asked to respond to questions specific to diversity. The questions focused on gender with regard to recruitment, leadership positions, potential programmes, pay equity, and HR practices.

Almost 40 per cent of graduates from colleges in India across arts/commerce/engineering streams are women, and the study found that companies see the business benefits of attracting female employees, particularly at the recruitment level. This is especially true in the IT/ITES sector where women form almost 30 per cent of the workforce at the entry level (0-5 years of experience). Women also reflect these high percentages in entry-level retail jobs. But in manufacturing and sales this drops significantly to around 10 per cent (although this is also a reflection of legislation that restricts women from working certain shifts without adequate safeguards).

However, the female composition of the workforce drops dramatically at middle-management level (6 to 10 per cent even in IT) and is minimal in senior management positions (less than 3 per cent). At the Board level women are still at less than 1 per cent! There is a recognition that these numbers need to increase if valuable talent is not to be lost.

More than 50 per cent of CEOs stated that there was a good chance for women to take on the top role in the next five years. When they were specifically asked if there were potential successors for the top job who were women, 24 per cent answered in the affirmative.

But efforts to retain women and move them into these senior positions is mixed. Only 10 per cent of CEOs stated that they actually championed the cause. Most companies are on the fence in terms of having explicitly gender-inclusive leadership programmes – the refrain is that they believe in promoting capability and are therefore "gender agnostic".

### COMBINING FAMILY LIFE AND A CAREER IS POSSIBLE

Heidi Lie, Commercial Training Administrator, Citroën Norway, was a participant of the Female Future programme in September 2010. In this brief interview she talks of the impact the FF programme has had on her professional life, and of the significance of gender diversity in the workplace.

What components of the Female Future training programme have you benefited from the most?

**Heidi Lie:** I really enjoyed the leadership development part. All the feedback we got and gave others made me more aware of my weak and strong points. The rhetoric course was also very useful... I am more structured in my planning and I picked up some useful tips when it comes to speeches.

From your experience, how does having more women at the senior management level impact business, work culture and families?

**Heidi Lie:** I have a female boss and she is a great example of a person who really understands what it is like to be a single mother with a three-year-old boy and managing a job that requires travelling and sometimes working from home at night. She gives me the freedom I need, is flexible, and really knows how to balance the role of a mother and the role of a professional leader. From her understanding, I feel motivated



Heidi Lie, Commercial Training Administrator, Citroën Norway

to give her 100 per cent in return and she motivates me by showing that everything is possible, even combining family life and a career.

I think it (gender diversity) balances the energy in the room – when you compose a Board with women and men. We have to show respect and learn from each other.

Could you list the obstacles in the way of women reaching senior positions in the first place?

Heidi Lie: Low self-confidence, lack of a network, family situation and discrimination.





In a world where 25 per cent of the over 15-year-old population are smokers, and with most of them being of working age, it is not surprising that tobacco usage in the workplace has become a very relevant issue in the past few years. Creating a safe and healthy work environment for all employees is a responsibility that companies and organizations cannot take lightly. Tara S. Kerpelman, a Genevabased journalist, reports.

According to the World Health Organization (WHO), the tobacco epidemic kills nearly six million people each year; that is more than one and a half times the population of New Zealand. Although 83 per cent of those deaths were of tobacco users or ex-users, more than 600,000 were of non-smokers who had been exposed to second-hand smoke. "After high blood pressure, tobacco use is the biggest contributor to the epidemic of non-communicable diseases," states the WHO.

Heated discussions have emerged following relatively new policies on smoke-free environments in the workplace, from banning people from smoking except in designated areas, to declaring outdoor public areas such as parks to be "smoke-free", to completely eliminating smoking from a place of work by screening job applicants to determine whether or not they are smokers.

Some argue that it is outright discrimination to exclude smokers from employment. Some say smoking is a choice, and therefore that this type of screening is a breach of human rights. And some believe that it is the right of the non-smoker employees to work in a protected environment.

"Smoking is an addiction, but also a personal choice," says Andrew Bean, a recruiter for a human resources consulting agency in Geneva, Switzerland. His view is that refusing a smoker the right to work is the same as refusing someone the right to work based on his religion, lifestyle or political views.

The ILO defines employment discrimination as "any distinction, exclusion or preference made on the basis of race, colour, sex, religion, political opinion, national extraction or social origin, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation."

"One key aspect of the principle of nondiscrimination and equality at work is that all employment decisions must be based on a person's capacity to perform a job," says Lisa Wong, Senior Declaration Officer in the ILO's Programme on Promoting the Declaration on Fundamental Principles and Rights at Work.

"If smoking, including beyond working hours and outside the workplace, is proven to affect the accomplishment of work-related tasks, not recruiting a smoker is in order," she says. "Similarly, smoking could be a valid motive for dismissal if it is detrimental to co-workers or other people with whom the smoker may interact in his/her daily work."

Sandra Volken, a professional working in Zurich, Switzerland, found herself in such a situation. After an interview with a job candidate, she said, "we didn't hire her because she smelled like a really strong smoker. [It] bothered all of us."

#### Fostering a healthy working environment

Choosing to foster a healthy environment to protect the well-being of employees is a top reason companies are moving towards adopting smoke-free rules. In 2005, the WHO implemented a policy to discard applications for jobs in the Organization by smokers, following the WHO Framework Convention on Tobacco Control (FCTC).

On the application form, candidates are asked whether they are smokers, and if so, must indicate whether they are willing to give it up if offered employment with the Organization. "If smokers/tobacco users do not indicate that they are willing to try to give up, they are excluded from further consideration," said David Nolan, Recruitment, Career Management and Organizational Design Coordinator in the Department of Human Resources Management at the WHO.

Mr Nolan said the WHO does not consider this policy to be either an attack on privacy or on human rights. "The WHO is at the forefront of the global campaign to curb the tobacco epidemic. The Organization has a responsibility to ensure that this is reflected in all its work, including recruitment practices," he said. "The policy of not recruiting smokers or other

tobacco users is a practical demonstration of the Organization's commitment to 'denormalizing' tobacco use and promoting global tobacco control."

In 2002, Caroline Fichtenberg and Stanton Glantz carried out a systematic review investigating the effect of smoke-free workplaces on smoking behaviour: "Smokefree workplaces not only protect non-smokers from the dangers of passive smoking, they also encourage smokers to quit or to reduce consumption, reducing total cigarette consumption per employee by 29 per cent," they said.

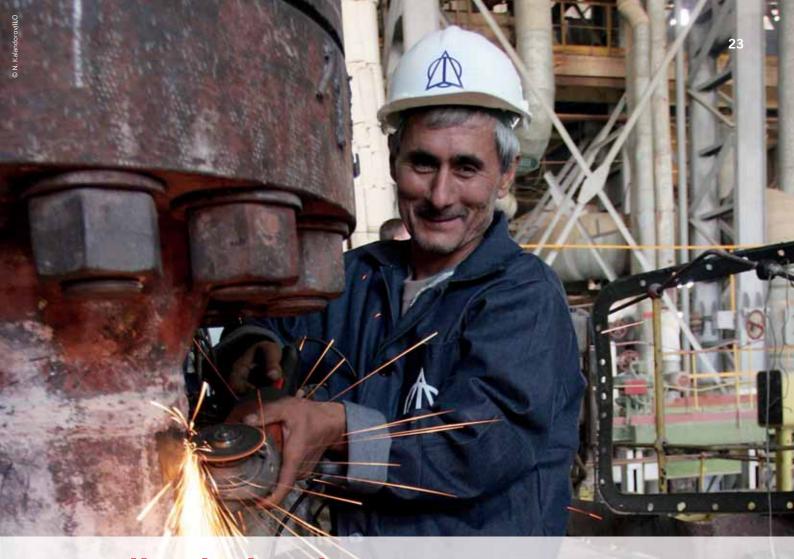
"If all workplaces that are currently not smoke-free in the United States and the United Kingdom were to become smoke-free, [cigarette] consumption per capita (for the entire adult population) would drop by 4.5 per cent and 7.6 per cent, respectively," the review says.

#### Anti-smoking laws on the rise

In the past few years many countries have implemented laws banning smoking in public places, to protect non-smokers from second-hand smoke. One of the negative consequences can be found in the hospitality industry, which suffered economically when smoker clientele were prohibited from lighting up just anywhere.

La Bagatelle, one of Geneva's oldest restaurants, saw its numbers fall. "Probably 30 per cent of our clients in the mornings were students who wanted a smoke and a coffee. They've all gone now," said David Wailliez, comanager. "The worst part is, sometimes there's just nobody in the restaurant."

As the discussions on creating more smokefree environments continue, governments, employers and workers must be made aware of the issues so they can collaborate in finding the best ways to create a safe and healthy work environment. "Denying a job or dismissing qualified persons because they are off-duty smokers would amount to discrimination and constitute an undue intrusion in private life," says Lisa Wong. So where, then, do we draw the line? Perhaps in the future, agreements between all parties can be reached and international standards on smokers' and nonsmokers' rights can be implemented.



# Age discrimination: Older than 50, so what?

Governments increasingly seek to increase the participation of older workers in the labour market, for example by revising retirement age provisions, says the new ILO report on discrimination at work. On the other hand, older workers often have to overcome the reluctance of employers to retain and hire them. London-based journalist Andrew Bibby reports from the United Kingdom and other countries where statistics suggest an increase in age-related complaints but also greater awareness of age discrimination and workers' rights.

The death of Buster Martin in April this year made the British press not only because of his age (he claimed to have

been born in September 1906, making him a sprightly 104) but because right up to the day before he died he had been at work. For the last five years of his life he had been employed by a London firm of plumbers as the cleaner for their fleet of vans. He was, it seems, a popular member of staff who often finished his day's work with a beer with colleagues.

Buster Martin was fortunate not only to be fit to work but also to find an employer prepared to take on a new employee who at that point was in his late 90s. Stereotyped management and societal attitudes about older workers can directly affect individuals' job prospects. Indeed, workers half Buster Martin's age can sometimes find that they are turned down for jobs or for promotion simply because they are deemed too old.

Encouragingly, the new ILO report suggests that awareness of age

discrimination is growing, and that more is being done to combat it. The report's principal author Lisa Wong points out that older workers are potentially particularly affected by the current economic crisis, but she adds that at least 29 countries now have legislation explicitly prohibiting direct and indirect age discrimination. "Legislation as well as policies at the national and enterprise level can play a major role in overcoming stereotypes concerning older workers. A number of countries have carried out large-scale government-sponsored information campaigns to overcome the reluctance to retain and hire older workers," she says.

#### Growing public awareness

Paradoxically, a rise in the numbers of reported allegations of age discrimination may point to growing public awareness of the issue and of the rights of older people. In France, HALDE (Haute Autorité de Lutte contre



to almost four thousand in 2008-09. It is a similar story in, among other countries, Australia, Belgium and the United States. The ILO specifically addressed the particular situation of older workers (usually taken to

be those aged 50 and above) as long ago as 1980, in the Older Workers Recommendation (No. 162). This offers a constructive framework for decent and productive conditions of work for older workers who choose or need to have paid employment. The Recommendation calls for equality of opportunity and treatment for older workers, among other things in vocational training, employment security and career development. The Recommendation also calls for measures "ensuring that, in a framework allowing for a gradual transition from working life to freedom of activity, retirement is voluntary".

The Recommendation has been complemented more recently by a short information sheet1 prepared by the ILO offering advice on employing older workers. This points to the benefits which employers can gain from employing both experienced older workers and

both the retention of experience and skills of these workers and from the transfer of their organizational knowledge to younger workers," it argues.

#### Recognizing older workers' needs

The ILO information sheet adds that there is also the need to recognize that older workers themselves have different needs. Some need to continue to work for their living, some simply want to carry on paid employment, whilst others may not be able to work or may have the financial security which means that they can retire and enjoy leisure pursuits, it says. Although the traditional abrupt line of division between working life and retirement may now increasingly be becoming blurred, the introduction of enlightened policies for the employment of older workers still needs to go hand-in-hand with adequate measures for pensions.

The call for appropriate work for older workers has been listened to at least by some

Conditions of work and employment: Issues for older workers, Information Sheet (Geneva, ILO, 2008).



employers, according to AARP, the US non-profit organization representing Americans over the age of 50. AARP was instrumental in 2006 in the launch of the Alliance for an Experienced Workforce, an initiative which also included the US Society for Human Resource Management and more than twenty US industry associations. AARP helps its members where appropriate to take up new occupations, and has among other things worked with US trucking associations to encourage older people to consider becoming commercial truck drivers.

AARP also operates an annual Innovative Employer Award which recognizes employers across the globe which AARP says operate good employment practices. The 2010 award winners included, for example, the care provider Sozial-Holding in the German town of Mönchengladbach, where about 30 per cent of the 800 staff are over fifty. Sozial-Holding offers access to specialized training for these staff, under the slogan Älter als 50, na und? (Older than 50, so what?). Sozial-Holding's managing director talks of the importance of harnessing both the energy of young people and the loyalty and experience of older workers.

Another 2010 award winner was the Austrian city of Salzburg's utilities operator Salzburg AG

für Energie, Verkehr und Telekommunikation, which was praised by AARP for its lifecycle approach to employee management *GENERA*, designed to accompany employees through different phases of their life at the workplace. The major German retailer Galeria Kaufhof was another company praised for the training offered its older workers.

Retailers elsewhere have also taken steps to attract older workers. In the United Kingdom, the hardware store B&Q has more than a quarter of its 30,000 employees over 50, including the 96-year-old customer service assistant Syd Prior. The J Sainsbury grocery chain has also taken steps to welcome workers over 50 for its stores. There is good business sense for doing so: according to one report, an 18-year-old UK supermarket worker stays on average six months in the job, whilst a 60-year-old typically stays for five years.

Internationally, a number of companies in the retail sector are taking a lead in their approach to older workers. There will be a valuable opportunity to discuss good practices at an ILO Global Dialogue Forum on older workers in retail, which will be held in September, according to John Sendanyoye of the ILO's Sectoral Activities Department. A new ILO report which will be presented to the Forum is currently under production.

# General Articles Domestic work is not



# just a "domestic issue"

According to ILO estimates, there are between 50 and 100 million domestic workers worldwide and many countries have traditionally excluded them from employee protection legislation. Ian Williams reports from the state of New York, which passed the first law in the United States establishing a social and legal safety net for domestic workers in August 2010 (see also "Basic labour rights for domestic workers" in the News section of this magazine).

The plight of domestic workers is not just a "domestic" issue. Domestic workers are mostly immigrants in developed countries, and many are undocumented. This is especially the situation in the United States.

Apart from occasional bursts of such publicity, domestic workers work alone, or in small groups in private homes, out of sight and out of mind. They are perennially vulnerable and more likely to be excluded from social and legal safety nets.

But there is hope now that things will change. The new ILO Domestic Workers Convention, 2011 (No. 189) which received overwhelming support from delegates to the 100th Session of the International Labour Conference in June gives domestic workers the same rights as other workers. ILO Director-General Juan Somavia described the Convention as "a historic moment for the ILO, but particularly for domestic workers all over the world".

A forerider in promoting the rights of domestic workers was the state of New York which anticipated the ILO Convention in August 2010 by passing its own Domestic Workers Bill of Rights. The first such law in the United States, it guarantees time off and minimum pay levels, and promises enforcement of employment laws.

The groundbreaking Bill of Rights reflects the determination and organization of the state's many domestic workers, who can draw support from its traditionally high level of labour organization and social concern. New York is home to several organizations vigorously campaigning for nannies and domestic workers. With support from the AFL-CIO, they and their counterparts in other US states sent representatives to Geneva for the ILO vote on the Domestic Workers Convention, 2011. Before, they had submitted detailed proposals for the final draft of the Convention based on their experience.

#### A quarter of nannies below poverty level

The need is great. Ai-jen Poo of the National Domestic Workers Alliance (NDWA) estimates that a quarter of the 200,000 nannies in New York state live below the poverty level. They are, she says, "overwhelmingly women, immigrants, women of colour, 59 per cent single mothers, and working poor who are primary income earners supporting families here and in their own country. Significant numbers of them are undocumented which gives another way for employers to take advantage of them and since many are employed part-time or casually without insurance or taxes."

In common with many American workers, they rarely have health coverage, which means, she points out, "they have to go to work sick even when they are taking care of the most vulnerable, the elderly or children, because if they call in sick they risk losing their job".

The NDWA represents 33 local organizations of domestic workers in 17 cities and 11 states around the United States, and those in New York lobbied intensively for the Bill of Rights. Ai-jen had just come from an orientation weekend, training domestic workers for the "ambassadors" campaign, which is "our



It drive to get the word out about the new Bill, its rights and protections. We train them as ambassadors, almost like shop stewards, to educate fellow workers and show them how to enforce their rights and negotiate better work conditions." The training also professionalizes the workers, teaching skills such as cardiopulmonary resuscitation (CPR) and proper cleaning techniques, thus giving better returns to employers.

The organizations offer support to workers, she explains, "with campaigns against abusive employers: We'll often file a lawsuit or organize public education and pressure around the cases; sometimes we will arrange public demonstrations outside the homes. We have an Employers for Justice Network that brings together employers who do the right thing."

Enforcement of the law depends on government departments whose budgets are constrained, so officials are tempted to check only on larger worksites because that seems more efficient than chasing householders mistreating a nanny.

Ai-jen says, "Organizing has created a lot of public awareness and the passage of the State Bill of Rights has really put us in partnership with the Department of Labor to improve conditions. But even so, they will tell you that they can't prioritize places with just one or two workers. So we are working with them so they understand strategic enforcement so that even in a small workplace it can still send a symbolic message - 'to encourage the others'."

#### "We can do it"

Some workers organize themselves in other ways. In particular the New York borough of Brooklyn is home to several related cooperatives such as Si Se Puede! We Can Do It! Inc. for cleaners and Beyond Care, for child-



Vanessa Brunsburg, cooperative coordinator of the Brooklyn-based Center for Family Life which hosts the organizations, recalls that Si Se Puede's original 15 founders were mostly women from Mexico's Puebla province. Founded in 2006, the organization not only weathered the recent financial crisis, but also saw a major expansion this year. Fifteen newcomers are about to join after having completed a tough three-month training programme. They are still mostly from Puebla although they now also have a Bangladeshi cooperative. Beyond Care is more global, albeit mostly from Latin America and the Caribbean.

The programmes combine training in both professional and organizational skills, so that the workers are equipped not only to negotiate and recruit others but also vocationally, learning the best ways to clean a house and which are the best and safest materials to use, and in essential techniques such as CPR. The result is that the members can offer better value for money to their employers, who are, after all, often struggling middle-class employees themselves, trying to raise families and work in a society with low levels of public child-care provision.

The cooperators began by distributing leaflets, particularly in Brooklyn's Park Slope Food Coop, a renowned and successful retail operation with 20,000 members. Now, says Brunsburg, they operate mostly by word of mouth. The cleaners earn from \$20 to \$22 an hour, she reports, which is relatively respectable for domestic workers. The Beyond Care cooperators earn from \$12 for full-time to \$16-18 part-time work. While the Center helps with office backup, Brunsburg points out that the women themselves are responsible for administering the cooperative. Si Se Puede meets every two weeks to discuss everything from bylaws to how best to organize personal finances. Their membership dues pay for a receptionist who fields the calls and does the paperwork.

So far the Center and the cooperatives have not had to sue employers. The fact that workers and their employers sign a contract now - whose terms reflect both the New York Bill of Rights and the ILO Convention – certainly plays a role in this context. Together, in organizations like the cooperatives and the NDWA, domestic workers have proven that indeed, "Yes they can!" ■

A group of domestic workers rejoicing with ILO Director-General Juan Somavia after the result of the vote on the Convention on Decent Work for Domestic Workers, 16 June 2011



For various reasons, official statistics tend to undercount domestic workers. The case of India is particularly striking given the magnitude of the difference: estimates of the number of domestic workers in this country range between 2.5 and 90 million.1 Domestic workers play an important part in the economy and they allow others to go out and earn money. Yet they remain invisible, unprotected and their contribution is often not recognized. Neelam Agnihotri, Communication and **Information Officer in the ILO Country** Office for India, reports.

**Kuwari's** face lights up with pride as she writes her name in English. Born into a poor family of landless agricultural workers in Jharkhand, India, life has been an unending struggle for survival.

Her parents were too poor to provide two full meals a day to their six children; education was a distant dream. As the eldest child she was sent to Delhi to work when she was 14, to augment the family's meagre income. But since she was uneducated, house work was the only option before her. A friend put her in touch with a voluntary organization that helped her find a job with a good family employer.

While working she also enrolled in a training programme, the Skills Development Initiative for



<sup>&</sup>lt;sup>1</sup> Global and regional estimates on domestic workers, Domestic Work Policy Brief No.4 (Geneva, ILO, 2011).

Domestic Workers, run by the Ministry of Labour and Employment (MOLE) and Delhi State Government, with technical assistance from the Norwegian-funded project implemented by the ILO. This not only helped her organize her work more systematically but also boosted her selfesteem. She realized she was not alone, and that there were many more like her.

Jasinta also came to Delhi from a remote village, Amlai Gudi in Assam. But after working for a year she was cheated by the placement agency and paid only half her wages. Luckily she found a new job quickly and, with the help of a voluntary organization, she also attended the domestic workers' training programme. "I used to work in a haphazard manner. This training has helped me improve my performance. My employer is very happy with the way I work now and has given me a raise," said Jasinta.

#### Domestic work on the rise

Paid domestic work is increasing in many economies worldwide but it remains a virtually invisible form of employment in many countries. It is also generally seen as unskilled work, a natural extension of women's work in their own homes. Thus, many domestic workers endure very poor working conditions, many are underpaid, have no social security coverage and work long hours in difficult and not always safe conditions. Some are vulnerable to trafficking or sexual, physical or psychological abuse, especially when they are migrants.

Yet domestic and care work in the home is vital for the economy. Domestic workers allow millions of others to go out to work while maintaining domestic routines. In India a new domestic worker can expect to earn about INR1,800 (US\$41) per month. This should increase as the worker acquires additional skills such as cooking or child care.

According to Tine Staermose, Director, ILO Decent Work Team for South Asia and Country Office for India, what matters to domestic workers – apart from better wages – is respect and recognition, and the realization that their work is important. "Besides their identity as workers with rights, they also form a very important segment whose contribution to the economy and growth needs to be recognized," she says.

Domestic work has been an ILO concern since its earliest days and gender equality is at the core of the ILO's Decent Work Agenda. Domestic workers form a significant part of the working population. Given their vulnerability to dangerous, discriminatory and abusive working conditions, the ILO recognizes the need to promote decent work for domestic workers.

#### "Your work is important"

To bring the issue centre stage and raise awareness about the rights of domestic workers, a public campaign "Your Work is Important" was launched in India in 2009. To professionalize domestic work and promote better wages and working conditions, the ILO collaborated with the MOLE, the Government of India and the Delhi Government to set up pilot training programmes to train and re-skill domestic workers and household assistants.

The ILO also collaborates with the National Trade Union Congress (INTUC) and the All India Trade Union Congress (AITUC) to help domestic workers in selected states get organized and train them to improve





# domestic work?

Arab governments, workers and employers have largely supported the adoption of the Domestic Workers Convention and Recommendation. 2011 and must now consider ratification.

Most Arab delegates to the International Labour Conference supported the adoption of historic international labour standards on decent work for domestic workers on 16 June, with only a handful of abstentions. But some also highlighted the challenges to ratification and implementation in the region.

Domestic workers are largely excluded from national labour legislation, social security regimes and occupational health and safety provisions and are often tied to their employers through a restrictive sponsorship system. The majority of them have their passports and papers taken away by their employers and are

not allowed outside the home on their day off. The informal, unregulated and isolated nature of their work renders them vulnerable to exploitation and abuse.

ILO Convention No. 189 and Recommendation No. 102 set out that domestic workers who care for families and households must have the same basic labour rights as those available to other workers: reasonable hours of work, weekly rest of at least 24 consecutive hours, a limit on in-kind payment and clear information on terms and conditions of employment, as well as respect for fundamental principles and rights at work including among others freedom of association and the right to collective bargaining.

Under international law, the next step for ILO member States will be to submit Arab countries host a significant number of migrant workers - some 22 million – one-third of whom are women engaged in domestic work, originating from Asian and African countries such as Bangladesh, Ethiopia, Indonesia, Nepal, the Philippines and Sri Lanka. The number of migrant domestic workers varies from country to country. While Saudi Arabia hosts some 1.5 million, estimates for Lebanon (225,000) and Jordan (77.000) are much

the new labour standards to their national competent authority for enactment or other action, including ratification. Ratification would mean accepting the Convention and Recommendation as legally binding instruments and would require ensuring they are applied through harmonizing national legislation and other methods. Whether or not Arab governments will ratify or seek to implement the new standards remains to be seen.

#### Far-reaching changes needed

"There is an Arab consensus on the adoption of the Convention and Recommendation on decent work for domestic workers but there are major obstacles to implementation at the national level," said Bahraini Workers' delegate Ibrahim Hamad. "Far-reaching legislative changes will have to be made in the countries that host the vast majority of migrant domestic workers, such as the Gulf Cooperation Council States."

Saudi Workers' delegate Nidal Mohammad Radwan agreed that it would take some time to achieve ratification, but said that significant efforts are already under way in several Arab countries to bring national laws in line with international standards: "There is a debate in Saudi Arabia at the moment about introducing new regulations - such as an insurance scheme – to better protect domestic workers and the families that employ them. If these laws are passed, Saudi Arabia would move closer towards ratification."

Speaking on behalf of the Gulf Cooperation Council countries at the Domestic Workers' Committee meeting, United Arab Emirates (UAE) Government representative Humaid Rashid Bin Demas noted that a unified labour contract for domestic workers had been adopted in Kuwait, and new legislation in the UAE would allow for labour inspection in private households.

The Domestic Workers Convention, 2011 (No. 189) was adopted by a vote of 396 to 16, with 63 abstentions, and its accompanying Recommendation (No. 201) by a vote of 434 to 8, with 42 abstentions. The Convention is an international treaty that is binding on member States that ratify it, while the Recommendation provides more detailed guidance on how to apply the Convention.

Ten of the 63 abstentions were registered by Arab delegates, mainly employers who underlined their support for bringing domestic work into the mainstream and addressing human rights concerns but also voiced reservations.

In 2010, the Employers' Group had favoured a stand-alone Recommendation in preference to a Convention, explaining that an overly prescriptive Convention could suffer a low ratification rate. Employers have also emphasized the unique nature of domestic work, which takes place in the home, where family rights must be respected.

#### Labour inspection is the biggest challenge

"One of the greatest challenges to implementing this Convention and Recommendation, especially in Arab countries, is how to conduct labour inspection while respecting the privacy of homes. Labour inspectors everywhere do not have the right to enter homes. So this could be one of the greatest challenges for Arab countries," said Egyptian Government delegate Iman Nahas.

Many believe that, in order to be effective, legislative changes would have to be accompanied with - or indeed preceded by - a change of mindset.

"It is easy to discuss legal texts and conventions, and we may even amend national legislation and ratify conventions, but the real challenge is how to make these principles a reality. In discussing and adopting this convention, we have accepted an international and national obligation. We hope that our commitment to domestic workers will be both a legal and a moral one," said United Arab Emirates Government delegate Humaid Rashid Bin Demas.

"There is a genuine need for awareness-raising in Arab countries, to develop a more humane view of domestic workers and to recognize that domestic workers are real workers, not servants," added Bahraini Workers' delegate Ibrahim Hamad.



# Gender-based violence comes at high social and economic cost

Gender-based violence negatively impacts the world of work. It is described by many as the most prevalent human rights violation in the world, with at least one in three women globally estimated to have been coerced

into sex, physically beaten, or otherwise abused in her lifetime. ILO Online spoke with Adrienne Cruz, co-author of a new ILO publication<sup>1</sup> on the issue, about the social and economic costs of such violence in the world of work.

Adrienne Cruz and Sabine Klinger: Gender-based violence in the world of work: Overview and selected annotated bibliography (Geneva, ILO, 2011).

#### What is gender-based violence?

Adrienne Cruz: In 1993 the United Nations Declaration on the Elimination of Violence against Women defined such violence as "any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life". This included marital rape, sexual harassment, sexual abuse, trafficking, and forced prostitution. This definition has since been broadened to include, among other things, systematic rape in armed conflicts, female infanticide and prenatal sex selection, as well as the economic exploitation of women.

The term "gender-based violence" captures the fact that such violence is rooted in unequal power between women and men. Genderbased violence both reflects and reinforces the subordinate status of females – who are the large majority of victims – in male-dominated societies. However, males can also be victims of such violence, especially those who do not conform to traditional societal expectations about "masculine" behaviour. And some women perpetuate violence against other females in order to assert their authority and dominance, such as a woman who abuses a domestic worker.

#### How are women and men workers vulnerable to such violence?

Adrienne Cruz: Due to life-long discrimination and job stereotyping, most women work in low-paying and lower-status jobs with little decision-making or bargaining power. They are over-represented in atypical and precarious jobs, which are risk factors for gender-based violence including sexual harassment and sexual abuse. Men at higher occupational risk include those working nightshifts in small stores, which are more exposed to armed robberies and violence, and those in law enforcement. Sectors where women are not present also contribute to higher exposure risk for some men - for example males who hold subordinate positions in relation to others in all-male workplaces are more vulnerable to sexual abuse from their co-workers.

In addition to a human rights perspective, is there a business case for preventing genderbased violence?

Adrienne Cruz: No other form of sex discrimination violates so many fundamental human rights, and for women aged 15 to 44 years such violence is a major cause of disability and death. Yet in addition to preventing human pain and suffering, there is also a compelling "economic efficiency" argument for preventing genderbased violence.

A recent study in the United Kingdom estimated that domestic violence cost the economy £2.7 billion a year in

decreased productivity, lost wages and sick pay, with the total direct and indirect costs at £23 billion annually. And in the United States last year, the Novartis Pharmaceutical Company was found liable in one of the country's biggest-ever sexual harassment and discrimination cases. The company was ordered to pay US\$3.3 million in compensatory damages and US\$250 million



THE TERM "GENDER-**BASED VIOLENCE**" **CAPTURES THE FACT** THAT SUCH VIOLENCE IS ROOTED IN UNEQUAL **POWER BETWEEN** WOMEN AND MEN 🤊 🤊



in punitive damages to a class of 5.600 female staff, who were also entitled to seek additional awards of up to US\$300,000 each.

Are some groups of workers particularly at risk of gender-based violence?

#### **Adrienne Cruz:**

Definitely. High-risk groups include girls and boys who are in child labour, forced and bonded labourers. migrant workers, domestic workers, health services workers especially nurses, and sex workers.

Has the economic crisis had an impact on gender-based violence?

Adrienne Cruz: In many countries the economic crisis has exacerbated such violence. Evidence from some regions shows that more girls and boys are being forced into street work to survive, including sexual exploitation which heightens their risk to violence and HIV infection. And some men – whom many societies expect to be the traditional breadwinner – are experiencing sustained stress caused by job losses; when this is coupled with alcohol or substance abuse, they have a higher risk of perpetuating violence against their wives or partners. At the same time, there are many collective initiatives taken by men around the world to engage their fellow decision-makers and public opinion leaders to step up efforts to prevent genderbased violence.

What can ILO constituents do to prevent violence at the workplace?

Adrienne Cruz: While governments are responsible for ensuring that national

legislation and institutional frameworks address gender-based violence, the workplace itself is recognized as a relevant context in which to develop policies and strategies to prevent it. Workers and managers can successfully overcome the work-related problems they often face through discussions, well-designed company human resources policies, and through collective bargaining. Strong commitment of both trade unions and management is instrumental in reducing the incidence of workplace violence, and the new ILO publication contains almost 60 tools, measures and guides that feature good practices implemented in all sorts of workplaces around the world.

#### What is the role of the ILO in this respect?

Adrienne Cruz: Any kind of violence in the workplace has always been an important concern for ILO. Gender-based violence was described as one of the main challenges to gender equality by the International Labour Conference in its June 2009 Resolution concerning gender equality at the heart of decent work. The resolution contains workplace-related strategies by ILO constituents to address such violence and decrease women's vulnerability by promoting their economic empowerment.

Based on recommendations of the resolution, the ILO Bureau for Gender Equality (GENDER) took the lead in tracking current research, investigating trends and developing this new publication. It aims to contribute to policy development at national and sectoral levels, enhance knowledge-sharing on how to eliminate gender-based violence, and serve as an information resource for capacity building of governments and the social partners worldwide.

What's more, many ILO field offices conduct training courses for governments and for employer and worker organizations on sexual harassment provisions in legislation and specific policies, as well as workshops on codes of practice and other strategies. Capacity-building courses on gender equality and violence-related issues are also conducted by the Turin-based International Training Centre (ITC-ILO).

# News

- Toward a new era of social *iustice*
- Basic labour rights for domestic workers
- Heads of State and Government at the Conference
- Youth leaders tell ILO they need jobs
- Promoting empowerment of women in the workplace
- World Day Against Child Labour 2011
- South-South and Triangular Cooperation: A new path for social development
- ILO report on the situation of workers in the occupied Arab territories
- ILO Governing Body elects new chair
- President Sarkozy urges G20 to strengthen social dimension of globalization
- First global partnership to advance rights of indigenous peoples



### Toward a new era of social justice

The annual Conference of the International Labour Organization (ILO) concluded its historic 100th Session in June after taking a number of steps aimed at moving toward what ILO Director-General Juan Somavia called "a new era of social justice".

Heads of State and Government and more than 4,000 participants representing governments, employers and workers from the ILO's 183 member States gave strong support to the ILO's Decent Work Agenda and a stronger role of the Organization in the international system.

Director-General Juan Somavia opened the Conference with a call for an urgent commitment to a new era of social justice and economic growth based on sustainable development.

"Our world of work is in turmoil," Mr Somavia said in his address to the Conference. "It is urgent to commit to a new era of social justice, of growth with social justice based on sustainable development."

Mr Somavia said the world of work was facing multiple crises, including an unacceptably high level of youth unemployment, stagnant levels of world investment in the real economy, marginalization of job-creating small enterprises, and "indecent levels" of income and wealth concentration.

#### "Time for a stronger ILO"

Citing his report to the Conference entitled *A new* era of social justice, he told delegates, "whether a new era of social justice remains just an idealized vision of a desired future, or becomes a practical reality that takes hold in our societies, will depend in many ways on you, on us, on the ILO family".

"It is the time for a stronger ILO," he declared. Expressing concern over complacency regarding a still fragile recovery, he warned that "we have in front of us the bigger danger of further consolidating inefficient growth patterns and unfair globalization rules that were at the root of the crisis, and that have systematically increased inequality almost everywhere in the last 30 years. Slipping back into business as usual will lead us all, sooner rather than later, into another crisis."

"No wonder people are upset and angry," he said. "Too many feel squeezed – including the middle classes - between the immediate social impact of the crisis and these long-term trends."

# International Labour Conference

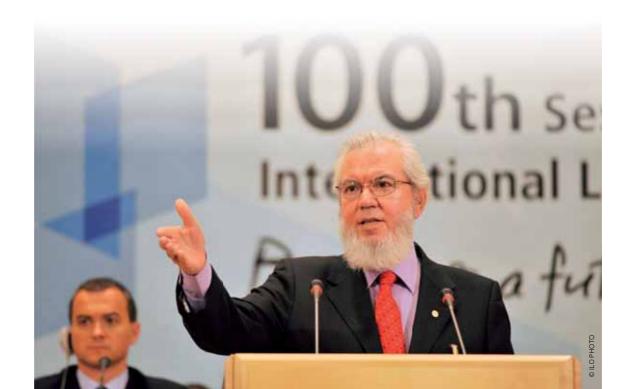


Mr Somavia said that people were also angry over the perception that it seems some financial institutions are regarded as "too big to fail" while many people are seen as "too small to matter".

The result was that "from Tahrir Square to Puerta del Sol, in streets and plazas in many countries, we are witnessing the birth of a social and popular movement led by youth that may change the world," he said, adding, "and let us not forget that as we speak, the daring and courageous commitment of the Arab world and beyond is

giving us a powerful message: that real change today demands widespread peaceful social and popular mobilization that can project the voice and demands of people into the heart of political decision-making. We must also hear them. Let us be as bold and ambitious as our forebears have been."

Mr Somavia said ILO policies "contribute to a world with fewer tensions, greater fairness and strengthened security. With our values and policies, we are on the right side of history."



# Basic labour rights for domestic workers

On 16 June, delegates adopted a historic set of international standards aimed at improving the working conditions of tens of millions of domestic workers worldwide (see also items in the General Articles section).

"We are moving the standards system of the ILO into the informal economy for the first time, and this is a breakthrough of great significance," said Juan Somavia, ILO Director-General. "History is being made."

Conference delegates adopted the Domestic Workers Convention, 2011 (No. 189) by a vote of 396 to 16, with 63 abstentions, and the accompanying Recommendation by a vote of 434 to 8, with 42 abstentions. The ILO is the only tripartite organization of the United Nations, and each of its 183 member States is represented by two government delegates and one employer and one worker delegate, with an independent vote.

The two standards are the 189th Convention and the supplementing 201st Recommendation adopted by the ILO since its creation in 1919. The Convention is an international treaty that is binding on member States that ratify it, while the Recommendation provides more detailed guidance on how to apply the Convention.

The new ILO standards set out that domestic workers around the world who care for families and households must have the same basic labour rights as those available to other workers: reasonable hours of work, weekly rest of at least 24 consecutive hours, a limit on in-kind payment and clear information on terms and conditions of employment, as well as respect for fundamental principles and rights at work including freedom of association and the right to collective bargaining.

Recent ILO estimates based on national surveys and/or censuses of 117 countries place the number of domestic workers at around 53 million. However, experts say that due to the fact that this kind of work is often hidden and



(Left to right) Mr Christophe Perrin, Chief of the Official Relations Branch, Mr Robert Nkili, President of the Conference, Juan Somavia, Director-General of the ILO and Mr Morten Hovda, Senior Adviser for Europe, congratulate Ms Manuela Tomei, Director of the ILO Conditions of Work and Employment Branch, following the final result of the vote on the Convention on Domestic Workers

unregistered, the total number of domestic workers could be as high as 100 million. In developing countries, they make up at least 4 to 12 per cent of wage employment. Around 83 per cent of these workers are women or girls and many are migrant workers.

The Convention defines domestic work as work performed in or for a household or households. While the new instruments cover all domestic workers, they provide for special measures to protect those workers who, because of their young age or nationality or livein status, may be exposed to additional risks relative to their peers, among others.

According to ILO procedure, the new Convention will come into force after two countries have ratified it.

"Bringing the domestic workers into the fold of our values is a strong move, for them and for all workers who aspire to decent work, but it also has strong implications for migration and of course for gender equality," Mr Somavia said.

# WORKERS INTO THE FOLD OF OUR VALUES IS A STRONG MOVE, FOR THEM AND FOR ALL WORKERS WHO ASPIRE TO DECENT WORK

In its introductory text, the new Convention says that "domestic work continues to be undervalued and invisible and is mainly carried out by women and girls, many of whom are migrants or members of disadvantaged communities and who are particularly vulnerable to discrimination in respect of conditions of employment and work, and to other abuses of human rights".



The Conference opened on 1 June and elected as its President Mr Robert Nkili, Minister of Labour and Social Security of Cameroon. Referring to a "symbolic and historical session of the Conference", the President called on delegates to "make sure that the ILO is a main player in bringing solutions for a better world of work".

The Conference elected as Vice-Presidents Mr Dagoberto Lima Godoy (Employers) from Brazil, Mr Bogdan Iuliu Hossu (Workers) from Romania, and Mr Homero Luis Sanchez Hernandez (Governments) from the Dominican Republic.

Mr Lima Godoy is a Consultant of the National Confederation of Industries (CNI) in Brazil, Mr Hossu is the President of the Romanian National Trade Union Confederation Cartel Alfa, and Mr Sanchez Hernandez is the Permanent Representative of the Dominican Republic to the United Nations in Geneva.

# Heads of State and Government at the Conference

## Germany supports stronger role for ILO

In the first ever visit of a German Chancellor to the ILO, Angela Merkel highlighted the increasing role played by the ILO in closer international cooperation.

The G8 and G20 meetings would be "unthinkable without the wealth of experience of this Organization", she said, adding that the ILO's involvement was the only way "to give globalization a form, a structure". Chancellor Merkel called for the ILO and the ILC to show "passion and courage" in addressing new issues and "to belong to those organizations that make their mark on globalization".



# Indonesia calls for coalition to tackle youth employment



The President of Indonesia, Susilo Bambang Yudhoyono, called for a global coalition to tackle youth employment in his address to the Conference.

He called on delegates to work together to prevent increasing unemployment among young people, saying this would be critical to creating a new era of social justice. President Yudhoyono also highlighted the need for special recognition of the contribution made by the millions of migrant workers worldwide, and of their needs and rights.

# **Russian Federation supports Decent Work Agenda**

Russian Prime Minister Vladimir Putin said that the country's policies are in step with the ILO's Decent Work Agenda and offered to host an international conference in the Russian Federation next year focusing on how to make more progress towards achieving its goals.

In an address to the 100th Session of the International Labour Conference he called for a "more sustainable and balanced" model of economic growth that would benefit not only selected countries but the world community as a whole, and underlined the important role of the ILO in shaping economic recovery policies.



Special guests addressing the **Conference included German** Chancellor Angela Merkel, Indonesian President Susilo Bambang Yudhoyono, Russian Prime Minister Vladimir Putin, Finnish President

Tarja Kaarina Halonen, Tanzanian President Jakava Mrisho Kikwete and Swiss President Micheline Calmy-Rey, as well as five former Heads of State and Government members of the Club of Madrid.

#### Finland: ILO values needed more than ever

In an address at the opening of the Conference, Finnish President Tarja Halonen cited the "absence of social justice" in the world, and said the ILO's values and policies are needed more than ever to create "a world with fewer tensions, greater fairness and strengthened security".

President Halonen also said that "the core Conventions adopted by the Organization remain highly topical. Still, a great deal remains to be done in their national implementation in many parts of the world. These basic rights must be respected when we look for means to advance the global economy."



# United Republic of Tanzania calls for a new era of social justice



Tanzanian President Jakaya Kikwete called for new approaches to address globalization by promoting an efficient growth path for a new era of social justice.

"The recent world economic and financial crisis has posed new challenges in the realization of the Decent Work Agenda and threatens to erode some of the lofty gains that the world has made in the past decades. These new challenges demand new approaches," the President said.

## Switzerland supports social protection floor

Social justice and the role of the ILO in international governance were at the centre of the speech by Micheline Calmy-Rey, President of the Swiss Confederation.

The Swiss President said that social justice required "a fundamental social protection floor", claiming that the fact that only 20 per cent of the world's working-age population have access to a social protection scheme was a "major injustice" as well as "a danger for political stability".



#### HIGH-LEVEL PANEL OF THE CLUB DE MADRID



Former Heads of State and Government from Ecuador, Ghana, the Netherlands, Nigeria and Yemen – members of the "Club de Madrid" – during two special events

at the Conference addressed the need for a new era of social justice and sustainable societies in the wake of the global financial and jobs crisis.

In response to a growing demand for reinvigorated action on countering the lingering effects of the global crises, members of the Club de Madrid provided critical insights on politically sustainable solutions to current global social and economic challenges.

The Club de Madrid is an independent non-profit organization composed of 80 democratic former Presidents and Prime Ministers from different countries, who have come together to respond to a growing demand for support among leaders in two key areas: democratic leadership and governance; and response to crisis and post-crisis situations.

#### **DURING ITS 2011 SESSION,** THE CONFERENCE ALSO FEATURED THE FOLLOWING:

- The Committee on Labour Administration called on governments to build effective labour administration and labour inspection systems to cope with the challenges in a rapidly changing world of work.
- The Committee on Social Protection discussed ways to establish social security for all as a powerful and affordable tool to promote economic growth, reduce poverty and mitigate the impact of crises.
- The Committee on the **Application of Conventions** and Recommendations examined 25 individual cases covering the whole range of concerns addressed by the ILO.
- High-level panels on youth unemployment in North Africa and the Middle East and other regions; employment and social justice in a globalizing economy; the role of decent work in a fairer, greener, sustainable globalization:
- and a vision of a new era of social justice completed the discussions on the state of the world of work after the global economic and financial crisis.
- Discussion in the Conference Plenary of the ILO's annual Global Report on discrimination (see cover story) with an address by special guest, Michelle Bachelet, Executive Director of UN Women.





# Youth leaders tell ILO they need jobs

Youth leaders from around the world told the Conference that they need "jobs, jobs", but expressed optimism that their efforts would eventually result in employment, more equitable societies and decent work.

"One thing we must never do is throw in the towel," said Algerian youth activist Wissam Khedim, calling on youth to carry on the struggle to achieve their goals.

Addressing the panel, ILO Director-General Juan Somavia told the youth: "You are acting as catalysts for the rest of the world," adding that the changes they have initiated cannot be stopped. "The people will prevail because of their thirst for dignity and social justice."

The young leaders were participants in an unprecedented high-level panel on youth that brought their concern, but also optimism and hope, directly to the floor of the International Labour Conference. The predominant message was that youth are ready and eager to contribute to making a difference if they are provided with

opportunities to do so in the form of jobs, training and involvement in the political process.

Despite the highest ever global levels of youth unemployment, which the ILO estimates at 81 million people aged 15 to 24, Monique Coleman, the American actress and UN Youth Champion, said, "I don't think there is a sense of hopelessness... if we do not have a positive outlook we are not going to reach a positive outcome."

Nazly Hussein, an Egyptian student activist who participated in the protests in January, urged the international community to help in the rebuilding effort and stressed that "most protests – even those in European countries – are a call for social justice more than for democracy. I think for social justice to be achieved the entire global system needs to change."



Executive Director of UN Women, Ms Michelle Bachelet, and ILO Director-General, Mr Juan Somavia, signing the Memorandum of Understanding



# **Promoting** empowerment of women in the workplace

On 13 June 2011, the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women) signed a wide-ranging Memorandum of Understanding (MOU) with the International Labour Organization (ILO) in Geneva on key issues including promoting gender equality, eliminating sex discrimination, protecting domestic workers, promoting social protection floors and combating gender-based violence at

The agreement foresees a set of cooperation modalities, including South-South and Triangular Cooperation. The UN agencies will enhance

policy coherence in the area of decent work and gender empowerment and undertake joint advocacy and awareness-raising initiatives, research, training, skills upgrading and capacity building for constituents, among other activities.

ILO Director-General Juan Somavia praised the "inspired leadership" of Michelle Bachelet, the Executive Director of UN Women, in rapidly mobilizing support to deliver the UN Women Vision and Action Plan. The MOU will institutionalize the already strong working relationship between the ILO and the new entity.



The report also says that although the overall number of children aged 5 to 17 in hazardous work declined between 2004 and 2008. the number aged 15 to 17 actually increased by 20 per cent during the same period, from 52 million to 62 million.

"Despite important progress over the last decade, the number of children in child labour worldwide - and particularly in hazardous work - remains high," said ILO Director-General Juan Somavia. "Governments, employers and workers must act together to give strong leadership in shaping and implementing the policies and action that can end child labour. The persistence of child labour is a clear indictment of the prevailing model of growth. Tackling work that jeopardizes the safety, health or morals of children must be a common and urgent priority."





The International Labour Office (ILO) has participated in more than 100 initiatives of South-South and Triangular Cooperation, according to information provided during a panel discussion with representatives of donor countries, governments, workers and employers during the ILO's 100th Conference in Geneva.

Representatives of India, Brazil and South Africa, the IBSA countries, reiterated their interest in enhancing their participation in South-South and Triangular Cooperation and to partner with the ILO in the advancement of the Decent Work

# South-South and Triangular **Cooperation:** A new path for social development

Agenda, based on international solidarity and sharing knowledge and successful experiences. Representatives of Nepal and China also participated in the event.

"Above all we need solidarity across countries, this is the real key to South-South and Triangular Cooperation," said María Angelica Ducci, Executive Director of the ILO and Chair of the Panel Discussion, adding that these schemes also have brought "fresh air into development cooperation".



# ILO report on the situation of workers in the occupied Arab territories

The annual report of the International Labour Office (ILO) on the situation of workers in the occupied Arab territories calls for replacing the current security logic "with a development logic, based on a long-term vision of the economic, employment and human security interests of all the women and men in the region".

According to the report, despite some improvements in the movement of people no significant change for the better regarding the situation of these workers has taken place during the past year. The report notes that such change cannot take place "unless the restrictions imposed by the Israeli occupation, and the occupation itself, are removed".

The report underlines that all parties "have to come to a decision sooner or later on the next steps. The Palestinian economy has reached limits which cannot be surpassed without agreement and action on the two major constraints it faces: occupation and separation. Palestinian state-building should not be stifled and allowed to run out into frustration and discontent".

The annual report is mandated by the International Labour Conference. It has been submitted for three decades now to the Conference.

# ILO Governing Body elects new chair

The Governing Body of the International Labour Office (ILO) elected Greg Vines, Minister (Labour), Australian Permanent Mission to the United Nations Office in Geneva, as Chairperson for 2011-12. The 311th Session of the Governing Body also considered a range of other business, including a report of the ILO Committee on Freedom of Association.

Mr Vines replaces H.E. Mr Jerry M. Matjila, Ambassador of the Republic of South Africa and Permanent Representative of South Africa to the United Nations Office in Geneva, who served as Governing Body Chairperson since March 2011.

Greg Vines has been involved in labour relations for over 30 years and is now Special Labour Adviser for the Australian Government, Prior to this appointment in Geneva. Mr Vines had held a number of senior executive roles with the Australian Federal and State Governments. From 2008 to 2009 he was an executive adviser to the Prime Minister of Timor Leste.



Daniel Funes de Rioja, President of the Social Policy Department of the Argentine Industrial Union and Chairman of the Employers' Group of the Organization of American States from 1995 to 1998, was re-elected as Employer Vice-chairperson. Luc Cortebeeck, President of the Confederation of Christian Trade Unions in Belgium, was elected Workers' Vicechairperson. The two vice-chairs will also serve as spokespersons of their respective groups.

The three will serve as Officers of the Governing Body during the period 2011-12. The Governing Body is the executive council of the ILO and meets three times a year in Geneva. It takes decisions on policy and establishes the programme and budget of the 183 member States of the ILO.

The International Labour Conference also elected new members of the Governing Body on

# President Sarkozy urges G20 to strengthen social dimension of globalization



Last May, ILO Director-General Juan Somavia welcomed French President Nicolas Sarkozy's recognition of the key role a tripartite organization such as the ILO can play in strengthening the social dimension of globalization.

"A more solid, stronger globalization that benefits workers and advances social progress - such is the ambitious roadmap that has been entrusted to you," said the French President, referring participants to the meeting of the G20's labour and employment ministers which will be held in Paris on 26-27 September ahead of the November summit in Cannes.

In response, Mr Somavia said: "In calling for the strengthening of the social dimension of globalization, the French presidency of the G20 wishes to bring it more in line with people's concern for employment, dignity of work and security. The G20 should listen to this appeal for more coherence between macroeconomic policies and social gains, as well as the employment these should promote".



The Head of State of France, which currently holds the G20's rotating presidency, stressed the need to "ensure that globalization draws upon social progress to boost economic progress", adding that social progress is "the best way to ensure economic prosperity in the long-term". His remarks reflected the ILO's recent statements on social justice and decent work.

Calling for closer cooperation between "a world economic governance embodied by the G20,

and the leading international economic institutions". the French Head of State pointed out that the ILO's Director-General has long committed his organization to achieving "a fairer and more efficient international governance".

President Sarkozy cited the Declaration on Social Justice for a Fair Globalization, 2008 and the Global Jobs Pact, 2009, and pointed out that in 2010 the International Labour Conference underlined "the need to improve coherence between economic, financial and social policies and the institutions that implement them".

work the ILO and the Organisation for Economic Co-operation and Development (OECD) have already done for the French presidency of the G20. "If we want to recover in 2015 the level of employment that prevailed before the crisis, we must create 110 million jobs throughout the G20 countries, or 22 million a year over five years," he said, citing the work of the two organizations.

Addressing the development of social protection floors across the world, the French President

> hailed the "remarkable" work achieved by the global advisory group on social protection and highlighted the contribution of its chairperson, Ms Michelle Bachelet.

> President Sarkozy also addressed the need for increased respect for rights at work, speaking out against "competition without rules that would drag everybody down".

"France cannot accept that the G20 members, most of whom are also ILO members, have not all ratified the eight ILO Conventions on the fundamental rights at work".



#### Putting employment at the heart of economic choices

Speaking of the need to put employment at the heart of economic choices, he praised the He stressed that France attaches great importance to the participation of the social partners in discussions within the G20 on social issues, and reiterated that France intended to closely involve those partners during its presidency of the group.

# First global partnership to advance rights of indigenous peoples

On 20 May, UN Secretary-General Ban Ki-moon welcomed the first global UN interagency initiative to promote and protect the rights of indigenous peoples. The initiative, called the United Nations-Indigenous Peoples' Partnership (UNIPP), is a commitment to the UN Declaration on the Rights of Indigenous Peoples and calls for its full realization through the mobilization of financial cooperation and technical assistance.

Urging all countries "to support this new initiative so that it can fulfil its potential to turn the Declaration's principles into reality", the UN Secretary-General noted that indigenous people have suffered centuries of oppression, and continue to lose their lands, their languages and their resources at an alarming rate.

"Despite these obstacles," he said, "indigenous people make an enormous contribution to our world, including through their spiritual relationship with the earth. By helping indigenous peoples regain their rights, we will also protect our shared environment for the benefit of all".

The aim of UNIPP is to secure the rights of indigenous peoples and to strengthen their institutions and ability to participate fully in governance and policy processes at the local and national levels, including conflict prevention in regard to ancestral land and the use of natural resources.

Many indigenous communities are witness to exploitation of these lands and resources by extractive industries - in many cases without regard to their rights.

The Chair of the United Nations Permanent Forum, Mirna Cunningham, said the partnership was "an important step in the efforts of indigenous peoples everywhere to fully realize their human rights. We look forward to our continued work with the UN so that the voiceless will be heard and that we can bring about dignity and respect for the diversity of our cultures traditions, histories and aspirations."

The UN Declaration on the Rights of Indigenous Peoples (2007) and the ILO's Indigenous and Tribal Peoples Convention (No. 169) adopted in 1989 are widely recognized as the key international instruments for promoting and protecting the rights of indigenous peoples.

There are more than 370 million indigenous peoples in some 90 countries, accounting for 15 per cent of the world's poor and one-third of the 900 million people living in extreme poverty. Indigenous people also tend to experience low levels of education, increased health problems, higher crime rates and human rights abuses.





# Around the

### Singapore ratifies **MLC**

Singapore has ratified the International Labour Organization's (ILO) Maritime Labour Convention, 2006 (MLC, 2006) with the full support of tripartite partners - the seafarer unions and the National Trades Union Congress, as well as the maritime industry and the Singapore National Employers Federation. The ratification was announced on 14 June by Senior Parliamentary Secretary for Manpower and Education Mr Hawazi Daipi, at the International Labour Conference in Geneva, Switzerland, and the instrument of ratification was deposited on 15 June 2011.

With the ratification by Singapore of the MLC, 2006, 14 ILO member States have now ratified this important Convention, which sets out minimum standards and fair working conditions for seafarers worldwide.



Mr Loh Khum Yean, Permanent Secretary of Singapore's Ministry of Manpower and Education and Ms Cleaopatra Doumbia-Henry, Director of the ILO Department of International Labour Standards, with the instrument of ratification of the Maritime Labour Convention

While the first requirement for entry into force of the Convention coverage of 33 per cent of the world gross tonnage - has already been attained, Singapore's ratification is an important step towards achieving the second requirement: 30 ratifying countries. It is expected that the additional 16 ratifications will be obtained before the end of 2011. indicating that the MLC, 2006 will enter into force in 2012.

# **ILO and OECD foster** cooperation

The ILO and the Organisation for Economic Co-operation and Development (OECD) have signed a new Memorandum of Understanding to strengthen their cooperation and coordination in fields of common interest and activity. In recent years, the ILO and the OECD have expanded their collaboration in a wide range of areas related to the world of work, including employment, social protection, labour migration, green jobs, occupational safety and health and statistics. The intensification of cooperation led both organizations to develop a new Memorandum of Understanding, which will replace the one signed in 1961.

## ILO at IMF/World Bank meetings

Each spring, thousands of government and international officials and representatives of the private sector, civil society and media gather in Washington, D.C. for the Spring Meetings of the World Bank and IMF. ILO Director-General Juan Somavia presented a statement to the International Monetary and Finance Committee and Development Committee. Mr Somavia called for an adjustment of macroeconomic policies centred on rights and jobs: "If countries are to grow on a more equitable, sustained and balanced basis, the macroeconomic policies will also have to target jobs creation on a priority basis. This is the central policy challenge we face in 2011 worldwide".

For more information: http://www.ilo.org/global/about-the-ilo/pressand-media-centre/news/WCMS\_154318/lang--en/index.htm.

# Continents

#### **ILO** welcomes Indonesian Jobs Pact

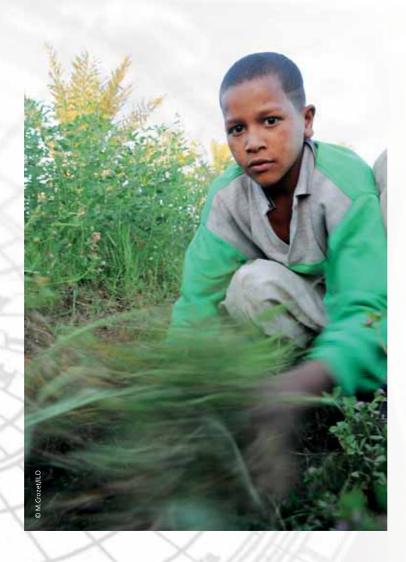
Last April, the ILO welcomed the signing of the Indonesian Jobs Pact (IJP) designed to bring the benefits of economic growth to every citizen through the creation of decent and productive employment, making the Indonesian economy regionally competitive, while supporting the national policy goals. The signing of the Pact at the Presidential Palace in Jakarta was witnessed by President of the Republic of Indonesia Susilo Bambang Yudhoyono.

Indonesia was among the first pilot countries to set in motion a national process of dialogue and adaptation of the Global Jobs Pact after its adoption by the International Labour Conference in 2009, a process culminating in the signing of the national Jobs Pact. The ILO's Global Jobs Pact proposes a balanced and realistic set of policy measures that countries can adopt to strengthen their ongoing efforts to address the crisis while pursuing economic, social, and environmental sustainability.



H.E. Mr Susilo Bambang Yudhoyono, President of the Republic of Indonesia, greeting Ms Sachiko Yamamoto, Regional Director for Asia and the Pacific, at the adoption of the Indonesian Jobs Pact

For more information: http://www.ilo.org/global/about-the-ilo/pressand-media-centre/news/WCMS\_154294/lang--en/index.htm.



# Child labourers in agriculture

The ILO and the UN Food and Agriculture Organization (FAO) highlighted the impact of pesticides exposure on child labourers in agriculture during an international conference in Geneva on 22 June 2011. The panel on "Vulnerable groups and pesticides exposure: Joining forces to reduce hazardous child labour in agriculture" was held as part of the Fifth Conference of the Parties to the Rotterdam Convention. The panel of agriculture, labour and health experts from a number of UN agencies and other stakeholders identified synergies between initiatives tackling child labour and the implementation of the Rotterdam Convention.

According to the ILO, about 60 per cent of the estimated 215 million child labourers worldwide work in agriculture, one of the three most dangerous sectors to work in at any age. The joint ILO-FAO side event aimed to raise awareness on hazardous child labour in agriculture, particularly with regard to the threat posed by pesticides and children's greater vulnerability to exposure. The panellists also made proposals on how to collect data on exposure of vulnerable groups to toxic chemicals as an essential tool for policymaking processes and legislative action.

For further information, please go to the common ILO-FAO website: http://www.fao-ilo.org/.



#### **ILO**-Palestinian Authority Agreement

On 9 June, Palestinian Labour Minister Ahmed Majdalani and ILO Regional Director for the Arab States Nada al-Nashif signed an agreement for the revitalization of the Palestinian Employment and Social Protection Fund, as part of efforts to boost job creation, private-sector development and workers' rights in the West Bank and Gaza. The Fund is set to create viable employment options for graduates and former Palestinian workers on Israeli settlements.

The agreement was unveiled at the annual International Solidarity Meeting with the People and Workers of Palestine and other occupied Arab territories, organized by the Arab Labour Organization as a side event of the 100th International Labour Conference in Geneva, Switzerland. The Palestinian economy is in need of large investments to create opportunities for over 250,000 workers and 45,000 new labour market entrants each year. Under the terms of the agreement, the Fund will receive an annual US\$5 million grant from the Palestinian Authority as of 2011. With the support of the Government of Kuwait, the ILO will provide nearly US\$600,000 for the implementation of a six-month work plan that involves recruiting and training a core team to lead three pilot projects.

For more information: http://www.ilo.org/public/english/region/arpro/beirut/index.htm.

## Daw Aung San Suu Kyi appeals to the ILO

Daw Aung San Suu Kyi, the former General Secretary of the National League for Democracy in Myanmar, spoke via video message to the delegates of the 100th International Labour Conference. She expressed her hope that the ILO would expand its activities in Myanmar and help usher in an era of social justice. The ILO's current activities in Myanmar include efforts to ensure the elimination of forced labour.

To see her video message, please go to http://www.ilo.org/ global/about-the-ilo/press-and-media-centre/videos/videointerviews/WCMS\_157494/lang--en/index.htm.





#### New EU-ILO programme for migrant workers

On 1 March 2011, a new technical cooperation project started in the Republic of Moldova and in Ukraine to support these countries in developing and effectively implementing rights-based migration policies and programmes, in line with the ILO's international labour standards and the principles and guidelines of the ILO Multilateral Framework on Labour Migration. The new project, entitled Effective Governance of Labour Migration and its Skills Dimensions, was initiated to support the two countries in strengthening their capacity to regulate labour migration and promote sustainable returns, with particular focus on enhancing human capital and preventing skills waste. The two-and-a-half year project will be implemented by the ILO together with Moldovan and Ukrainian constituents, the International Organization for Migration (IOM) and the World Bank.

For more information: http://www.ilo.org/public/english/region/eurpro/budapest/employ/ launch\_migrant.htm.



## African Union addresses youth employment

From 23 June to 1 July, the 17th Ordinary Session of the Summit of the African Union (AUC) took place for the first time in lusophone Africa – in Malabo, Republic of Equatorial Guinea. The theme of the Summit was "Accelerating youth empowerment for sustainable development". On this occasion, the Department of Social Affairs of the AUC, supported by the UN Economic Commission for Africa (UN-ECA) and the ILO as well as key partners, organized a Youth Employment Pre-Summit Panel Discussion focusing on entrepreneurship, skills, health, integration and migration, labour market and public-private partnerships and informal economy/rural development.

For more information: http://www.au.int/en/summit/17thsummit.



## Promoting sustainable development in the Pacific region

Last year, the ILO brought together labour ministers, senior government officials, union leaders and the heads of employer organizations from across the Pacific region to discuss the impact of the global economic crisis and pressing concerns of climate change. Key donors and development partners in the Pacific region were also invited to participate in the meeting as observers. At the conclusion of the high-level meeting, participants unanimously adopted the Port Vila Statement on Decent Work incorporating the Pacific Action Plan for Decent Work. For the first time, this Action Plan provided tripartite constituents and the ILO with a regional framework to accelerate the promotion of decent

work in Pacific member States in an integrated way. The Action Plan further called on the ILO to mobilize resources to realize the plan's objectives.

In implementing the Action Plan the ILO Office for Pacific Island Countries successfully mobilized resources under the ILO-Australia Agreement to develop and implement the Global Jobs Pact Framework for Labour Governance and Migration project. This project seeks to apply the Global Jobs Pact in Kiribati, Papua and New Guinea, Samoa, Tuvalu and Vanuatu by building capacity towards coherent employment policy, genuine tripartite consultation and improved labour inspection to promote the rule of law and protect workers' rights.

The project was launched last October and has already made progress in assessing and revising labour laws to implement ILO core labour Conventions. It also researches the situation with respect to pre-departure and reintegration services currently being offered to Pacific seasonal migrant workers. Thus the project aims at making real and tangible improvements to Pacific labour market governance and to the rights and protections for Pacific islanders working at home and abroad.

For more information, please contact the ILO office in Suva, Fiji: http://www.ilo. org/asia/countries/lang--en/facet--GEO-\_ FJI%2C-\_-ORG-\_-ASIA----RO-BANGKOK----ILO-SUVA-\_-2642/WCMS\_DOC\_ASI\_ CNT FJI EN/index.htm.

# Media Shelf



#### There is an alternative: Economic policies and labour strategies beyond the mainstream

Nicolas Pons-Vignon (ed.) ISBN 978-92-2-124581-0 Geneva, ILO, 2011 US\$30, €22, CHF 30 Also available in French and Spanish

Since the start of the global economic crisis, economists and trade unionists have sought to engage in dialogue with government and business, hoping to arrive at the adoption of balanced policies that would deliver an equitable and sustainable recovery. The short articles show that one-dimensional thinking has been a major reason for the severity of the crisis. The contributions give an insightful overview of current labour struggles around the world as well as the institutional measures that have proven successful. The programme the authors propose is ambitious, as it implies reversing deep trends such as the exclusion of many workers from wage negotiations, growing casualization and increasing wage inequality, but such ambition is necessary if there is to be an alternative.



#### Children in hazardous work: What we know; what we need to do

ISBN 978-92-2-124918-4 Geneva, ILO, 2011 US\$15, €12, CHF 15 Also available in French and Spanish

This report reviews the current state of knowledge concerning children in hazardous work and presents the case for a new focus on the issue as part of the wider global effort to eliminate the worst forms of child labour. The report highlights recent global trends while comprehensively summarizing the scientific evidence base related to health and well-being of working children. It identifies the key challenges not only in understanding the effects of hazardous work on childhood development, but also in preventing and eliminating hazardous occupational exposures for children. In addition, the report features good practice approaches of various stakeholder groups that have demonstrated the potential to be scaled up and discusses the importance of an integrated policy response to the issue.



#### Children's views of child labour

ISBN 978-92-2-024976-5 Geneva, ILO, 2011 US\$14, €10, CHF 14 Trilingual English/French/

This book is a gift from children. It is a compendium of drawings and poems from different countries that weaves a web of solidarity and hope across the world. The authors are children, either victims of exploitation and abuse themselves, or their peers willing to emphasize the need for urgent action to rescue unprotected children. Their message is a cry for justice: it denounces with powerful simplicity horrendous situations that jeopardize the health and development of millions of children.

The publication is an informative pedagogical tool which will be widely disseminated both in schools and in non-formal education settings in order to raise awareness on the causes and consequences of child labour. This joint publication emerges from the collaboration between the ILO and GenevaWorld Association and aims to inspire commitment and effective action to bring an end to child labour.



#### The global crisis: Causes, responses and challenges. Essays from an ILO perspective

ISBN 978-92-2-124579-7 Geneva, ILO, 2011 US\$50, €35, CHF 50

This important collection of essays brings together the main findings of ILO research since the start of the global financial and economic crisis in 2008. With contributions from diverse research disciplines, the volume provides new perspectives on employment and income-led growth and the role of regulation, and makes policy recommendations for the future.

The collection presents the different policy responses that have been put in place in different regions and assesses their effects. It also examines the reforms that are needed in labour markets, incomes, enterprises and social protection to achieve a sustainable recovery in the world of work. The role of social dialogue in overcoming obstacles to the implementation of these reforms and in ensuring their equity is discussed. Finally, the volume looks at how globalization of trade and finance can be made fairer.



#### Towards decent work in sub-Saharan Africa: Monitoring MDG employment indicators

Theo Sparreboom and Alana Albee (eds) ISBN 978-92-2-124942-9 Geneva, ILO, 2011 US\$95, €65, CHF 80

Decent work - productive employment that delivers a fair income, security, freedom and dignity, social protection for families, opportunities for personal development and social integration, and equality of opportunity for men and women – is a fundamental goal for all societies. Drawing on broad regional labour market analyses and country case studies, this book demonstrates how the new Millennium Development Goal (MDG) employment indicators can be used as a basis for improved labour market and poverty monitoring as well as improved employment policy development in sub-Saharan Africa. It is argued that analysis based on the MDG employment indicators provides a major building block for employment diagnostics, which in turn serves to inform growth strategies that generate more high-quality and productive jobs.



#### Protecting the working poor: Annual Report 2010 of the Microinsurance Innovation Facility

ISBN 978-92-2-124553-7 Geneva, ILO, 2011 US\$16, €11, CHF 15 Also available in French and Spanish

ISBN 978-92-9014-968-2

This is the third Annual Report of the Microinsurance Innovation Facility, launched in 2008 by the ILO with the support of the Bill & Melinda Gates Foundation. Microinsurance is a mechanism aimed at protecting poor people against risks – such as accidents, illnesses, death in the family, natural disasters and property losses - in exchange for insurance premium payments tailored to their preferences and capacity to pay.



#### Making recovery sustainable: Lessons from country innovations. Studies on Growth with Equity

Synthesis of a new series, Studies on Growth with Equity, this paper written by the International Institute for Labour Studies of the ILO shows that growth and equity can be achieved in parallel if the right mix of policies is put in place. It is based on detailed analyses of Brazil, Germany and Indonesia Also available in French and as well as other country experiences gathered for the purposes of the project. It shows that certain countries could successfully respond to the crisis by adopting a coherent package of employment, social and macroeconomic policies. The paper also shows that there are limits to country-specific action and draws lessons for international policy coordination.



#### Skills for green jobs: A global view. Synthesis report based on 21 country studies

ISBN 978-92-2-125091-3 Geneva, ILO, 2011 US\$70, €50, CHF 60

This volume examines the experiences of 21 developed and developing countries in adjusting their training provision to meet the new demands of a greener economy. It shows that skills development is critical to unlocking the employment potential of green growth, yet skills shortages are becoming an obstacle in realizing this potential. The report recommends that countries devise strategies based on well-informed policy decisions, social dialogue, and coordination among ministries and between employers and training providers.



#### Spain: Quality jobs for a new economy. Studies on Growth with Equity

ISBN 978-92-9014-988-0 Geneva, IILS/ILO, 2011 US\$28. €22. CHF 30 Also available in Spanish

Spain has slowly begun to emerge from a deep crisis - one that has highlighted the inefficiency of the previous growth model. The recovery process is marked by a structural transformation that will entail further reallocation of resources, notably firms and jobs. However, a successful transition to a new growth model is possible, only if employment and economic policies are adequately aligned and counterproductive measures such as wage cuts and poorly-designed austerity measures are avoided.



#### Safety and health in agriculture. Code of practice

ISBN 978-92-2-124970-2 Geneva, ILO, 2011 US\$50. €40. CHF 45 Also available in French and Spanish

Agriculture, which employs more than a third of the world's labour force, is one of the most hazardous of all economic sectors and many agricultural workers suffer occupational accidents and ill health each year. This code of practice is intended to raise awareness of the hazards and risks associated with agriculture and promote their effective management and control; to help prevent occupational accidents and diseases and improve the working environment in practice; to encourage governments, employers, workers and other stakeholders to cooperate in preventing accidents and diseases; and to promote more positive attitudes and behaviour towards occupational safety and health in agriculture throughout the sector.

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