



**GLOBAL DEAL**

TOGETHER FOR DECENT WORK  
AND INCLUSIVE GROWTH



SOCIAL DIALOGUE  
AND THE **FUTURE  
OF WORK**



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# 1. INTRODUCTION

Social dialogue, defined as “all types of negotiation and consultation, and also the exchange of information between, or among, representatives of governments, employers and workers on issues of common interest relating to economic and social policy”<sup>1</sup> has been long employed as a tool in the governance of work, with the objective of delivering sustainable economic growth, social justice and the kind of high-trust work relations that are not only valuable in themselves, but that can also improve business performance and increase workers’ share in rising profitability.<sup>2</sup> It includes tripartite social dialogue, collective bargaining and workplace cooperation.<sup>3</sup>

Collective bargaining is defined in the ILO’s Collective Bargaining Convention, 1981 (No. 154), as “all negotiations which take place between an employer, a group of employers or one or more employers’ organisations, on the one hand, and one or more workers’ organisations, on the other, for: (a) determining working conditions and terms of employment; and/or (b) regulating relations between employers and workers; and/or (c) regulating relations between employers or their organisations and a workers’ organisation or workers’ organisations.”<sup>4</sup>

Freedom of association and the effective right to collective bargaining are the preconditions for successful social dialogue.

The ILO Global Commission on the Future of Work, which examined the transformations underway in the world of work, emphasized the need for decisive action. It considered that the collective representation of workers’ and employers’ organizations through social dialogue contributes to the public good and called for public policies that promote collective representation and social dialogue.

“Collective representation and social dialogue provide the institutional capabilities needed to navigate future of work transitions [...] At company level, works councils, consultation and information arrangements and worker representation on boards are all proven mechanisms to manage the challenges of change and to allow people to exercise influence over their working lives. Collective bargaining is a fundamental right and a powerful tool for economic success and social equity, not least in times of transformational change. Tripartite social dialogue allows opportunity for the partners to the social contract to consider the broader societal issues that change brings and to guide policy responses.”<sup>5</sup>

The ILO Centenary Declaration for the Future of Work adopted by the 108th (Centenary) International Labour Conference of the ILO states that “social dialogue contributes to the overall cohesion of societies and is crucial for a well-functioning and productive economy.”<sup>6</sup>

Social dialogue is not only a necessary tool for managing change and addressing the transformations underway; it also helps in addressing the longstanding problems we already face. Work in the informal economy, for example, still accounts for more than 60 per cent of the world’s employed population, exceeding 90 per cent in parts of Africa and Asia.<sup>7</sup> Even in the formal sector, some workers may remain trapped in jobs that offer barely subsistence-level wages and inadequate social protection in return for long hours of hard labour in dangerous conditions.<sup>8</sup> In moving forward to address the challenges of the future, we also need to solve the problems we already face by strengthening social dialogue institutions and enhancing the inclusiveness of collective representation at all levels.

## 2. FACING THE FUTURE OF WORK

The transformations underway in the world of work present both risks and opportunities. New technology will make some tasks and jobs obsolete and lead to the creation of others. The transition to a low carbon economy will mean less work in extractive industries but is ultimately likely to lead to a net creation of jobs.<sup>9</sup> The organization of work on a global scale through supply chains provides opportunities for productive work, yet important issues remain in respect of the quality of work. Demographic shifts already pose tough questions on how to deal with an ageing workforce, develop a functional care economy, and improve the work-life balances of people affected by the changing organization of work.

### New technology will impact the quantity and quality of jobs as well as the nature of work

Technological change is a dynamic process creating new jobs while also causing disruptions to the labour market. There is a wide range of estimates on the net effects of the 'fourth industrial revolution' on the number of jobs, and on their sectoral and geographical distribution.<sup>10</sup> What is clear is that some workers who lose their jobs will need assistance in upgrading their skills so they are able to take advantage of new employment opportunities. Those who retain their jobs will need to prepare for changes in the tasks they perform and the way work is organized. There is also a risk that the observed decline in middle-skilled occupations in high and middle-income countries and increased job polarization between low- and high-skilled jobs will lead to deteriorating prospects for young workers and those with less than a tertiary education.<sup>11</sup> In developing economies, a shortage of high-skilled workers may hinder the development of high value-added industries, while the automation of labour intensive production may facilitate reshoring of production from developing to industrialized economies.

Automation and the digitalization of work processes can reduce repetitive tasks (and job strain), facilitate job enrichment and provide workers with greater autonomy over working time. Digital technology can also facilitate access to work opportunities. Over the past decade there has been a rapid expansion of internet-based labour platforms that connect workers with jobs on a short-term and on-demand basis. These new labour market intermediaries can provide earning opportunities and flexible schedules. At the same time, the employment classification of the workers involved is often ambiguous and work relations may transcend—and remain beyond the purview of—national regulatory frameworks.<sup>12</sup> In addition, many engaged in digitally mediated work face an unbalanced power relationship

vis-à-vis their employer/client. This is compounded by the difficulties they face organizing and exercising the right to collective bargaining. While these jobs offer new opportunities for earning income, they are commonly characterized by instability and insecurity and lack the benefits afforded by the standard employment relationship.<sup>13</sup>

New digital technologies and working time arrangements permit increased enterprise flexibility. They also offer earning opportunities for those who are only able to work part-time and they can be a means for achieving a better work/life balance. However, these technologies have also lengthened our working day and blurred the boundary between paid work, unpaid work and leisure time.<sup>14</sup> Working time schedules may be unpredictable, with frequent mismatches between workers' preferences and actual working time as the latter is basically driven by market demand.<sup>15</sup>

### The transition to a low-carbon economy will involve changes in the quality and sectoral composition of employment

Environmental degradation is likely to have a negative effect on a series of work-related issues. Natural disasters and risks associated with global warming are likely to generate losses in productivity and a reduction in work quality.<sup>16</sup> These ecological challenges are likely to affect those countries and communities that are already vulnerable, exacerbating inequality both within and across countries.<sup>17</sup>

The transition to a low-carbon economy will involve the reallocation of economic activity across sectors and the displacement of workers in many firms or economic sectors, including agriculture, forestry, fishing, energy, resource intensive manufacturing, recycling, construction and transport. As these are also sectors in which a significant proportion of low-skilled jobs are located, this will involve important transitions.<sup>18</sup> Efforts to ensure sustainability will generate new employment opportunities, for example in the renewable energy sector and broader climate adaptation activities.<sup>19</sup>

### Governance challenges related to global supply chains remain

The consequences of the progressive elimination of tariff barriers, expansion of world trade flows, and the organization of production along global supply chains are staggering: stocks of foreign direct investment (FDI) have climbed from 10 per cent to 41 per cent of global GDP in 1990-2017, of which half are directed

### 3. SHAPING THE FUTURE OF WORK THROUGH SOCIAL DIALOGUE

into developing countries.<sup>20</sup> FDI flows are driven by the circa 80,000 multinational enterprises involved that have some 800,000 affiliates and employ 75 million people worldwide.

At the same time, the fragmentation of production poses significant challenges for the governance of labour relations and the quality of work. Lead firms in supply chains – those in control of the overall design, production and marketing process – typically concentrate on those parts of the process that generate the most value, and outsource the least profitable activities. The lower tiers of supply chains tend to be characterized by intense cost-based competition, often involving small enterprises and/or home-based workers. Important challenges remain in improving the quality of work. Labour administration and inspection may be weak and workers in these establishments may find it difficult to have access to social protection or collective representation. On the other hand, multinational enterprises (MNEs) may extract regulatory concessions from governments and enjoy a range of tax incentives in exchange for investment, further undermining the capacity to meet governance challenges.

#### Demographic shifts will place new demands on the labour markets

The age profile of the labour force is becoming younger in some regions and older in others. Rapid population ageing in both advanced and some emerging economies will continue to place pressure on social security systems and raise the demand for care services. In contrast, while the rise in the youth population in many developing countries and regions represents a potential demographic dividend, the integration of large numbers of young people into the workforce needed to realize this represents a significant challenge. Moreover, these ‘young’ regions are also those with the largest populations living in poverty. While many factors motivate individuals to migrate, the search for better jobs is a significant driver of flows from lower income countries with large populations of younger workers, to higher income countries with ageing societies. Labour migration may alleviate some skills shortages for receiving countries, such as the provision of care services in high income countries. However, migrant workers are more likely to be employed in low-skilled and low-quality jobs regardless of their education level,<sup>21</sup> while less likely to be organised and to be participating in collective bargaining.

Social dialogue provides a key tool with which to manage the transitions ahead and to improve the quality of work. The future is not predetermined. With the right policies and institutions, the future of work can be one with full and productive employment and decent work for all.

#### Social dialogue can facilitate the balanced adoption of new technologies

Social dialogue, including collective bargaining, can play a key role in managing the balanced adoption of new technology. A growing number of countries and sectors of activity – both public and private – are developing comprehensive Industry 4.0 strategies for the adoption of new technologies by, amongst others, providing accompanying policies that tackle the cost of structural change.<sup>22</sup> Many of these include social dialogue as a constitutive element, enabling workers’ and employers’ organizations to play a key role in anticipating the skills requirements of new occupations and jobs, and facilitate the necessary reskilling and upskilling. The combination of workplace cooperation and consultation over the introduction of new technology with collective bargaining can help ensure that the benefits are also shared with workers. Governments have a stake in these efforts as securing a broad and successful adoption of new technologies can help to ensure that their markets remain internationally competitive.



## Case Study 1.

### Singapore's Industry Transformation Maps

Starting in 2016, the social partners in Singapore have taken an active role in creating a comprehensive Industry 4.0 strategy, in particular by developing a series of Industry Transformation Maps (ITMs) through processes of social dialogue. These maps cover 23 different areas of the economy – ranging from aerospace to public transport to media to retail – which together account for 80 per cent of the country's GDP. They outline how industries might benefit from digitalization, automation, and other technological advances, where new jobs will be created, how the skill demands of these industries will be met, and how industries can remain competitive on domestic and international markets.<sup>23</sup>

At the national level, employers' and workers' organizations and government have worked together to develop an agenda that sets a general direction for the key areas in which future growth and job transition is expected.<sup>24</sup> Implementation and operationalization of these maps happens at a local level where success is highly dependent on the effective use of social dialogue. For example, the Skills Framework that supports the roll-out of the ITMs was launched in 2016 through a partnership between employers, unions, educational institutions, industry associations and the government.

The Framework is intended as a tool for individuals in their early or mid-career to make informed decisions on education and training, career development and skills upgrading. Employers use it to design progressive human resources management and talent development plans. Training providers gain insights into sector trends and skills in demand to contextualize their curricula.

As employers adopt new technologies to enhance their production processes,<sup>25</sup> unions and worker representatives are pre-emptively encouraging workers to participate in training to ensure a smooth transition to new jobs and job requirements.<sup>26</sup> In healthcare, for example, this facilitated the adoption of new technologies that allowed the automation of low-skilled routine tasks and job enrichment. In finance, the introduction of new technologies expanded employment opportunities in fields such as data processing and data compliance. These maps have also been developed for sectors such as tourism and hospitality, which are expected to provide important sources of future employment. Together the social partners have strategically mapped future skills needs and determined how best to prepare workers to meet these needs.

## Case Study 2.

### Digitalization of public services in Norway

Information and communication technology open up a vast range of possibilities for improving the quality and efficiency of public services. Digitalization holds out three basic possibilities for service transformation: the way that users interact with and access public services; the operational processes of public service organizations; and the kinds of services public institutions provide.<sup>27</sup> All of these transformations imply possible changes to job roles and the need for different or upgraded skills.

Public service workers in Norway are well-acquainted with the potential of new technology and the improvements it can bring.<sup>28</sup> In September 2017, the Ministry of Local Government, public service workers' union Fagforbundet and the local and regional authorities' association Kommunespeilet reached a tripartite agreement on worker involvement and social dialogue in public sector digitalization.<sup>29</sup> The agreement commits the social partners to shaping the digitalization of local government services through a combination of collective bargaining and workplace consultation and cooperation. A pilot project involving 70 local authorities

is under way. It involves an innovative combination of workplace consultation and cooperation – including the appointment of individual 'change agents', some of whom are elected local union officers – alongside local and sectoral collective bargaining. The project places a heavy emphasis on organizational learning and includes the development of a digital platform for sharing knowledge and experience between different municipalities. A Norwegian health authority gave priority to consultation and cooperation at the workplace after it realized that a data breach by a private contractor involving confidential patient information could have been avoided through improved communication channels.<sup>30</sup>

Vertical coordination is encouraged. Concerns arising from local level dialogue are fed into dialogue at the sectoral level, including collective bargaining processes. For example, recent negotiations have covered workers' rights to access training throughout their working lives, to compensation for loss of earnings during training, and to increased rewards based on upgraded skills.<sup>31</sup>

Processes of workplace consultation and cooperation, collective bargaining and tripartite social dialogue allow employers and workers to anticipate job losses and, together with governments, take active measures to prepare displaced workers for labour market transitions. Their involvement in the design of active

labour market policies helps ensure both the legitimacy and effectiveness of these policies. Offering displaced workers effective job search assistance, counselling, training and other similar services has been found to be a particularly effective means of reducing both short-and long-term unemployment.

### Case Study 3.

#### Sweden's job security councils

Sweden's job security councils (JSCs) play a key role in active labour market policy. Anchored in sector-level collective agreements and jointly governed by unions and employers, JSCs transform active labour market policies into 'proactive' ones. Funded by a small levy on the wage bill, JSCs provide a range of services in anticipation of job losses, tailored to the particular individual or group of displaced workers.<sup>32</sup> As this funding is the outcome of a collective agreement, it enables risk to be shared and resources to be pooled. Critically, they can begin to deliver these services while workers likely to be

retrenched are still in employment. The effectiveness of the JSCs is such that more than 85 per cent of displaced workers in Sweden are back in employment within a year – the highest rate of any OECD country.<sup>33</sup> The joint ownership of the JSCs by workers' and employers' organizations, underpinned and guaranteed by collective bargaining,<sup>34</sup> ensures both the legitimacy of active labour market policies while making sure the services respond to the needs of workers as well as those of employers.

Social dialogue can be used to improve working conditions for platform workers, to facilitate the resolution of disputes, and to secure training opportunities. It could also be used to clarify employment status and to promote compliance with labour regulation, ensuring that employers are competing based on a level playing field.<sup>35</sup> Although the nature of this type of digitally organized and remote work limits access to collective representation and institutions for social dialogue, digital technology can also be used to facilitate the organization of workers and various forms of collective action. Support for social dialogue, including collective bargaining, together with policy measures that clarify the employment relationship, are considered essential in addressing existing labour market monopsony.<sup>36</sup> The most successful cases of social dialogue have involved well-established trade unions and digital labour platform firms.<sup>37</sup> This was made possible through the creation of new avenues for worker representation and engagement within existing structures.

Increased connectivity is changing working time behaviours by blurring the once-clear distinction between working and non-working time by way of constant connectivity, smartphones, and personal computers.<sup>38</sup> Social dialogue and collective bargaining can play an important role in shaping work and working time arrangements so that these adapt to enterprise needs for flexibility, at the same time as satisfying workers' preferences for control over work schedules so that they can achieve a better work/life balance.<sup>39</sup> A number of countries have introduced, or plan to introduce, legislation ensuring that work does not intrude on workers' personal time – a growing concern in the age of constant connectivity. Measures regarding the right to disconnect are currently under consideration, for example, in the Philippines, India, Belgium and the Netherlands.<sup>40</sup>

#### Case Study 4.

### Collective bargaining for the gig economy in Denmark



*Tina Møller Madsen from the Danish union 3F hands the official 'OK' sign (symbolising that a collective agreement has been reached) to Niels Martin Andersen from Danish online cleaning platform, Hilfr. © 3F/PSHR*

The first collective bargaining agreement for the gig economy, between the on-demand cleaning company Hilfr and Denmark's 3F trade union, came into effect in August 2018.<sup>41</sup> The agreement increased wages, guarantees some compensation for work cancelled at short notice and includes provisions for healthcare and a pension. Freelance workers are automatically classified as employees after working 100 hours, unless they elect to remain self-employed (in this case they are not covered by the agreement).<sup>42</sup>

There was some initial concern that the cost of implementing the agreement could make the firm uncompetitive in the tight market in which on-demand services operate. However, Hilfr experienced a 50 per

cent increase in demand for cleaning services following the announcement of the contract, a fact attributed to the firm's willingness to engage in collective bargaining.<sup>43</sup> Hilfr's engagement with the social partners sets the company apart from its competitors. An important advantage is that the collective agreement makes this on-demand service more reliable both for workers and app users. For example, the provision granting compensation to workers for jobs that are cancelled at short notice means that workers can place greater reliance on the jobs they get through the app. Steady work, reliable income, and the protections afforded by the employment status have been shown to reduce worker turnover, which in turn is likely to result in better service quality.<sup>44</sup>

#### Case Study 5.

### Negotiating a right to disconnect in France

In France, discussion of the right to disconnect began in the early 2010s. In 2013 a national inter-professional collective agreement suggested that a right to 'disconnected time' was one possible means to reconcile work and family life, recognizing that this was already practiced in certain businesses.<sup>45</sup> In 2016, a revision to the labour code extended a right to disconnect to all workers. This includes an obligation for every company with 50 employees or more to negotiate "the use of ICTs", in order to ensure respect for the rest and holiday periods of workers and their personal and family lives.<sup>46</sup> In line with many other workers' rights in France, the precise details of how the right is to be implemented are left up to local negotiations. The law specifies that the circumstances under which employers can or cannot require workers to be available to answer the phone or respond to emails or other electronic messages outside of working hours or in the rest period between working days are to be an obligatory topic of collective bargaining at the enterprise level. Where employers and unions cannot agree on a policy, the employer is obliged to

draw up a charter in consultation with the works council or personnel representatives defining how the right to disconnect will be implemented.

A widely-praised 2017 collective agreement between the public broadcaster France Télévision and the trade union federations' General Confederation of Labour (CGT) and Workers' Force (FO) includes a state-of-the-art right to disconnect policy. Subject to the existing rules for on-call working, the collective agreement guarantees that no employee will be obliged to respond to email or other messages outside regular working time and explicitly states that no disciplinary action can be taken against an employee for failing to do so. If there is a need to contact an employee outside working hours, the contact must be justified by a demonstrable urgency or exceptional importance of the matter at hand. Other related provisions advise employees to turn off their devices outside of regular working hours and to ensure that any emails written on personal time are only sent during work hours.

## Social dialogue for a just transition

It is imperative to both mitigate the effects of environmental degradation and adopt new, more sustainable systems of production. Social dialogue can facilitate this transition to a low-carbon economy. Social partners have a shared interest in achieving sustainability, the key ingredient in the long-term viability of communities, firms and jobs. Together, these partners can work towards developing resource management solutions aimed at improving health and safety, steadying and softening the volatility of boom and bust extraction practices, and developing low-carbon energy alternatives.<sup>47</sup>

In addition to tripartite social dialogue between the social partners and governments, other stakeholders such as indigenous leadership and local residents can be engaged in broader civic dialogue. This can help to facilitate a just transition, ensuring that the wealth generated by unsustainable practices is directed towards building the architecture for a low-carbon future. As stated in the ILO's tripartite guidelines for a just transition:

**“Strong social consensus on the goal and pathways to sustainability is fundamental. Social dialogue has to be an integral part of the institutional framework for policymaking and implementation at all levels. Adequate, informed and ongoing consultation should take place with all relevant stakeholders.”<sup>48</sup>**

### Case Study 6.

#### Integrating green business, occupational safety and health and industrial relations in Indonesia



*Industrial relations forum entitled “Sustainable and Responsible Business Enterprises within Enterprises: Pathways to Enhancing Industrial Relations in Indonesia” organised within the framework of the InSIGHT Project in 2016. © ILO*

Between 2015 and 2018, the ILO, in collaboration with the Ministry of Labour, Health and Welfare of Japan, carried out the InSIGHT Project in Indonesia. This was aimed at strengthening policy dialogue and institutional capacities, including of local tripartite structures, to promote sustainable and inclusive growth in industries and workplaces.<sup>49</sup> A foremost objective was the gradual adaptation of jobs and workplace practices to greener, resource productive and socially responsible ways of doing business, while mainstreaming social dialogue and harmonious industrial relations.

The project's setup was tripartite with the participation of the Ministry of Manpower (and other relevant Ministries), the Employers' Association of Indonesia (Apindo), the Indonesian Prosperity Trade Union Confederation (KSBSI), the Indonesian Trade Union Confederation (KSPI) and the All Indonesian Workers Union Confederation (KSPSI). The project rested on two pillars. The policy dialogue pillar included specific country-level initiatives for Indonesia such as skills-focused responses to emerging challenges, especially the transition to eco-friendlier jobs. The industry support pillar translated the principles of decent work, green jobs, skills and sound industrial relations into concrete industry and workplace-level actions.

### Case Study 7.

#### SunMine, Kimberley, Canada

When Sullivan Mine in Kimberley, Canada closed its doors after 92 years of operation, social dialogue was key for the town's transition to a new and greener economic future. Teck Resources Limited, the mine owner, worked closely with the social partners to develop a transition plan that would ensure the long-term viability of Kimberley in the absence of a key source of employment and tax income. The closure activated the Mining Industry and Training Adjustment Committee, a partnership between the Government of Canada, trade unions, and mining companies aimed at training laid-off workers and helping with job search.<sup>50</sup> Stakeholders also worked together on long-term economic planning. As an outcome of this dialogue, Teck provided land for the development of new industries like tourism and light manufacturing, as well as property for new residential construction.

The firm was also a crucial partner working with the city to secure government grants for various development initiatives.<sup>51</sup> By 2011, the city of Kimberley had developed SunMine, the largest solar field in British Columbia, on brownfield sites owned by Teck.<sup>52</sup> For Kimberley, SunMine has become the symbol of a revitalization based on sustainable lifestyles that has attracted many new residents to the area, shoring up the tax base and stimulating local economic development in greener industries.<sup>53</sup> For Teck, the facility proved that solar energy had potential even in a northern climate. Teck is now preparing to acquire the SunMine facility from the city. Teck also features SunMine as an example of good practices when working with other communities to develop their mine management and transition plans.<sup>54</sup>

### Case Study 8.

#### The Netherlands' approach to the future of energy

In September 2013, after an eight-month negotiation process, 47 Dutch organizations signed the Agreement on Energy for Sustainable Growth facilitated by the tripartite-plus Social and Economic Council (SER) of the Netherlands.<sup>55</sup> With it, the signatories have laid the basis for a robust, future-proof energy and climate policy enjoying broad support. They include central, regional and local government, employers' associations and unions, nature conservation and environmental organizations, and other civil-society organizations and financial institutions.

The Agreement's core feature is a set of broadly supported provisions regarding energy saving, clean technology, and climate policy. The implementation of these provisions is intended to result in an affordable and clean energy supply, jobs, and opportunities for the Netherlands in the market for clean technologies. The Energy Agreement consists of 175 concrete measures and sub-agreements that are now being enacted. The SER facilitates their implementation and monitors progress through specifically-designed meters.

#### Social dialogue can reinforce national systems of governance in global supply chains

Social dialogue provides a key means for reinforcing national systems of labour governance, in light of ongoing concerns over working conditions in global supply chains. An example of the manner in which social dialogue institutions at different levels can reinforce national systems of labour governance is an International Framework Agreement (IFA). Such an agreement entails corporate recognition of a global union federation (GUF) as a key partner in promoting respect for agreed labour principles throughout their supply chains. IFAs often include references to freedom of association and the effective recognition of the right to collective bargaining, as well as other fundamental principles and rights. They provide a

framework for social dialogue between an MNE and GUF which is aimed at creating conditions conducive to sound industrial relations and respect for these rights at the country level. In so doing, they seek to reinforce national systems of labour governance – not replace them.

Many multinational enterprises have also developed their own corporate and supplier codes of conduct. These may use as reference points authoritative intergovernmental frameworks, including guidelines developed by the ILO and the OECD, and refer to the UN Sustainable Development Goals. Growing regional economic communities as well as bi- and multi-lateral trade agreements complement the picture.<sup>56</sup> What is less clear is whether this 'networked governance' has had any significant impact on pay, working conditions and other labour practices in supply chains, as well

as on the contribution made by the accompanying management and certification systems. Many sceptics argue that corporate codes, certification and monitoring systems are merely symbolic and do not lead to longer term improvements in working conditions. Research evidence from the management literature finds that the effectiveness of certified management system

standards in generating improvements in working conditions in suppliers is associated with institutional forms of social dialogue which involve trade unions in their implementation.<sup>57</sup> Thus, social dialogue is an important condition to enable sustainable compliance among suppliers.

### Case Study 9.

#### Fairtrade bananas from Colombia



*Bananas de Urabá (FLO ID 18839), Colombia, 2019. © Fairtrade / Christoph Köstlin*

The synergy between unionization, sustainability certification, performance and good working conditions is nowhere more apparent than in the Fairtrade-certified banana production in the Urabá region of Colombia. The region's agricultural workers' trade union, Sintrainagro, and the employers' organization, Augura, have concluded a comprehensive sectoral collective agreement covering around 25,000 workers on 350 plantations. The collective agreement covers wages and working conditions, the provision of health care, education, housing and social security benefits. Fairtrade-certified farms account for around 10 per cent of employment in the sector.<sup>58</sup>

The strong existing union-management relationship in the banana sector makes it much easier for Urabá farms to meet the worker representation requirements of Fairtrade certification.<sup>59</sup> By providing training and

promoting exchange with other worker organizations, Fairtrade has helped to reinforce the capacity of worker representatives, both trade unionists involved in local workers' committees and those who sit on the cooperative joint worker-management governing bodies that determine how the 'Fairtrade premium' will be spent.<sup>60</sup> Recent research has also shown that workers on Fairtrade-certified farms in Colombia have higher levels of trust in their union and their fellow workers.<sup>61</sup> Farm managers also report that the fair trade process has helped to increase productivity.<sup>62</sup> At the root of the benefit to both workers and businesses of Fairtrade certification and unionization appears to be the increased capacity for organizational learning typical of social dialogue: increased mutual respect, clarity and transparency in information sharing and a willingness to take the opinions of other stakeholders into account.<sup>63</sup>

### Social dialogue can help manage demographic change

Social dialogue can play a key role in the design of policies that lower youth unemployment, increase the employment of older workers and modernize social security systems. Tripartite social pacts, concluded in countries as diverse as Chile, Italy, Slovenia, South Korea and Zimbabwe, have given the social partners a fundamental role in decision-making regarding social

security reforms, education and training, labour market regulations, active labour market policies, among others.<sup>64</sup> Social dialogue and collective bargaining can help to improve the quality of education and vocational training, thus easing the school to work transition. As the demand for care services increases, social dialogue, including collective bargaining, can be a powerful tool for ensuring the protection and quality of care work, including of domestic workers.

## Case Study 10.

### Multi-enterprise social dialogue in the Bangladesh ready-made garment sector (RMG)



Garment workers leaving a factory at the end of their working day in Bangladesh, 2016. @ ILO/IFC – Better Work

The RMG sector in Bangladesh accounts for more than 10 per cent of GDP, four-fifths of its exports and it employs approximately 4 million people, 60 per cent of whom are women. In recent years, the sector has experienced several serious industrial accidents, the worst of which was the 2013 Rana Plaza disaster. In response, the Government pledged to improve working conditions and workers' safety, in cooperation with the employers' and workers' organizations.<sup>65</sup>

As a consequence, multi-enterprise bargaining led to the signing of a legally binding industry framework agreement between IndustriALL Global Union, UNI Global Union and several MNEs (220 apparel buyers covering over 2 million workers) with production facilities in Bangladesh (1,700 factories): the Accord on Fire and Building Safety.<sup>66</sup> The ILO served as the neutral chair of its steering committee.

In addition, Bangladesh's participation in the EU 'Everything but Arms' scheme, and the Special Paragraph adopted by the Committee on the Application of Standards (CAS) of the ILC at its 105th Session in 2016,<sup>67</sup> have also encouraged the development of social dialogue in the country. It is within this context that the RMG Tripartite Consultative Committee (RMG TCC) was established in March 2017. The Committee comprises senior leaders of each of the constituencies and is chaired by the Minister of Labour. The Committee monitors the situation in the RMG sector and reviews related laws, policies and plans. It convenes at least three times a year and advises the government on measures to strengthen labour-management relations and improve productivity, while taking into account the country's socio-economic context.<sup>68</sup>

## Case Study 11.

### Teachers in Uganda

In order to comply with the Sustainable Development Goal 4, which aims to "ensure inclusive and equitable quality education and promote lifelong learning opportunities for all", the Ugandan Government decided to launch in 2015 a broad consultative process to develop the Teacher Social Dialogue (TSD) framework.

The need for instituting the TSD came through the realization that despite great improvements in the past quarter of a century in the literacy, enrolment and dropout rates of Ugandan children, the qualifications and motivation of teachers had not kept pace, and that the lack of institutionalized social dialogue was one of the causes driving teachers out of the profession. The consequences of severe shortages of teachers at all educational levels and inadequate professional standards were impacting the society as a whole, and especially the youngest and those in most need of continuing education.<sup>69</sup>

The process that led to the creation of TSD by 2018 was based on consultations with stakeholders, including the departments and agencies of the Ministry for Education and Sport (MoES), the Ministry for Public Service, the Teacher Training Institutions, professional associations and teacher unions, such as the Uganda National Teachers Union (UNATU), district education officials, the private sector and Civil Society Organizations. The conceived TSD and all its institutional configurations are meant to be tripartite plus, involving many of the actors mentioned above.

According to the Ugandan Education Ministry, the TSD aims to capture teachers' demands through established social dialogue platforms; create an enabling environment for social dialogue between teachers, government and other key partners through mutual respect and trust; promote the active involvement of teachers, key partners and the public in public decision-making and education policy formulation; improve the quality of teaching and learning in educational institutions.<sup>70</sup>

## Case Study 12.

### Domestic workers in Argentina and Uruguay

Work in the care economy is likely to increase in the future to cater for an ageing population across the world. Care workers possess those interpersonal capacities – soft skills and emotional intelligence – that instead of being subject to automation or digitization will be employed in tandem with advanced technology.<sup>71</sup> Yet, for several reasons, domestic workers are in a vulnerable working situation in developing and developed countries alike.

Domestic workers commonly work alone in private homes. This results in an isolated, ‘invisible’ and often informal workforce, and contributes to the lack of recognition of domestic work as ‘work’.<sup>72</sup> Around 80 per cent of domestic workers are women, and, in some regions, they are often migrant workers.

The number of domestic workers in Uruguay reached almost 17 per cent of all employed women in 2010, thereby becoming the most common female occupation. A significant proportion of domestic workers are of African descent, indigenous or migrant workers from Peru and Bolivia. Indigenous people and those of African descent face discrimination in Uruguay, and migrants are vulnerable to exploitation and human rights violations. Most of them have lower monthly earnings, due in part to fewer hours worked. Since 1985, the Sindicato Unico de Trabajadoras Domésticas (SUTD) strives to represent the interests of domestic workers. Yet, workers were reluctant to join due to fear of reprisals from employers and there was no official state policy to meet SUTD demands.<sup>73</sup>

The change of government in 2004 improved domestic workers’ conditions, including by creating a wage board for domestic service. Following these developments, SUTD members grew in number and influence. The wage board was then established in July 2008 and, following negotiations with employers and the state, the first two collective agreements for domestic service were signed in November 2008 and December 2010. In addition to defining the minimum wages for the sector, the agreements provided for periodic meetings to agree on wage adjustments and to discuss employment-related issues.<sup>74</sup> The government continues to play a lead role in the negotiations. Each year, the Ministry of the Economy and Finance and the Ministry of Labour and Social Security prepare general guidelines for all the wage boards concerning the duration of agreements, criteria for wage increases and periodic adjustments, and a time line for wage adjustments.<sup>75</sup>

In Argentina, similar positive developments were recorded, starting in 2015 and partly following the experience of Uruguay. A major step towards improving conditions was taken with the first tripartite agreement regulating wages and working conditions in the sector.



*Trade union workshop on advances and challenges on the effective protection of domestic workers’ rights in Argentina, 2019. © ILO*

The agreement was a consequence of two legislative developments. The first was the ratification of the ILO’s Domestic Workers Convention. The second was the passage of a law creating the National Commission for Work in Private Homes (CNTCP), a tripartite institution tasked with setting wages and working conditions in the sector.

Just as isolation and invisibility make the articulation of the workers’ collective voice more difficult, highly individual and variable employment relationships lead to fragmentation among employers. Prior to the creation of the CNTCP, most employers of domestic workers did not think of themselves as employers in any formal sense and lacked a collective voice. The launch of the CNTCP prompted the recognition of the Union of Housewives of the Republic of Argentina (SACRA) as the voice of domestic employers. SACRA was later joined at the negotiating table by a second group, the Employers of Workers covered by the Special Contract of Employment Regime for Personnel in Private Homes. The inclusion of these organizations was conducive to forging a successful tripartite agreement that is improving the rights of domestic workers and helping to formalize employment relationships in the sector.

The cases illustrate that state support was particularly important in two respects: first, in enacting legislation to grant domestic workers the same basic labour rights as other workers; and second, in providing a favourable environment for social dialogue between the trade unions and employers in the domestic work sector. Uruguay still stands as the paradigmatic case in the organization of domestic workers in Latin America, achieving objectives such as greater social protection, establishing minimum wages and negotiating a collective agreement.

## 4. CONCLUSION: COLLECTIVE REPRESENTATION FOR THE FUTURE OF WORK

The future of work presents a number of opportunities and challenges that require common solutions hammered out by representatives of government, employers, workers and – depending on the field of activity – other relevant stakeholders. Social dialogue in its variants that range from workplace cooperation to national tripartite consultations and collective bargaining is a versatile and powerful tool that enhances the legitimacy of the policy-making process. For instance, the engagement of representatives of teachers in social dialogue in Uganda promotes their participation, as well as that of other relevant stakeholders in decision-making with the aim to develop a comprehensive education strategy for the country. In other cases, a voice is given to vulnerable groups: those employed in the gig economy in Denmark, domestic workers in Argentina and Uruguay, farmers in Colombia and textile workers in Bangladesh.

In all these cases as seen in the following instances the legitimacy of the outcomes is enhanced through the shaping of shared solutions to challenges presented by the transformations underway. The rights of workers in sectors where technological advancements have already had an impact are being sustained through the Skills Framework in Singapore, by recognizing the right to disconnect in France, by promoting effective ALMPs that reach out to workers while still being on the job in Sweden and by guaranteeing collective bargaining rights to crowd workers in Denmark. Looking at more vulnerable categories, social dialogue has the potential to improve the position of workers at the end of global supply chains by reinforcing national systems of governance, for instance through the Fairtrade certification in Colombia and multi-enterprise agreements in the garment industry of Bangladesh, and through the recognition of basic rights of otherwise invisible workers, such as the domestic workers in Argentina and Chile. The whole community profits from the digitalization of public services in Norway and from climate-related initiatives, such as the promotion of clean energy and renewables in Canada and in the Netherlands as well as the skilled-focused transition to greener jobs in Indonesia.

However, despite these positive instances, social dialogue has often been weakened due to mutual distrust between the social partners, increasing fragmentation in industrial relations, attacks on freedom of association and the right to collective bargaining and, sometimes, because of political disengagement and reduced reliance on consultations with the unions and employers. It hence requires a concerted effort to be rekindled and rendered more effective. The social partners have important responsibilities in buttressing the democratic legitimacy of their organizations to engage in social dialogue, while the governments should create an enabling environment that may crucially reinforce the legitimacy of social dialogue's output through tangible policy improvements.

### The social partners: Widening representation, updating activities and building alliances

Workers and employers have shown a great capacity to adapt their organizations and activities to changing economic landscapes. Trade unions are seeking to diversify and expand their membership and representational structures. This includes the incorporation of traditionally unrepresented sectors and so-called hard-to-organize workers.<sup>76</sup> New organizing efforts and even the emergence of entirely new unions have led to increased recruitment of workers in non-standard forms of employment such as part-time, contingent and dependent self-employed workers, as well as workers in sectors such as the gig economy, the care economy and the informal economy.<sup>77</sup>

Employers' organizations too are diversifying their membership and updating their value proposition, providing training and offering new services required in a changing economy.<sup>78</sup> In the care economy, new employers' groups such as homemakers are emerging to engage in tripartite social dialogue on the wages and working conditions of domestic workers.<sup>79</sup> Associations of employers have even appeared in the informal economy.<sup>80</sup>

In addition to reaching out to new members and introducing new services, industrial relations actors are also expanding their networks and building new alliances. As shown throughout the brief, successful social dialogue can sometimes rely on reaching out to interest groups directly involved with the issues at hand, such as environmental organizations, student unions, consumer associations, practitioners and experts.

## Creating an enabling environment for effective industrial relations

Beyond the efforts of workers' and employers' organizations, there is only so much that can be achieved without public policy support. Indeed, political challenges are the single most important factor negatively affecting the effectiveness of social dialogue.<sup>81</sup>

Governments need to provide a regulatory and institutional environment that not only ensures decent working conditions but also enables freedom of association and the effective recognition of the right to collective bargaining for all those who work. The ILO Global Commission on the Future of Work forcefully advocated the enshrining of such rights in a renewed social contract that should ideally be achieved through dialogue at all levels between and among the social partners.<sup>82</sup> What is more, for the social partners to deal with those socio-economic issues that lie at the heart of the changing world of work, individual governments should create an enabling environment for employers and workers to exercise their right to organise, to bargain collectively and to participate in social dialogue.

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## THE GLOBAL DEAL FOR DECENT WORK AND INCLUSIVE GROWTH

The Global Deal is a multi-stakeholder partnership with the objective of addressing challenges in the global labour market to enable all people to benefit from globalisation. The fundamental purpose of the Global Deal is to highlight the potential of sound industrial relations and enhanced social dialogue to foster decent work and quality jobs, to increase productivity, and to promote equality and inclusive growth. The Global Deal welcomes a variety of different stakeholders to join the partnership. This includes governments, businesses, employers' organisations, trade unions, as well as civil society and other organisations. Check the list of Global Deal partners at [www.theglobaldeal.com/partners](http://www.theglobaldeal.com/partners).

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