

The concept of equal opportunities is linked to the idea of citizenship. Both concepts have several meanings and connotations. In addition, these concepts continue to evolve because they relate to the social struggles that take place to define who the stakeholders are at the different levels and scenarios that are part of our societies.

The issue of equality is one of power structures and limits imposed on certain groups or stakeholders such as women, migrants, and religious or ethnic minorities.

At UNI's Department of Equal Opportunities, in collaboration with our affiliates, we seek to promote and develop policies to support these groups. Since this issue is linked to social, economic and cultural structures, the implementation of such policies is a major challenge.

However, we do not further policies that are merely welfare-driven because we would then be strengthening the prevailing power structures. UNI advocates for policies that empower those who need to change their situation by organizing them and providing them with information and the necessary tools so that they become the main driving force of the changes we are pursuing.

Therefore, the more we do to develop actions and policies intended to bring down the barriers that create inequalities, the better the fruits of our labor and the fairer our societies will be.



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Foreword

One of the main aspects for attaining decent work is the establishment of egalitarian societies, where men and women have the same opportunities for accessing productive resources, works, social services and education. At UNI, and through our action plans and global agreements, we make decent work not just an objective but also a reality to everybody.

Therefore, as a part of the Campaign on International Day for Decent Work, we decided to write this manual, the second one we have published this year. Our belief is that the democratization of knowledge and information are the essential pillars to balance everybody's access to a fair labour market. And the first step any worker should take, in any part of the world, is to gather the tools he/she owns to defend his/her right to decent work.

We know disparities among regions and countries are wide, nevertheless and above all, we believe we must strengthen certain concepts that are the basis of the global trade union movement.

One of the concepts is the exclusive relationship that exists between human rights and labour rights, a connection that is often overlooked by workers.

On this basis, we will resume the importance of the ILO as a promoter of labour-human rights, and we will explain its work, means of action, and developed standards with its supervisory systems, focusing on those conventions that make reference to gender equality and equal opportunities.

Finally, in a very significant year for the labour world, we will address the subjects that were dealt with at the last International Labour Conference; after more than 20 years, the issue of gender equality was approached on an exclusive basis.

We hope this manual is a useful tool in the defence of the labour rights struggle for the those we represent. This is its objective. This is our goal.

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Introduction

Since its early stages, The United Nations Organization (UNO) has attempted to maintain international peace and security, to develop friendly relations among nations and to promote human rights, social progress and better standards of living. Within this organisation there are different agencies and bodies in charge of protecting different human rights, one being the International Labour Organization (ILO).

The ILO fosters labour and trade union rights, greater opportunities to get a decent job, improvement of social protection and strengthening of dialogue on labour issues. Consequently, it is essential that the overall trade union movement is thoroughly acquainted with the different regulations, agreements and decisions that fall within its scope of action.

This guide aims to spread the necessary information among all the members of the trade union movement in order for them to work more efficiently when protecting the labour rights of the workers they represent, mainly in issues related to equal opportunities. For this reason, this manual is defined as a normative, conceptual and practical “toolbox” devised to help workers and their representatives in the struggle for decent work for all.

Throughout its six chapters, labour rights will be framed as a binding part of human rights. A brief presentation of the history and mission of the International Labour Organization is included, as well as a review of the most important conventions and resolutions.

Trade Union
Movement

remuneration
policy
equality
opportunities

Special attention will be given to those which refer to equal opportunities. Also, the supervisory procedures for the defence of labour rights will be explained, specifically the complaints procedure.

Finally, there will be a summary of the issues addressed in the 98th General Conference organized by the ILO in June, 2009 when, after more than 20 years, the Bureau for Gender Equality held a meeting highlighting this year as one of utmost importance in the struggle for equal opportunities in the labour world.

In each one of the chapters, the reader will find charts with additional information about the topic at hand, and a resource card to enable her/him to deepen the knowledge about it, as it is not possible to fully discuss certain features in this manual.

We end with a series of suggested activities related to seminars, courses or workshop for union training. However, we wish to point out that due to the general nature of the topics described in the manual, the activities focus mainly on questions that aim to help the reader as a self-evaluation on what has been learned.

Suggested group activities are limited in scope and their purpose is to trigger research and discussion in trade unions, from which other training activities can be performed.

The right to decent work: A human right

What are human rights?

Rights evolved from the need to give society a structure guaranteeing peaceful coexistence among inhabitants. Then, human beings created compulsory laws and standards meant to regulate social relationships and solve possible conflicts that might arise.

This set of standards is based upon a historical evaluative framework. That is to say, it expresses a certain correlation of forces (i.e., political, economic, religious, etc.), and viewpoints in a given society and culture.

Taking into account that every historical society self-assigns a number of standards that might be, and in fact are, different from those of other societies, a reflection arises: What about the right and the source of its underlying authority and the question about the possibility of having a universal normative or authority law; that is to say, one whose compliance binds all existing societies?

In this way, the human rights concept is created: those rights inherent to all human beings, without regard to nationality, place of residence, sex, national or ethnic origin, colour, religion, language or any other condition. (UN Office of the High Commissioner for Human Rights)

Human dignity is, then, the source of all human rights since it is based in its acknowledgment that freedom, justice and peace can be attained in the world (UN, The Universal Declaration of Human Rights). This means that human rights should make it possible to have a dignified and rational life by means of all social relationships and with the state satisfying all basic human needs, by acknowledging several characteristics inherent to all people.

In other words, every human being, just by the fact of his/her being, has several rights before the state, which must respect and guarantee them. In effect, it must make all necessary efforts to arrange the successful acknowledgment of these rights. In this way, human dignity is not only the source of law but also the limit to state authority; since states are disabled to act against it or infringe upon it through their actions.

However, as previously stated, the concept of rights always includes a historical perspective. Human rights have been modified in scope according to the evolution of what we understand by human dignity in each historical period.

At present, there are not only problems such as social exclusion and arbitrary action of some states toward their

citizens, but there are also new challenges regarding human trafficking, HIV/AIDS, biotechnology and the effects of economic globalisation.

Evolution of human rights

As previously stated, laws are modified due to social, cultural and economic changes experienced by societies throughout their history, and human rights are no exception.

Key Human Rights Treaties

- International Convention On The Elimination Of All Forms Of Racial Discrimination (1965)
- International Covenant On Civil And Political Rights (1966)
- International Covenant On Economic, Social And Cultural Rights (1966)
- Convention On Elimination Of All Forms Of Discrimination Against Women (1979)
- Convention Against Torture And Other Cruel, Inhuman Or Degrading Treatment Or Punishment
- Convention On The Rights Of The Child (1989)
- International Convention On The Protection Of The Rights Of All Migrant Workers And Members Of Their Families (1990)

In 1979 jurist Karel Vasak categorized human rights, taking into account the progressive coverage these had been reaching. This classification is known as the

“three generations of human rights”. The first generation is formed by fundamental rights that arise from the Declaration of Human Rights during the French Revolution, which guarantees individual freedom and political participation, safeguarding individuals before the state’s power (thus named negative rights). These are civil and political rights based on the principle of freedom.

Among them we can mention freedom of speech, freedom of thought, freedom of religion, freedom of movement, freedom of association, etc. And among civil and political rights: equality before the law, the right to a fair and public hearing by an impartial tribunal, the right to vote, and access to public positions, the right to hold fair elections, etc.

As a consequence of the workers’ revolutions of the 19th and 20th centuries, and the socialist theories behind these historical facts, second generation human rights arise. These rights are economic and social in nature, and are based on the principle of equal treatment. In this case, and unlike the first generation rights (negative), these demand certain state intervention to guarantee basic social benefits: education, health, employment, social security, and so on.

These are rights such as the right to have a job with equitable and fair conditions, to equal pay for equal work, to a remuneration ensuring the individual and his family's health, food, clothing, housing and medical care, the right to physical and mental health, the right to special consideration of motherhood and childhood, the right to free education, the right to form trade unions, etc.

Finally, third generation rights began appearing in the latter half of the 20th century, and they aim to protect

individual freedoms under threat as a consequence of new technologies and perversions of the economic system. They rest on the principle of solidarity and they consist of the right to privacy, the right to enjoy a healthy environment, the right to truthful and sufficient information, consumer rights, the right to safeguard assets, etc.

Today, we envision a new generation of human rights referring to world events we experience daily, globalisation and technological and media revolutions leading the way.

Resources Card

UN Declaration of Human Rights:
<http://www.un.org/en/documents/udhr/>

Training and educational material on human rights:
<http://www.ohchr.org/EN/PublicationsResources/Pages/TrainingEducation.aspx>

Includes guidelines, manuals and other material meant to supply information to professionals, schools and specific information about human rights and minorities.

Characteristics of Human Rights

Inherent:

They apply to all human beings without distinction because they belong to human nature.

Universal:

They are human gender specific, in all times and places, regardless of cultural, social or political differences.

Absolute:

Respect for rights can be claimed indistinctly by any person or authority.

Inalienable:

They cannot and should not be separated from the person, and thus cannot be transmitted or waived, under any circumstance.

Inviolable:

No person or authority can legitimately act against them, except in fair limitations arising from demands for the common good of society.

Justiciable:

Facing an infringement or lack of acknowledgement, national and international courts as well as specialized organs of normative

supervision can be appealed to for reestablishment and/or to sanction the responsible parties for their infringement.

Imprescriptible:

They are not lost as time elapses.

Indissoluble:

They all have the same degree of importance and form an inseparable group of rights.

Indivisible:

No hierarchy exists among them; therefore, they cannot be placed one on top of another or sacrifice one type of right to gain another one.

Irreversible:

Every right acknowledged as a human right--inherent to the human person--cannot be lost in the future.

Progressive:

Bearing in mind all the changes that have occurred in a historical context and the evolving characteristic of law itself, it is possible that in the future new rights appear that had not been acknowledged before as necessary for human dignity, and, therefore, inherent to every human being.

The ILO: Promoter of Labour Human Rights

Inclusion of Labour Rights in Human Rights

The ILO was created in 1919 by the Treaty of Versailles, after the devastation of World War I. It established a viewpoint that a lasting and universal peace can only be accomplished when it is based on the decent treatment of workers. Subsequently, near the end of World War II, the ILO member states wrote the Declaration of Philadelphia (1944), wherein the functions of the international organ were extended, and particularly highlighted the importance of respecting basic labour rights in contemporary societies. In 1946 the ILO became the first specialized agency of the UN.

Once the ILO was institutionally consolidated and its objectives were acknowledged as fundamentally valid in the international field, a group of labour rights were included in the Universal Declaration of Human Rights (1948). This inclusion cemented the idea that the labour world had to be protected by a set of basic labour rights ensuring the respect for human dignity.

Later on, and by means of several international documents, the inclusion of labour rights within the set of human rights was reinforced by, among others,

the International Covenant of 1966, the American Declaration of the Rights and Duties of Man (1948), the American Convention on Human Rights (1969), the Protocol of San Salvador (1988), the European Convention for the Protection of Human Rights and Fundamental Freedoms (1950), the European Social Charters (1961 and 1988) and the African Charter on Human and People's Rights (1981).

Summing up, labour human rights are those rights formalized in human rights international instruments that, approaching the labour world, acknowledge the human person as a legal person, without distinction, having as a goal the satisfaction of basic needs in the workplace, and with human dignity as its foundation.

Basic labour rights elaborated in international human rights instruments are*:

Right to work

Work freedom

Prohibition of slavery and servitude

Prohibition of forced or compulsory labour

Right to protection against unemployment

Protection against dismissal

Prohibition of discrimination in employment and occupation

Right to equal pay for equal work

Prohibition to discriminate against people with family responsibilities

Right to safety and hygiene at work

Right to work under fair, equitable and satisfactory conditions (maximum working hours, weekly paid rest period, paid public/other holidays)

Right to a minimum remuneration

Right to be promoted at work

Right to professional education and training

Right to information and advice from the company, and in layoff procedures

Right to the protection of wages by means of a privilege in case of employer insolvency

Right to freedom of association

Right to the protection of workers' representatives and appropriate facilities to carry out their functions

Right to collective bargaining

Right to strike

*It should be borne in mind that some rights come from human rights regional systems; for example, the right to information inside the company only exists in the European system. Nevertheless, it is important to highlight the hierarchy of human rights of these labour rights. Later, we will quote the most important ILO conventions for the reader to be informed in each case regarding their endorsement by the corresponding states.

What are the ILO's objectives?

The International Labour Organization was created because of the precarious labour situation of millions of workers all over the world. The preamble to its constitution states that there exist conditions of labour involving ... injustice, hardship and privation to a large number of people." Changing this situation is then fundamental to attain universal peace and harmony, which can only "be based on social justice".

This organisation, an integral part of the United Nations system, will devote itself to promoting changes in sectors of the labour world that are still at present matters of concern. These areas are:

-Regulation of work hours, including the establishment of a maximum work day and week;

-Regulation of the labour supply, the prevention of unemployment, and the provision of an adequate living wage;

-Protection of workers against sickness, disease and injury arising out of his/her employment;

-Protection of children, young

interests when employed in countries other than their own, and recognition of the equal remuneration principle for work of equal value;

-Recognition of the principle of freedom of association;

-Organization of vocational and technical education, and other measures.

How does it work?

The ILO is the only tripartite international organization. This means that to respond to workers' needs all over the world, it brings together representatives from ...

1. governments
2. employers, and
3. workers

...who take equal part in all discussions to frame labour standards in order to shape policy and design appropriate programmes.

To this end, and to reach its proposed goals, the ILO promotes social dialogue regarding subjects such as: the design and application of national strategies, cooperation with governments as well as employer and worker organisations for establishing solid labour relations, adapting labour legislation to face economic and social challenges, and improving labour administration.

Social dialogue is the negotiation, consultation and exchange of information which takes place between states, employers and workers, and for whose development the following is required: respect for the fundamental rights of freedom of association and collective bargaining;

Resources Card

Declaration of Philadelphia

<http://www.ilo.org/ilolex/english/iloconst.htm#annex>

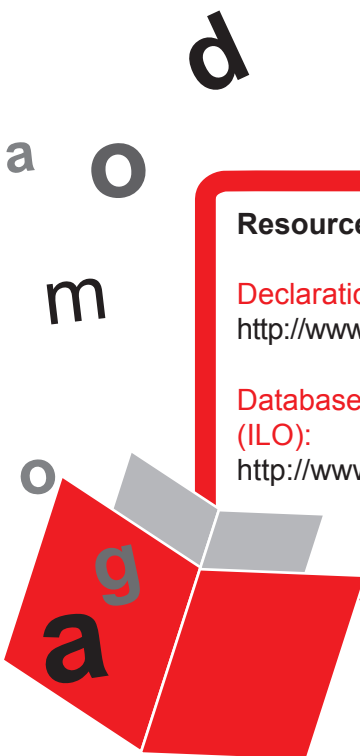
Database on international labour standards (ILO):

<http://www.ilo.org/ilolex/english/index.htm>

and women;

- -Provision for old age and injury, protection of the workers'

persons



strength of worker and employer organisations, which must have the necessary capability and knowledge to take part in the dialogue; political will and commitment to engage on behalf of all parties, and appropriate institutional support.

The role of states is very important since they are responsible for creating the stable political and civil climate required for employer and worker organizations to operate without fear of reprisal.

The most widespread form of social dialogue is collective bargaining.

Nevertheless, there can be other types of social dialogue, depending on the country and the socio-political scenarios in which it takes place, where dialogue may be tripartite or bipartite, informal or institutional, at national, regional or enterprise levels, inter-professional, sectoral, and any combination of these.

The ILO's Four Strategic Objectives

- Promote and realize standards and fundamental principles and rights at work.
- Create greater opportunities for women and men to secure decent employment and income.
- Enhance the coverage and effectiveness of social protection for all.
- Strengthen tripartism and social dialogue.

Freedom of Association and Social Dialogue

The existence of free and independent workers' organisations as well as of those of their peer employers, are fundamental pillars in the ILO operation, bearing in mind the tripartite structure that shapes it. Because of this fact and in view of the objectives and goals it intends to set, and in defence of the freedom of association, in 1950 the Freedom of Association Committee was set up to examine violations of worker and employer organisations' fundamental rights. It is enabled to handle complaints in all member states, including those that have not ratified freedom of association conventions.

Main Bodies

In the organization there are three main bodies, all comprised of representatives from the three sectors described above. They are:

International Labour Conference

When does it meet?
Once per year, in Geneva.

How is it composed?
By all member states (at present, 183 states). Delegations consist of two government delegates, one for employers and another for workers.

Frequently they are led by ministers of states that speak on behalf of their governments, and have the support of technical advisers.

Employers' and workers' delegates can express freely and vote according to instructions received from their own organisations. In some instances they vote against each other or even against their government representatives.

What are its main tasks?
Establishes and adopts international labour standards
Holds debates on highly relevant social and labour issues
Adopts the organisation's budget
Elects the Governing Body

Governing Body

When does it meet?
Three times per year, in Geneva.

Who is it composed of?
The ILO's Governing Body is composed of 28 government members: 14 for employers and 14 for workers. States of chief industrial importance permanently hold ten of the government memberships. Other government representatives are elected every three years taking into account geographical distribution. Employers and workers elect their own representatives respectively.

What are its functions?
Executive organ of the ILO.
Takes decisions on the ILO policies.
Establishes the programme and

The ILO Activities



Formulates international policies and programmes to promote fundamental human rights, to improve labour and living standards and increase labour opportunities

Establishes international labour standards, supported by a regular supervisory system of its application, which are an orientation to national authorities in order to execute these policies

Formulates and carries out, in active association with its principals, a vast international programme of technical cooperation which helps countries to put these policies into practice

Provides training, education, research and publication activities contributing to the progress of these efforts



Source:

http://www.ilo.org/wcmsp5/groups/public/-dgreports/-dcomm/-webdev/documents/publication/wcms_082363.pdf

budget that will be later submitted to the conference for adoption.

Elects the Director-General (at present, Juan Somavía).

International Labour Office

When does it meet?

The International Labour Office is the permanent secretariat of the International Labour Organisation.

Who is it composed of?

There are approximately 1,900 officers of more than 110 nationalities working at the Geneva headquarters and in 40 field offices around the world. In addition, there are some 600 experts who undertake missions in all regions of the world under the framework of technical cooperation. The Office also has a research and documentation centre, and a printing facility which issues many specialized studies, reports and periodicals.

What does it do?

It is responsible for the group of the ILO activities under the scrutiny of the Governing Body and the leadership of the Director-General who is elected for a 5-year renewable term.

International Labour Standards (ILS)

Introduction

The basic means of action to promote decent work, social justice, to administer globalisation, to promote development and to eradicate poverty is the ILO normative activity that implies the creation of International Labour Standards which will later be accepted and executed in the largest number of states.

ILS are legal public documents prepared by the ILO constituents (i.e., governments, workers, employers) for the member states and the international community, which define some basic principles and some minimum guidelines on social relations to regulate the labour world and contribute to social development.

These standards are targeted to guarantee that economic growth and development go hand in hand with the creation of decent work. Because of the afore mentioned tripartite structure, the ILS establish a normative framework supported by all the actors in global economy.

The International Labour Standard system is divided into conventions, recommendations and protocols.

Conventions

Conventions are legally binding international treaties that set minimum standards on a specific subject that member states must observe.

When states ratify these standards they are obliged to comply with them, and a series of duties are involved, such as: submitting reports to the office at the regular intervals set by the Governing Body, giving information about the measures that have been adopted to implement ratified standards; submission of copies of the report forms sent by the Director-General to the workers' and employers' representative organisations for their comments; submitting timely reports on ILS; compliance with and application of the convention regulations, under ratification terms; accepting the ILO supervision and control that ensures their validity; cooperating with the normative supervisory organs, and in certain cases, with the Commissions of Inquiry formed by the Governing Body for this purpose.

Social Justice and Global Economy

The challenge of decent work today

“ *Despite some clear benefits, globalization has not ushered in an era of prosperity for all. In fact, in spite of strong economic growth that produced millions of new jobs since the early 1990s, income inequality grew dramatically in most regions of the world and is expected to increase further due to the current global financial and economic crisis.*

While global employment rose by 30 per cent between the early 1990s and 2007, the income gap between richer and poorer households widened significantly during the same timeframe. Between 1990 and 2005, approximately two-thirds of countries for which data is available experienced an increase in income inequality.

Likewise, during the same period, the income gap between the top and bottom 10 percent of wage earners increased in 70 percent of these countries.

Much of the cost of the economic and financial crisis may thus be borne by hundreds of millions of people who benefited little from recent growth.”

Rules of the Game: a brief introduction to International Labour Standards, ILO 2009

Recommendations

Recommendations, which are not subject to ratification by the states, act as non-binding guidelines and many times supplement conventions, guiding countries with regard to application practices, even though they may be autonomous (not linked to any convention).

Protocols

Lastly, protocols are instruments used to partially revise a convention; they can modify part of its content, and therefore, they must be ratified by member states.

These are especially useful when a core convention whose ratifications are still in force is wished to be kept intact (ratification of a protocol does not involve the convention denouncement) along with modifications introduced or completed dispositions on certain issues

How are ILS created?

In general, international labour standards arise from a conflict situation or problem affecting the actors in the labour world, and that, because of its importance, is taken into consideration by the ILO Governing Body to find out a solution.

The Governing Body agrees to include the issue at stake in the agenda of a future International Labour Conference, though the current conference can include it by a two-thirds majority of votes.

Once the issue is registered at the International Labour Office, a report is prepared in which regulations and practices of member states regarding the issue at hand is analysed. This report is submitted to the member states and to the employer and worker organisations for their comments.

After this tripartite discussion, the governments must submit to the Office their answers at least eleven months before the Conference meeting.

With these answers, the Office writes a conclusion draft documenting the main items to be discussed at the Conference. This draft is submitted to the governments at least four months before the Conference opening. Thus, everything is ready for the first discussion.

At the Conference meeting, where the draft is discussed for the first time, a tripartite commission is formed to examine existing proposals and to modify the text as deemed necessary.

Afterward, from the text submitted to the tripartite commission, the Conference adopts conclusions and proposes registration of the issue or subject on the agenda for the next meeting.

The conclusions reached in the first discussion during the Conference meeting will help the Office write a draft instrument, which is a legal provisional text that will be sent to governments for revision, amendment or addition of proposals, within the first three months; always with employer and worker participation.

Once the amended draft is received, the Office prepares a final report with the texts and the amendments which it submits again to governments at least three months prior to the opening of the next Conference. Usually the Office also sends this report to trade union organisations.

This is the report that will be submitted for adoption at the Conference. For the Conference to adopt it, in accordance with article 19 of the Constitution, a two-thirds majority of delegates present in the Conference meeting is required.

If the Convention fails on a final vote to obtain the necessary two-thirds majority but does obtain a simple majority, the Conference will decide if the convention will be submitted for conversion into a recommendation.

As can be seen, there is a “double discussion” of the convention or recommendation text in two successive Conference meetings, thus allowing participants the necessary time to analyse it and to include the amendments they consider appropriate.

What is ratification of a convention?

Ratification is the act by which a member state accepts a convention as a legally binding instrument and commits itself to taking necessary measures to affect the provisions it contains.

A convention adopted by the International Labour Conference comes into force twelve months after it has been ratified by two member states.

When a country ratifies an ILO convention, it accepts both incorporation and application of the convention in the national legislation, as well as to be subjected to the ILO supervision regarding the measures taken to apply the convention.

The ILO Director-General, upon receiving ratifications records, communicates them to the Secretary-General of the United Nations, in addition to informing all member states and publishing the ratifications in the ILO Official Bulletin.

ILS Supervisory System

When a state ratifies a convention, the ILO assumes the obligation to comply with the provisions of that instrument of international jurisprudence by adapting the national normative framework to what is stated therein, and by developing institutions, programmes and plans aiming to fulfill the objectives detailed by such convention.

However, this does not always occur. Therefore, the ILO has a supervisory and follow-up system for international labour standards in every one of the member states, through which the organisation examines the application of standards and points out the areas that must be improved. On the other hand, the ILO assists them, when necessary, with the application of a convention.

How does it work?

Every two years, governments must submit their reports with detailed information on the legal and practical actions adopted to apply any one of the eight core conventions and the four priority conventions they may have ratified.

Every five years they must submit the reports on the remainder of the conventions, except in the case of those conventions that have been left aside.

Because of the tripartite function of the ILO, the governments must present copies of these reports to the employers' and workers' organisations, who can comment on them, as well as a direct report to the ILO regarding the application of the conventions.

Committee of Experts on the Application of Conventions and Recommendations

Through the years, the number of reports to be submitted to the organisation grew, so it was necessary in 1926 to create a committee exclusively in charge of this subject. The Committee of Experts on the Application



of Conventions and Recommendations is the independent board which makes an impartial evaluation of the application status of the ILS conventions.

The committee, formed by 20 eminent jurists (appointed by the Governing Body for a 3-year term) who come from different geographic regions and from different juridical systems, is in charge of making observations and direct requests to the states. Observations include comments on the application of a certain convention which are published in the Committee's annual report. Requests, on the other hand, are related to technical issues or petitions of further information, and are submitted directly to the involved states and are not published in the report.

Effect of the Observations

Comments and observations expressed by the Committee of Experts have an effect on states beyond those to which they are addressed. Many times member states review the recommendations given to other states in order to avoid similar problems in the future, and consequently they amend their legislation based on the recommendations. On the other hand, the Committee's interventions ease social dialogue when compelling the states to revise the activity referred to certain standards, and to share this information with the rest of the social organisations which are also a part of the process.

The annual report of the committee is available on the Internet and it is a useful tool for states and all social actors for revising and solving the existing problems with standards application.

Subjects and trades covered by the ILS:

Freedom of association

Collective bargaining

Forced labour

Child labour

Equality of opportunity and treatment

Tripartite consultation

Labour administration

Labour inspection

Employment policy

Employment promotion

Vocational guidance and training

Employment security

Social policy

Wages

Working time

Occupational safety and health

social security

Maternity protection

Migrant workers

Seafarers

Fishers

Dock workers

Indigenous and tribal peoples

Other categories of workers

Supervisory Procedures

Representations

What is a representation?

A representation is a supervisory procedure that guarantees employers' and workers' organisations the possibility to introduce a claim about the breach of a convention ratified by a member state before the ILO Governing Body.

Who can present a representation?

National and international employers' and workers' organisations.

Individuals cannot present a representation directly to the ILO, though they can communicate the pertinent information to the corresponding workers' or employers' organisations.

Requirements:

- Written communication to the ILO;
- . Issued by an industrial association of employers or workers;
- . Make specific reference to Article 24 of the Constitution of the Organisation;
- . Concern an ILO Member State;
- . Refer to a convention ratified by the state against which the representation is made;
- . State clearly in which sense it is alleged that that member state has in fact infringed the convention within the jurisdictional scope.

(Manual on defense of freedom of association. ILO, 2001)

Representation Procedure

Every time a representation is presented to the ILO by an employer or worker organisation, it is evaluated with regard to its compliance with the previously mentioned requirements. If deemed necessary, the Governing Body sets up a tripartite committee in charge of examining the representation (or refers it to the Committee on Freedom of Association if the convention relates to this matter).

A representative from the government mentioned in the representation is

invited to be present during the examination of the representation, and may be asked to submit further information on the issue.

The tripartite committee, after examining the representation, submits a report to the Governing Body with the conclusions and the recommendations deemed appropriate.

The Governing Body is responsible for deciding if the representation and the response to the government are published, notifying the organisation(s) involved in the subject, and forwarding the case to the Committee of Experts for the follow-up. Alternatively, it can ask for a Commission of Inquiry to deal with the matter as a formal complaint.

Complaints

What is a complaint?

A complaint is a normative supervisory procedure established by the ILO Constitution, through which a charge can be presented against a state under the consideration that it has not adopted the necessary measures to comply with the provisions of the convention it has ratified.

Who can present a complaint?

A member state that has ratified the same convention that another state is accused of not complying with; a worker or employer organisation individually or jointly, or the ILO's Governing Body itself.

Complaint Procedure

Once the Governing Body has received a complaint, it can decide either to form a Commission of Inquiry with three independent members to thoroughly examine the complaint or to notify the government involved, which in such a case must answer this notice within a reasonable time period. If the government does not reply, the Commission of Inquiry is formed.

This commission is the highest level investigative procedure at the ILO, and thoroughly examines all de facto and de jure matters, requesting from the parties statements and proof of the matter at hand, as well as inviting bordering countries or those having a strong relationship with the state involved in the complaint, and national and international worker and employer organisations to make declarations.

During the deliberations about a complaint, the involved government must be represented by a delegate to whom the date of these deliberations will be communicated with sufficient notice.

The survey commission must thoroughly investigate the issue at stake. This investigation process, as well as the outcomes and recommendations deemed necessary to solve the complaint, are detailed in a report submitted by the commission to the Governing Body and to each of the governments involved in the complaint.

It is worth mentioning that any member state is obliged to submit all requested information to the commission regarding the complaint, whether it is a state affected by the complaint or not.

After the report is submitted to the Governing Body and the involved governments, it is published (an unavoidable step since the information on the process as well as the solutions to the complaints must be available to all social actors). In this instance, governments affected by the complaint must make a declaration as to whether or not they accept the recommendations included in the report within a period of three months.

In the event that the state does not accept them, it can submit the case to an international court of justice, which ultimately decides if the recommendations are modified, ratified or nullified.

If the state does not comply with the recommendations adopted by the Governing Body or the international court of justice, as the case may be, within the set period of time, the Governing Body will recommend that the Conference take the most appropriate measures to comply with the recommendations.

The Governing Body ceases all measures taken to this respect when compliance is attained.

Compulsory publication of the overall process constitutes a very useful informational tool for the whole international community, who are informed of the state stance regarding the recommendations and the measures taken to comply with the convention of reference, as well as previous relevant practices for convention compliance.

Supervisory Procedures for violations to Freedom of Association

Finally, we must describe a complaint mechanism created specially within the ILO system to safeguard one of the core principles (supported by the work of this organisation): Freedom of Association. In 1947, by mutual agreement with UN, a special procedure was created to protect this principle.

This special procedure does not replace other supervisory systems but is a complement to them, offering to the involved social actors the faculties to defend and monitor

the compliance of this Freedom of Association principle, as well as the possibility to act before any violation to it.

Freedom of Association is one of the constituent principles of the ILO, and therefore, its compliance becomes a duty to all states that formally accept the obligations listed in the constitution of the organisation, and to receive these special complaints, the following agencies have been created: the Freedom of Association Committee and the Prefectoral Commission of Investigation and Reconciliation.

To whom can these complaints be referred?

-Member states which have ratified conventions related to Freedom of Association.

-Member states that have not ratified the pertinent conventions and accept the case as submitted to the Committee.

-Non-member ILO states that are members of the United Nations, in the event the Economic and Social Council of this organisation submits the case and the involved State has accepted it.
(Manual on defense of freedom of association. ILO, 2001)

Who can present complaints?

A government; an employers' or workers' organisation (must be a national office with direct interest in the matter);

an international organisation having a consultative status before the ILO;

or, an employers' or workers' international organisation, if its affiliates are directly involved in the matter.

Procedure

The Investigation and Reconciliation Commission requests information from the involved parties, and from the international and national employers' and workers' organisations. The legislation of the country involved is analysed, and the parties, as well as several witnesses, are invited to a meeting called for this purpose.

The commission can, with previous consent and guarantee of the government, visit the country being investigated, to carry out a field survey and gather information from the different social actors in order to deepen the complaint analysis.

After this last step has been completed, the commission writes a report with the conclusions and recommendations aimed at case resolution.

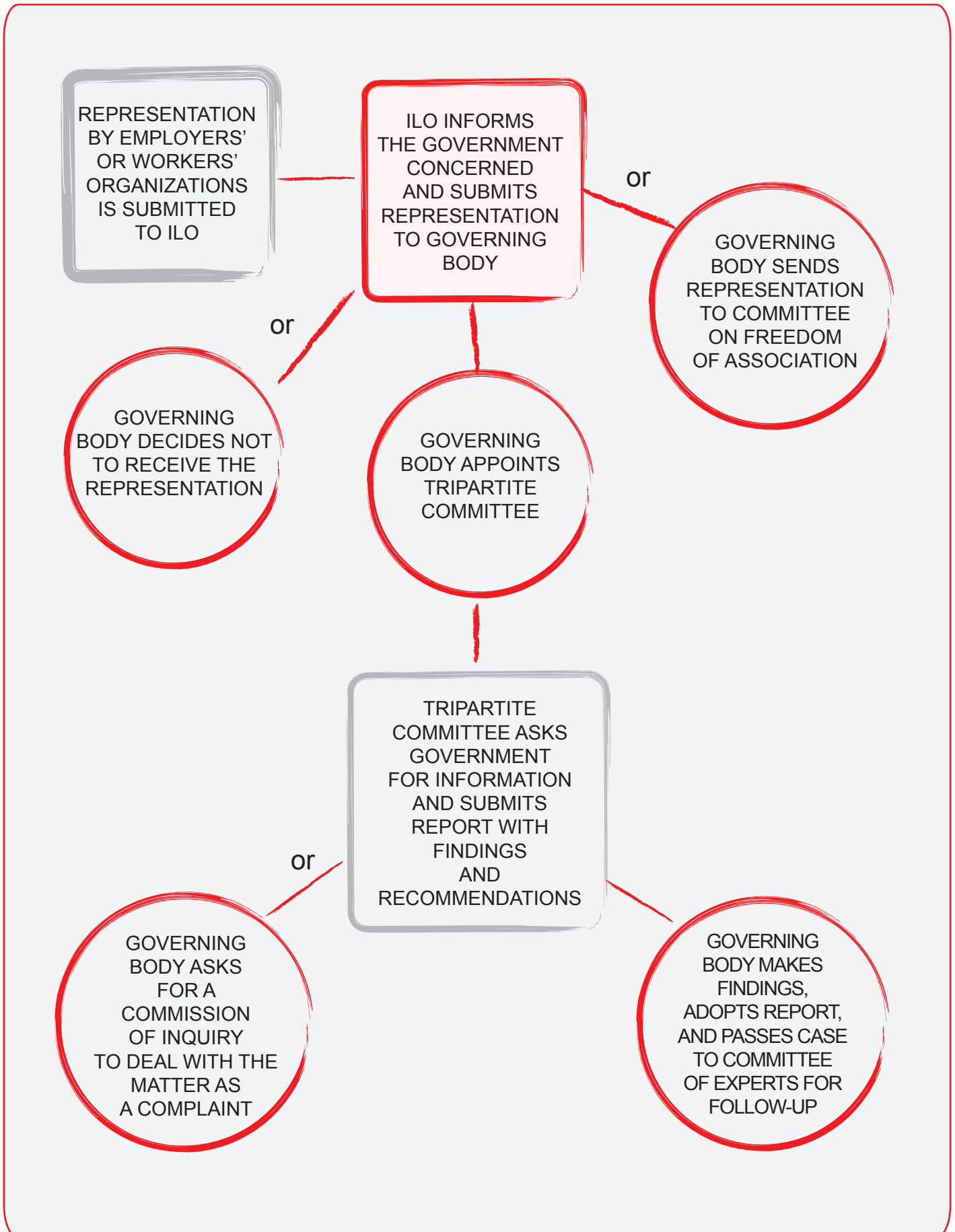
It should be pointed out that to appoint a case to the commission, it was previously necessary to have prior consent from the interested government, which was a hindrance to execution of the complaint procedure. It is for this reason that currently the Committee on Freedom of Association is the one charged with examining the content of submitted cases and acting accordingly, without the previous approval from governments.

Resources Card

Report of the Committee of Experts on the Application of Conventions and Recommendations

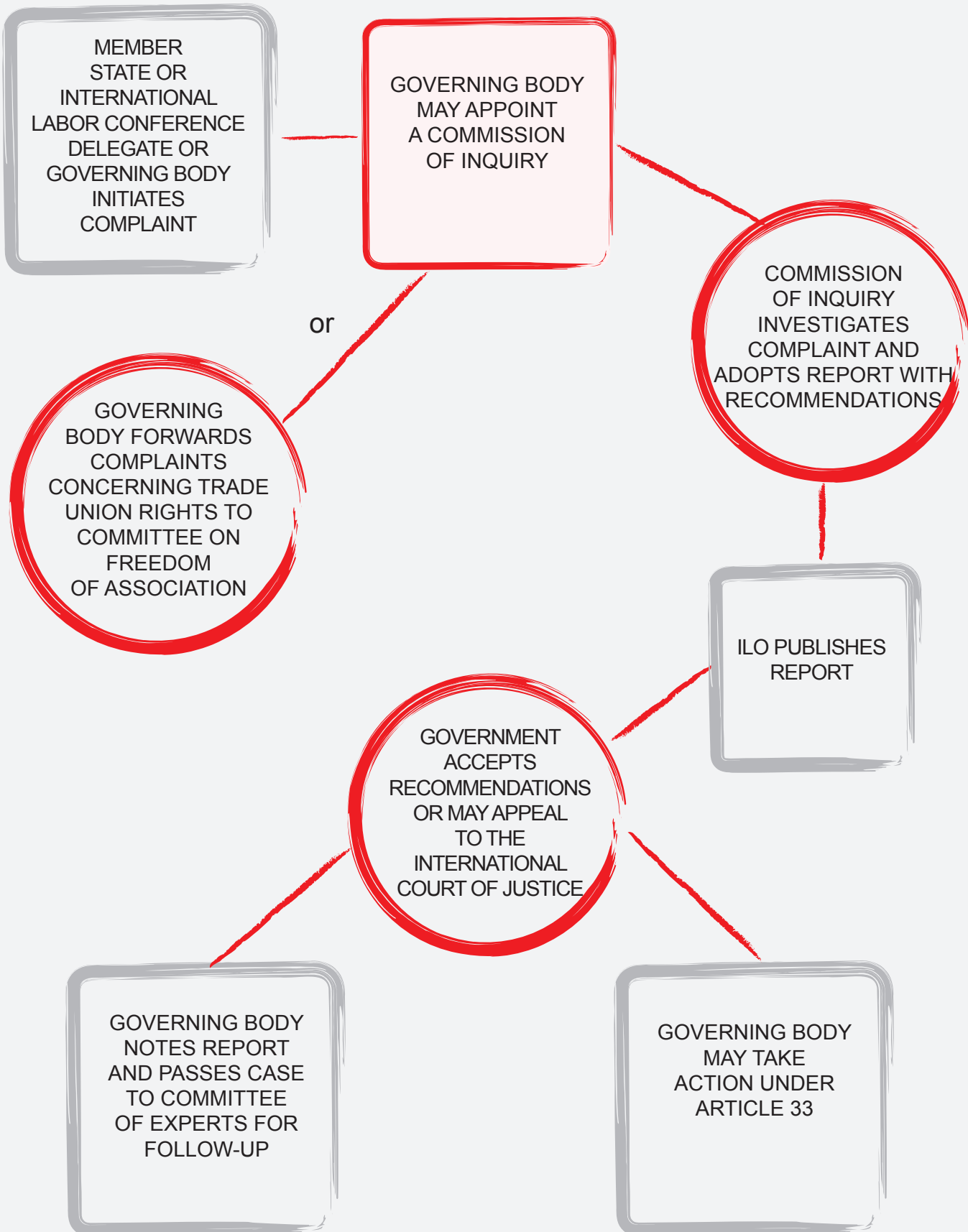
<http://www.ilo.org/ilolex/gbf/ceacr2009.htm>

The Representations procedure



Source: ILO

The Complaints procedure



Source: ILO

Tools for Equality

Core ILO Conventions

Up to the present (2009) the ILO has adopted 188 conventions, among which eight are considered core by the Governing Body, “ *to maintain the link between social progress and economic growth, (since) the guarantee of core principles and rights at work is of particular significance in that it enables the persons concerned (workers), to claim freely and on the basis of equality of opportunity, their fair share of the wealth which they have helped to generate, and to achieve fully their human potential*”. (The ILO Declaration Regarding Fundamental Principles and Rights at Work - 1998)

These core conventions are:

Freedom of Association and Collective Bargaining

Convention on Freedom of Association and Protection of the Right to Organise, 1948 (No. 87)

This states workers’ and employers’ right to create organisations, and to join them without previous authorisation.

Both types of organisations (worker and employer) have the right to organise freely, not being subject to dissolution or suspension by administrative authority.

Both types of organizations have the

right to constitute federations and confederations and to affiliate with them. In turn, these can affiliate themselves with international workers’ and employers’ organisations.

Right to Organise and Collective Bargaining Convention, 1949 (No. 98)

This states that workers must enjoy protection against any act of anti-union discrimination. For example: demanding that a worker does not affiliate or otherwise disassociate; or dismissal because of their trade union membership.

On the other hand, workers’ and employers’ organisations must enjoy protection against any act of interference by each other. For example: the constitution of workers’ organisations ruled by an employer or employers’ organisation, the control by employers or employers’ organisations of a workers’ organisation through the economic livelihood of the latter, etc.

It also establishes the need to take measures to motivate and to foster the development of negotiation procedures between workers’ and employers’ organisations and their organisations, to regulate

Freedom of Association Under Fire



Although freedom of association is recognized as a fundamental right at work, the former International Confederation of Free Trade Unions (ICFTU) estimated that in Asia, at least 17 trade unionists were killed, 947 others were beaten or tortured, and over 8,000 were arrested in 2005. In Latin America, no fewer than 80 people were killed simply for being union members and trying to defend their rights, 275 trade unionists received death threats, over 480 were tortured, beaten or injured, and around 1,700 were unfairly dismissed.

The majority of the 50 million workers in export processing zones do not enjoy the right to join unions. Freedom of association is not just an issue for workers. Employers have also lodged complaints with the ILO's Committee on Freedom of Association regarding illegal interference with the activities of their organizations.



Rules of the Game: a brief introduction to International Labour Standards. OIT, 2009

employment conditions by means of collective bargaining.

Abolition of Forced Labour

Forced Labour Convention, 1930 (No. 29)

This prohibits any kind of forced or compulsory labour, defined as “all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.”

It states that the non-fulfilment of this convention will be punishable as a penal offence, and that those states that ratify it have the obligation to ensure that such penalties are enforced and effective.

Abolition of Forced Labour Convention, 1957 (No. 105)

This prohibits forced or compulsory labour such as:

- a means of political coercion or education (punishment for expressing certain political views or for opposition to the established political, social or economic order);
- a method for mobilising and using labour for purposes of economic promotion; as a means of labour discipline;
- a punishment for having taken part in strikes;
- and, a means of racial, social, national or religious discrimination.

Abolition of Child Labour

Minimum Age Convention, 1973 (No. 138)

This sets the general minimum employment age at 15 years of age (13 for light work) and the possibility to lower it to 14 (12 for light work) if economic and educational services are insufficiently developed.

It establishes 18 years of age as the minimum age for hazardous labour (16 provided certain strict conditions are followed).

The Worst Forms of Child Labour Convention, 1999 (No. 182)

This defines “child” as anyone under 18 years of age.

The states ratifying this convention must act toward eradicating the worst forms of child labour, which include: *“all forms of slavery or issues similar to slavery such as sale and trafficking of children; debt bondage and servant condition; and forced or compulsory labour including forced or compulsory child recruitment for use in armed conflicts; child use, recruitment or offer for prostitution, pornography production or pornographic performances; child use, recruitment or offer to carry out illegal activities, mainly production and trafficking of drugs as defined in relevant*

international treaties, and labour that, due to its nature or the conditions under which it is carried out probably damages children’s health, safety or morale.”

It demands that ratifying states give the necessary direct and adequate assistance to free children from the worst forms of child labour and to rehabilitate and socially reintegrate them. In like manner, it establishes that states must guarantee free access to basic education, and, whenever possible and adequate, vocational, educational and skills training to children that have been removed from the worst forms of child labour.

Equality of Opportunity and Treatment

Equal Remuneration Convention, 1951 (No. 100)

This establishes that states ratifying this convention must guarantee to all workers the application of the equal remuneration principle for men and women: labour for work of equal value.

The term “remuneration” comprises *the ordinary, basic or minimum wage or salary and any another emoluments whether in cash or in kind, paid by the employer directly or indirectly to the worker, from the employment of the latter one.*

Discrimination (Employment and Occupation) Convention, 1958 (No. 111)

This defines discrimination as *any distinction, exclusion or preference based on reasons of race, colour, sex, religion, political opinion, national extraction or social origin, which has the effect of nullifying or altering equality of opportunity or treatment in employment and occupation.*

It rules that the states ratifying it write down and carry out a national policy

Resources Card

Ratifications of core conventions:
<http://www.ilo.org/ilolex/english/docs/declworld.htm>

Complete list of the ILO conventions with their ratifications
<http://www.ilo.org/ilolex/english/convdisp1.htm>

List of updated ILS, classified by subject:
<http://www.ilo.org/ilolex/english/subjectE.htm>

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The goal of decent work is best expressed through the eyes of people. It is about your job and future prospects; about your working conditions; about balancing work and family life, putting your kids through school or getting them out of child labour. It is about gender equality, equal recognition, and enabling women to make choices and take control of their lives. It is about having a voice in your workplace and your community. For many, it is the primary route out of poverty. For many more, it is about realizing personal aspirations in their daily existence and about solidarity with others. And everywhere, and for everybody, decent work is about securing human dignity.

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Rodgers, Gerry. Decent work as a goal for the global economy.
Bulletin, Cinterfor, No. 153, 2002

to promote, in compliance with the conditions and national practice, equality of opportunity and treatment in employment and occupation, aiming to eliminate any discrimination to this regard.

Equality of Opportunity: The Basis of Decent Work

The ILO has defined decent work as “*work in conditions of freedom, equity, security and human dignity.*” Thus, the four strategic objectives it is based on respond to its promotion.

The diversity of labour makes this objective complex. Therefore, policies heading to promote decent labour must comprise all kinds of work. Many people work without having, because of this, a wage employment. There is domestic work, family work, that which is outside the formal labour market, self-employed work, people looking for work, and underemployed people.

Because of the existence of so many different situations it is essential to underline the close relationship between decent work and equal opportunity, because everybody has the right to access work under conditions of freedom, justice, equity and dignity, regardless of social conditions, gender, race, religion or any other characteristic. As we have seen, labour law encompasses human dignity, and thus,

it is a right belonging to all people just for being so. Therefore, without equal opportunity, there is no decent work.

In this sense, trade union activity under free conditions and the promotion of social dialogue are two key means to attain and promote decent work for everybody. As members of the global trade union movement, from UNI, we understand that one of the fundamental objectives to address is strengthening trade union organisations in every aspect and in all regions; by organising more workers and letting their voices be heard, not only of wage-earners, but also of those working in precarious conditions off the labour market, of the unemployed, of children and youngsters, of domestic workers, of migrant workers, etc.

Alternatively, there must be a scenario to make dialogue and negotiation possible and protected by strong and lasting institutions. The states are the fundamental actors in this task. Social dialogue is the means through which human labour rights can be defended under legal and legitimate conditions. It is also a stability source at all levels and for the actors who take part in economy, inasmuch as the rules and institutional exchanges are clear and promote social justice, the possibility of conventions, the resolution of conflicts and a series of effective policies that are truly applied. (Source: Somavia, Juan. Decent Work: Report of the Director-General, ILO, 1999.)

Inequality and the Labour Market: An Issue of Gender?

Introduction

Gender inequality is one of the most rooted inequalities that lasts, and many times deepens with economic, historical and social changes.

To develop policies to foster decent work, it should be borne in mind how economic globalisation has modified the labour market, integrating more women though in works away from the labour legal and social protection frameworks, with lower incomes than those of their male counterparts and in less protected sectors of economy.

In the face of this situation, it is necessary to generate actions and policies aiming at a gender perspective; that is to say, to suppress the main cultural stereotypes that underestimate women labour and makes their access to the labour market difficult. Additionally, more women workers must be trained and organised, to discuss and claim equality regarding domestic and family responsibilities with male counterparts; to bear in mind women's needs at the time when collective bargaining of working conditions take place; to increase women's participation in all areas, mainly in decision-making positions in trade unions, politics and business; to disseminate standards

and rights that protect and regulate women labour offering tools so women workers can defend what rightfully belongs to them.

(Source: [Gender, training and work .Managing Equality](#) . CINTERFOR)

Gender and Equal Opportunity Conventions

One of the greatest obstacles encountered by workers when exercising their rights is their lack of knowledge about them. Therefore, information supply and training on these issues is also a way to foster decent work.

As we have seen, international labour standards are one of the ILO's main streams of action to promote better labour and living conditions for women and men all over the world.

These standards are applicable to all workers, without gender discrimination; nevertheless, there are some that solely refer to women workers. We will then see which of the ILO standards refer to gender and equal opportunity.



In spite of changes and progress made in the situation of women in the last several decades, family-related tasks such as house chores and care of children and old people continue to be a woman's natural responsibility even though they are now part of the labour market. This doubles the amount of work for women.

Non-remunerated domestic work, devalued in many societies, hinders the access of women to remunerated jobs. Men, socially defined as the bread-winners, barely participate in these tasks.

This often causes women to look for part-time jobs, informal jobs, work from home, and less demanding jobs as they have to divide their time between remunerated and non-remunerated work.

Men, on the contrary, have better opportunities to develop professionally as they do not spend part of their time dealing with domestic chores. However, their social role forces them to work longer hours, do double shifts or have several jobs to earn more money aggravating this kind of inequality. In many countries, men are unemployed and women provide the only income in the family. This causes a feeling of failure among men, as they understand that being manly means financially supporting their family.

On the other hand, the increase in migrant work has led to millions of split families.



Gender equality. Practical guide for delegates
UNI Global Union, Equal Opportunities Department, March 2009

Equal Remuneration Convention, 1951 (No. 100)

Remuneration inequality between women and men workers is one of the most common unequal situations in the labour market. This means that it is common to find women workers performing the same work as their male counterparts, but receiving lower pay for them.

The convention states that members should ensure the *application to all workers of the principle of equal remuneration for men and women workers for work of equal value.*

This means that all workers performing the same or similar work, or even those performing different works but of equal value, must be equally remunerated.

For effective compliance of this convention, the legislative bodies of each state must take into consideration not only equal remuneration for equal work, but also the application of the concept of equal value work, which expands on the first one.

The convention states that objective evaluation methods must be used to fix remunerative rates, bearing in mind the tasks involved in each work. *The methods to be followed in this appraisal may be decided upon by the authorities responsible for the determination of rates of remuneration, or, where such rates are determined by collective agreements, by the parties thereto. Therefore, remuneration differences can be found among workers, but such differences must be accounted for on the basis of objective evaluations about performance, kind of work, etc., but never on the basis of gender.*

Cultural evaluation of women labour

(generally underrated) is one of the cornerstones in the change for gender equality. To establish objective evaluation methods in employment is a way to sort out the difficulties involved in the way of understanding women labour, deeply rooted in some societies. Afterwards, it will be necessary to make changes to confront the basis of these beliefs will be necessary through women and men training on an equal footing.

Discrimination Convention (Employment and Occupation), 1958 (No. 111)

At the moment of attaining a job, many people are victims of discrimination; that is to say, they are not offered the same opportunities solely because they are of a certain gender, religion, skin colour, etc., without pondering whether those people have the same qualifications the person who can access the work or profession has.

This convention seeks to apply the equality principle honoured in the Universal Declaration of Human Rights, in the section of occupation and employment, condemning any other form of discrimination. And defining 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; and any other distinction, exclusion or preference which has the effect of nullifying or impairing equality of opportunity or*

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Resources Card

Gender Equality and Decent Work. Key conventions and recommendations for gender equality (ILO)

Promoting gender equality (ILO):

http://www.ilo.org/wcmsp5/groups/public/---dgreports/---gender/documents/publication/wcms_097919.pdf

Rodgers, Gerry. «Decent work as a goal for the global economy»

<http://www.oitcenterfor.org/public/english/region/ampro/cinterfor/publ/product/pdf/rodders.pdf>

Gender Equality, Practical Guide for men and women delegates. UNI Global Union, Equal Opportunities Department, March 2009

http://www.uniglobalunion.org/Apps/iportal.nsf/pages/grp_20081016_gburEn

treatment in employment or occupation as may be determined by the member concerned after consultation with representative employers' and workers' organisations, where such exist, and with other appropriate bodies.

What is work of equal value?



Acting against the existing labour gender segregation not only allows women to access traditionally male positions but also gives value to those works performed mainly by women, feminized positions. The concept of work of equal value is particularly operative for this task.

The concept of equal remuneration for work of equal value means that if a woman performs a work of the same nature demanding the same service conditions as for men, even though the work may be different, women must receive the same wage for the same work, unless there is a non-discriminatory account for the difference.



Memorandum on Equal Pay for Work of Equal Value. An approach to the understanding of the remuneration equality principle between men and women. Confederate Secretariat of Women. CC.OO.

On the other hand, it is important to point out that *“the terms “employment” and “occupation” include access to vocational training, access to employment and to particular occupations, and terms and conditions of employment.* “

Bearing in mind the different forms in which discrimination can become visible, the convention states that the Equality of Opportunities and Non-Discrimination Principle cannot be nullified or altered.

The difference lies in the fact that many times certain formal conditions arise for equality of opportunity, but actually they are not respected. For example, if an

employer places an advertisement searching for workers of both sexes, but decides to hire only males, he is altering the equality principle; the same happens when a worker gets a promotion due to his/her qualifications or training, and this training and education has been given only to a group of workers and denied to the rest of the workers.

The convention also foresees situations that should not be considered as discriminatory, which is to say: *distinctions, exclusions or preferences based on qualifications demanded for a certain work and special measures meant to satisfy the particular needs of people who, due to reasons such as sex, age, disability, family burden or social-cultural level, in general, are usually acknowledged as needing special protection or assistance.*

This means that if a person does not fulfill certain requirements in order to access employment (for example, education level or specific knowledge) she cannot consider herself as being discriminated against. And accordingly, if an employer decides to favour people that need special protection or assistance, as in the case of disabled people, this also does not mean it is a discriminatory action against those that lack this kind of need.

Finally, member states that ratify this convention are compelled to:

(a) seek the cooperation of employers' and workers' organisations and other appropriate bodies in promoting the acceptance and observance of this policy;

(b) enact such legislation and to promote such educational programmes as may be calculated to secure the acceptance and observance of the policy;

(c) repeal any statutory provisions and modify any administrative instructions or practices which are inconsistent with the policy;

(d) pursue the policy with respect to employment under the direct control of national authorities;

(e) ensure observance of the policy in the activities of vocational guidance, vocational training and placement services under the direction of national authorities;

(f) indicate in its annual reports on

the application of the convention the actions taken in pursuance of the policy and the results secured by said actions.

Workers with Family Responsibilities Convention, 1981 (No. 156)

Even though the principle on egalitarian distribution of family responsibilities is increasingly strengthening in our societies, the proportion of women performing domestic and family-related work is still greater than the proportion of men performing the same work.

Discriminations

“ *Work and occupation discrimination is a universal, daily and changing phenomenon. In many societies the most flagrant expressions about discrimination, above all those based on gender or race that the international community condemned over 50 years ago, have vanished, and, in their place, new ways, more subtle and difficult to detect, have appeared. On the other hand, in the past years, “new” ways of discrimination such as those based on age, HIV/AIDS, disability, and sexual orientation are rising, and have been condemned by different countries (ILO 2003).*

The changes in the structure and dynamics of labour markets, arising from economic, political and cultural transformations, redefine the social stratification and mobilisation processes, which, in turn, strengthen or lessen “old” or “new” discrimination forms. (...)

The convention covers direct or indirect discrimination, and it does not consider it necessary that a deliberate purpose exists in order to cause discrimination classified as a discriminative situation.

Direct discrimination occurs every time laws, provisions or practices exclude or openly give priority to certain people on the basis of the colour of their skin, age, or sex. Indirect discrimination consists of standards, procedures and practices which, at first sight, are not neutral but whose application disproportionately affects the members of certain collective groups. For example, differentiated treatment given to certain workers’ categories, such as part-time or home workers, are an indirect way of discrimination. Juridical vulnerability typical of domestic work in the majority of nations accounts for how double, and sometimes triple discrimination operates based on sex, class and race or ethnic origin. ”

Tomei, M. y Duarte D. Non-discrimination and Equality in Employment and Occupation: Conceptual Challenges and Policies. ILO.

This difference is rooted in a gender division of labour that forever has relegated women to certain reproduction-based activities (i.e., maternity, caring for children and the old, domestic chores, etc.)

Economic changes in the past years have increased the number of women joining the labour market, but their family responsibilities have not been reduced; thus, many women today have a double work day.

This situation not only overwhelms women workers but also places them in open inequality with regard to their male counterparts, since it is difficult for them to access better paid works, vocational training and education to progress, and in many cases they are directly discriminated against for having children or dependent relatives.

This convention dictates that *member states ratifying the convention should include, among their national policy objectives, one to allow people with family responsibilities performing or wishing to perform a job to exact their right to do so without being discriminated against, and, to the extent possible, without conflict between their family and professional responsibilities.*

Family responsibilities involve caring for children and other direct relatives, restricting the worker's possibility to *prepare for, enter, participate in or advance in economic activity.*

As can be seen, the convention does not address women specifically, but, them being chiefly affected by inequality in the distribution of family responsibilities, its aim is to overcome the inequality they suffer when accessing labour and training opportunities.

In addition, the convention states that no worker can be dismissed because of his/her family responsibilities, and, demands that states take all the

necessary measures to: *enable workers with family responsibilities to exercise their right to free choice of employment; to take account of their needs in terms and conditions of employment and in social security; to take account of the needs of workers with family responsibilities in community planning; and to develop or promote community services, public or private, such as childcare and family services and facilities.*

Convention Concerning the Revision of the Maternity Protection Convention, 2000 (No. 183)

The reality of pregnant women workers is, at present, a critical issue. Often, pregnancy is a cause for dismissal; proof of pregnancy is demanded to access a post, part of her wages are withheld, or women and their babies are exposed to hazardous situations and potential future health problems.

The ILO addressed this problem and created the Maternity Protection Convention in 1952. Afterwards, in 2000, recommendations and a new convention were constructed, broadening the previous one. This convention deals with several aspects of the issue, and it was created to give protection to the mother and the baby before, during and after childbirth. This must be applied to all women workers including those performing exceptional labour (for example, in informal economies).

-Health protection

The convention states that a guarantee should be given to pregnant or breastfeeding women to not perform work which has been determined by the competent authority as prejudicial to their health or their child's health, or which, after evaluation has established a significant risk for the mother's or the child's health.

This means that if a woman worker performs a task requiring handling of chemical material that can harm her or

or her baby, or if during her work she must make risk-implicating efforts, the employer is obliged to change her position insofar as that danger persists.

- Maternity leave

The convention establishes a leave period of at least 14 weeks, including a 6-week period of compulsory leave after childbirth. This means that once childbirth is over, the woman has a 6-week leave, regardless of whether she may have to be confined 8 or 10 weeks before that event. For example, in the case of a high-risk pregnancy, a woman begins her maternity leave 10 weeks before childbirth, after childbirth she still has 6 weeks more, even though this amount surpasses the 14-week general limit established by the convention.

The impossibility of reducing the 6-week leave after childbirth recurs in relation to the difference that may exist on the probable childbirth date: the leave starts on the actual date that childbirth occurs, and not the presumed date that appears on the woman worker's medical certificate.

-Sick leave in case of illness or complications

Women workers have the right to special leave in addition to the 14 weeks previously mentioned, in case of any complication or illness. The maximum period for this additional leave is not spelled out in the convention, and it will be determined by the legislation of each country.

- Benefits

This section states that women workers absent from their work because of maternity leave must receive from the employer or state social security, *cash benefits (...) shall be at a level which ensures that the woman can maintain herself and her child in proper conditions of health and with a suitable standard of living.*

If the cash benefits paid are based on previous earnings, the amount of such benefits cannot be less than *"two-thirds of the woman's previous earnings or of such of those earnings as are taken into account for the purpose of computing benefits."* This means that during her leave the woman worker must receive at least two thirds of the wages paid before the

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The work environment is the most revealing space to view the significance of gender dimension in understanding the problems of inequality and social exclusion since in it, socio-cultural, educational and economic aspects connect and interact, restricting and framing social interrelations.

Cultural conceptions about the value of women's activities and capabilities, about their relationship with their parents and husbands, and, above all, about what women and men are supposed to be and do, are transferred to the working environment and interact with the productive and economic demands and conditions. Both factors determine labour sexual division, and contribute to explaining why the labour market has kept women in posts far away from decision-making, extending their domestic habits by giving them less creative and undervalued tasks, and keeping them away from technical employments with high technological content or with the best possibilities for career development.”

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Silveira, Sara, Gender Dimension in Training and Labour relationships

Trade union organisations should:



Ensure that ratification and implementation of C.183 and R.181. As the Maternity Protection Convention only applies to the women workers from the ILO member states that have ratified it, trade union organisations have an important role to play in ensuring that their governments ratify and implement C.183 and R.191.

Include the issue of maternity protection at all levels of social dialogue in their respective countries and particularly in collective bargaining.

Monitor the implementation of maternity protection provisions by all employers, and demand that measures are taken to ensure that maternity is not a source of discrimination.

Put pressure on governments and employers to ensure that provisions are made for all women who are covered by C. 183 and R. 191 to receive cash benefits.

Secure consultation by governments for any decision being taken concerning the conventions covering women workers' rights.

Leaflet for the international Campaign on ratification and application of Convention 183 and Recommendation 191 of the ILO.



Leaflet on Maternity Protection.

Global Campaign for the Ratification of ILO Convention 183. ITUC.

aforementioned leave.

On the other hand, and to ensure this leave is paid, the convention states that benefits within the scope of this leave shall be provided through compulsory social insurance or public funds, or in a manner determined by national law and practice. An employer shall not be individually liable for the direct cost of any such monetary benefit to a woman employed by him or her without that employer's specific agreement except where: such is provided for in national law or practice in a member state prior to the date of adoption of this convention by the International Labour Conference; or it is subsequently agreed at the national level by the government and the representative organizations of employers and workers.

In this sense, the role of trade union organisations is fundamental to disseminate knowledge about who must comply with these obligations according

to each country's law, as well as to seek agreement with employer organisations during collective bargaining to guarantee women workers the realization of these benefits.

-Employment protection and non-discrimination

This section aims to protect women from any type of discrimination due to her work situation, such as dismissals or changes in labour positions.

In this section it is stated that "It is forbidden for the employer to dismiss a pregnant woman or during her leave (...), or after she has returned to work after a period that will be determined by the national legislation, except due to reasons not related to pregnancy, childbirth or their consequences, or breastfeeding. The burden of the proof that the reasons for dismissal are not related to pregnancy or childbirth or their consequences or breastfeeding lies with the employer."

On the other hand, a woman is *guaranteed the right to return to the same position or an equivalent position paid at the same rate at the end of her maternity leave.*

Finally, the convention compels ratifying states to adopt measures to guarantee that maternity is not a source of discrimination in employment or that it hinders access to it. This includes *the prohibition from requiring a test for pregnancy or a certificate of such a test when a woman is applying for employment, except where required by national laws or regulations in respect of work that is prohibited or restricted for pregnant or nursing women under national laws or regulations; or where there is a recognized or significant risk to the health of the woman and child.*

-Breastfeeding

The convention states that those women workers that return to their work after their leave will be provided with one or more daily breaks or a daily reduction of hours of work to breastfeed her child. And these breaks or labour work time reductions cannot be discounted from their wages, but rather should be considered by the employer as working time.

Migration for Employment Convention (revised), 1949 (No. 97) and Migrant Workers (supplementary provisions) Convention, 1975 (No. 143)

Economic globalisation has brought about a considerable increase in a fact that has always existed: people migration for reasons of employment. It is estimated that there are today around 90 million migrant workers globally (refugees and asylum-seekers are excluded), and half of these are women.

This increase in the volume of migratory movements has surpassed the states' capacity to control workers' entry and exit flows from other places, with the subsequent vulnerability of these people in the labour market.

For this reason, it is necessary to take into account migrant workers when promoting equal opportunities. To this end, the ILO created a convention in 1949 and another one to complement it and extend it in 1975.

In both conventions, states are compelled to respect migrant workers' human rights (whether legal or illegal), and to avoid uncontrollable or unassisted migration movements because of the social consequences these bring to migrant people and families.

A migrant worker is *"a person who migrates or who has migrated from one country to another with a view to being employed otherwise than on his own account and includes any person regularly admitted as a migrant worker."*

This definition does not apply to frontier workers, those who due to their profession have entered the country on a short-term period, seamen, those coming for educational purposes, and people employed by organisations or companies operating within the territory of a country and who have



Resources Card

International Organisation for Migration
<http://www.iom.int/jahia/jsp/index.jsp>

Committee on the Protection of the Rights of All Migrant Workers (UN Office of the High Commissioner for Human Rights)
<http://www2.ohchr.org/english/bodies/cmw/index.htm>

been admitted temporarily to that country at the request of their employer and are required to leave that country upon completion of their duties or assignments.

The 1949 convention specifically refers to the rights that migrant workers legally entering a country have and which must be equal to those of national workers. In effect, they must enjoy the same treatment given to resident workers in every aspect, including social security issues. Nevertheless, over the years a problem that has not yet been solved and at present is experienced by millions of people was taken into account is migrant illegal labour.

This is the reason why the 1975 convention summons state parties to systematically determine whether there is in their territories any illegal migrant labour movement (whether on a permanent or transitory basis), and to eradicate these clandestine immigrations by defining and applying administrative, civil and penal sanctions to the responsible parties in this market.

It must be mentioned that cooperation among states through dialogue and endorsement of multilateral assistance agreements, as well as the assistance provided by the ILO and other international organisations, is essential to prevent or eliminate abuse and unfair and humiliating situations to which millions of people are subjected today.

In a global economy, migration for employment is one of the main components. Decent work as a human right should ignore borders or nationalities. This is one of the principal objectives of the ILO work and the trade union movement.

Migration and Gender



It is clearly seen in many parts of the world that the concentration of migrant women in vulnerable occupations such as domestic service, “entertainment” (including forced participation in the sex industry), and taking care of children or sick people. The vulnerability of these women workers comes from the high degree of subordination between them and their employer. This vulnerability is stressed by the fact that these sectors tend to be excluded from national labour legislation and the instruments that regulate international migration. Women participation in international manpower trafficking, which usually, though not always, adopts different forms of forced labour is another worrisome aspect that demands international attention.



Gender, training and work . Migrant workers . CINTERFOR

Gender Equality: 90 Years Later, 10 Years Later

Introduction

The importance of this year for women workers' calendars, for the trade union movement as a whole and for those who struggle day after day to attain equality between women and men is triple: 90 years have passed since the ILO creation, 10 years have passed from the action plan for gender equality and now, for the first time, this matter was dealt with during an ILO conference held to this effect.

Acknowledging the importance of this issue in the labour world and in every area of life—the product of struggles, many times invisible ones—is reflected in the campaign that the ILO has been carrying out since 2008: “Gender Equality at the Heart of Decent Work”.

Women's representation in the conference, with related discussion of matters of concern as a fundamental factor to attain decent work, should not be overlooked. If we have said above that decent work refers to personal dignity, and, thus, it is a part of the rights we all have as human beings, and that gender equality is one of its fundamental pillars, we then begin to see that it is an inalienable right.

There are still many things to

change, but women workers the world over have taken a great step forward.

Gender equality at the 98th session of the International Labour Conference

From the discussions, debates and dialogues developed during the session of the Gender Equality Bureau, delegates from the tripartite sectors represented before the ILO addressed a wide variety of subjects referring to gender equality and decent work. Among them were gender equality and stress in a globalised world, maternity, healthy childhood and working parents, gender and education, gender, youth and employment, women workers and men workers in adult age and rights, employment and social security.

It should be pointed out that this conference was carried out in the middle of a world economic crisis which is modifying the lives of a great number of women and men workers, thus stressing the inequalities that are already affecting our societies. Therefore, today more than ever, in the development of decent work for every person, it is a prime task to develop policies aimed

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In oppressive social relations, those who hold power are too often able to close off alternatives, even the very thought of alternatives, so that the status quo seems inevitable and impossible to change.

The great power of women's movements has been their ability to challenge such thinking and to argue not only that things must change but also that things can change. We must never doubt for a moment that each and every one of us, when we work together, can meet injustice head on and create a climate for change. Women have always drawn on the power of collective action to change the world. Indeed women's struggles for gender equality and justice add up to some of history's most dramatic revolutions in social relations. Ours is an unfinished revolution, but we have challenged injustice and oppression in social relations the world over in a way that is key to building sustainable democracy, development, and peace.

”

Jody Williams Nobel Peace Prize, 1997 in [Who Answers to Women? Gender and Accountability](#) UNIFEM 2008

- Economic crisis and inequality

Frequently, times of crisis lead to political responses that negatively affect employment. Crisis should not be used as an excuse to undermine attained women's rights, or lead to non-observance of core labour principles.

New political responses, taking into account the consequences on men and women, must be sought to promote gender equality. As short-term measures the following can be mentioned: employment generation and preservation, income substitution to help women and men to care for their relatives, vocational training and vocational readjustment, and support to small- and middle-sized enterprises (SMEs).

Regarding long-term measures, countries must review their legislation, including labour legislation, and promote reconciliation of family and work responsibilities both for women and men, train women in non-traditional skills, use modern technologies, and carry out actions in favour of women, including them on an equal footing with men in policy proposals as well as in evaluation and practical application.

at cross-sectioning the gender issue and eradicating any other form of discrimination and inequality. Below, we include a summary of the preliminary conclusions that have arisen from these discussions and debates.

On the other hand, during times of crisis, governmental investment in public and community services, even in rural areas, should be conveniently “augmented” in order to mitigate at home the demands of non-remunerated labour, where domestic works are a concern of principally women and girls.

- Gender and decent work

Gender must be considered a cross-sectional issue within the framework of the four ILO strategic goals: employment, social protection, social dialogue and tripartism.

- Labour promotion

Employment policies focusing on gender are fundamental tools to reduce poverty and increase economic growth, which is a beneficial effect to them. It should be borne in mind that economic growth in and by itself does not reduce poverty, inequality or exclusion. Policies should be developed taking into account structural inequalities affecting women, and the power relationships on which such inequalities are based must rank equally with employment access under the same equal conditions.

The role of SMEs in employment generation and socioeconomic empowerment of both women and men and their families should be taken into account. In a like manner, in the case of rural women workers, it is necessary to offer greater access to productive resources and credit.

Export processing zones, which can be a growth engine in certain economies, must apply basic labour and freedom of association standards to guarantee labour rights, especially those of women workers.

- Employment and training

It is necessary to develop training policies to balance women’s access to qualified jobs. These policies must rest on the principle of permanent training, taking into consideration girls’ and women’s training, including those women that return to the labour market after raising their children.

Equality of access and opportunities for women’s vocational training can be promoted by: *establishing gender balance in training, time schedules and methodologies for flexible training, eliminating stereotypes from the curricula and raising awareness in the community.*

On the other hand, these training strategies must be built on the basis of social dialogue and tripartism in order to provide an efficient response to labour market demand.

- Social security

Unequal treatment towards women in higher age brackets should be eliminated through sustainable pension regimes, since these unequal situations put them on the edge of poverty.

High quality social services must be offered to all citizens, providing healthcare, unemployment benefits, maternity protection and basic pensions.

Specific policies regarding labour safety must be developed, for men as well as for women, including reproductive health aspects.

It is necessary to develop more research on sexual harassment and violence against women in the workplace in order to avoid and eliminate these problems.

Actions for better understanding and application of the “work of equal value” concept should be carried out.

Discrimination arising from family responsibilities should be eliminated, and maternity protection incorporated in policies and national legislation. In addition, work must be done to balance labour and family life, for women as well as men, through policies such as paternity leave and improvement of children's and elderly care services.

- The role of legislation

An urgent call is made for all governments to ratify, apply and supervise conventions 100 and 111.

The obstacles hindering the ratification of Conventions 156, 183, 175, 177 and to promote ratification of Conventions 87 and 98 must also be analysed and solutions must be found to permit their effective application.

Although most of countries have enacted laws on gender equality, it becomes necessary to examine them, as well as future laws from a gender-based perspective, to avoid negative reactions from people of either sex.

The contributions from social interlocutors in policymaking and revision guarantees that juridical standards will accurately reflect socioeconomic realities and employers' and workers' needs or concerns. It is also necessary to have a stricter application and compliance of the juridical frameworks related to equal opportunities and treatment through representative labour administrations, labour inspection services and courts, since they are the suitable bodies for addressing gender equality issues.

The function of workers' organisations



Workers' organisations have to represent the widest variety of workers, including those performing precarious tasks, migrant workers, rural workers and domestic workers (who are mostly women).

Workers' organisations should be more aware of gender issues as follows:

- a) by establishing tangible measures to attain active women participation at all levels of the organisation, as well as in its operation and activities;*
- b) by ensuring that collective bargaining is approached from a gender perspective and that the consensus reached during negotiations is reflected in final collective conventions;*
- c) by promoting gender equality when they take part in legislation and policy reforms such as national employment policies, and having positions in the labour inspection system and labour courts; to this purpose, they must have the appropriate training and technical support;*
- d) by actively requesting and spreading among their members information on improvement of family support policies, pension reforms, measures in favour of equal remuneration and follow-up, and maternity protection, so the trade union movement can comply with its function as a change agent on behalf of gender equality; and,*
- e) by carrying out programmes aiming to improve training, education and promotion.*



Draft conclusions. Committee on Gender Equality
International Labour Conference (ILC) - 98th Session, 2009

Selected Historical dates related to gender equality in the labour world:

- 1919
 - ILO Constitution
 - Maternity Protection Convention (No. 3)
- 1944
 - Declaration concerning the aims and purposes of the International Labour Organisation (Declaration of Philadelphia)
- 1948
 - Universal Declaration of Human Rights
 - Night Work Convention (women) (revised) (No. 89)
- 1951
 - Equal Remuneration Convention (No. 100)
- 1952
 - Maternity Protection Convention (revised) (No. 103)
 - Maternity Protection Recommendation (No. 95)
- 1958
 - Discrimination (employment and occupation) Convention (No. 111)
- 1958
 - Discrimination (employment and occupation) Recommendation Convention (No. 111)
- 1964
 - Employment Policy Convention (No. 122)
 - Employment Policy Recommendation (No. 122)
- 1974
 - Paid Educational Leave Convention (No. 140)
- 1975
 - First World Conference on Women (Mexico City)
 - Declaration on equality of opportunity and treatment for women workers
 - Human Resources Development Convention (No. 142)
 - Labour Administration Recommendation (No. 150)
- 1976
 - Office of the Special Adviser for Women Workers' Questions
- 1979
 - Elimination of All Forms of Discrimination Against Women Convention (in force since 1981)
- 1980
 - Second World Conference on Women (Copenhagen)
- 1981
 - Workers with Family Responsibilities Convention (No. 156)
 - Workers with Family Responsibilities Recommendation (No. 165)
- 1982
 - ILO Mid-Term Plan (1982-1987) including «women workers» as one of the six global themes
- 1984
 - Employment Policy Recommendation (supplementary provisions) (No. 169)
- 1985
 - Third World Conference on Women (Nairobi)
 - ILC 71st session resolution on equal opportunities and equal treatment for men and women in employment
- 1986
 - The Governing Body evaluates specific technical cooperation programmes for women and recommends the adoption of an approach related to woman in developments.
- 1987
 - The Governing Body approves ILO Action Plan on Equality of Opportunity and Treatment for Men and Women Workers in the Workplace.
- 1988
 - Guidelines for the Integration of Women's Interest in the conception of technical cooperation projects.
- 1990
 - Night Work Convention (No. 171)
 - Night Work Recommendation (No. 178)
- 1991
 - Resolution on ILO action for women workers, 78th ILC meeting
- 1993
 - World Conference on Human Rights (Vienna) and Action Programme

- 1994
 - Part-time Work Convention (No. 175)
 - Part-time Work Recommendation (No. 182)
- 1995
 - World Summit on Social Development (Copenhagen)
 - Fourth World Conference on Women (Beijing)
 - ILO Action Plan on Gender Equality and Incorporation of ILO's Gender Considerations
 - Circular number 543 on Sexual Harassment Policy and Procedures
- 1996
 - Home Work Convention (No. 177)
 - Home Work Recommendation (No. 184)
- 1997
 - Launching of the International Programme «More and Better Employment for Women»
- 1998
 - ILO Declaration on Fundamental Labour Principles and Rights
 - Job Creation in Small and Medium-Sized Enterprises Recommendation (No. 189)
- 1999
 - Facultative Protocol on Elimination of All Forms of Discrimination Against Women
 - The Worst Forms of Child Labour Convention (No. 182)
 - The Worst Forms of Child Labour Recommendation (No. 190)
 - Set up of the Gender Equality Office (GENDER)
 - ILO Circular on Equality between women and men and Incorporation of Gender Considerations in ILO (Circular No. 564)
- 2000
 - World Summit on Social Development Copenhagen (Geneva)
 - The 20th Special Sessions of the General Assembly Beijing (New York)
 - The Millennium Development Goals
 - Maternity Protection Convention (No. 183)
 - Maternity Protection Recommendation (No. 191)
- 2001
 - First Gender Audit in the Office
- 2002
 - The Governing Body examines the report on the first gender audit in the Office
- 2003
 - General observation on sexual harassment in the Convention framework number 111 by the Committee of Experts on the Application of Conventions and Recommendations (CEACR)
 - Resolution on the promotion of gender equality, Resolution on remuneration equality, Resolution on the fourth anniversary of the maternity protection Convention, 92nd ILC session
- 2005
 - Instructions from the Governing Body to include gender in technical cooperation
- 2006
 - Employment Relationship Recommendation (No. 198)
- 2007
 - General observation on equal remuneration in compliance with CEACR Convention number 100
- 2008
 - ILO Declaration on social justice for a fair globalisation

Source: Report of the Committee on Gender Equality -
Gender equality at the heart of decent work
International Labour Conference (ILC) - 98th Session, 2009

- Social dialogue

Social dialogue and tripartism promote consensus and progress in building gender equality policies. For a fruitful dialogue, it is necessary to have greater women participation, which means an increase of women partaking in decision-making positions in governments, enterprises and the trade union movement.

In this way, greater women participation is imperative in collective bargaining scenarios, for inclusion of specific themes in employment policies such as wage gap, protection against discrimination, work-family reconciliation, violence and sexual harassment, and the promotion of employment for women.

- The Role of Governments

Create a favourable scope to move social dialogue forward through strong and transparent institutions.

Ratify and apply the core ILO conventions and those referred to equality of gender and opportunities.

Apply cross-sectional and national gender policies that will not be restricted to one particular organ or institution.

Provide more and better social services.

Guarantee non-discriminatory practices are applied in the public workplace sector.

Increase the capacity of national statistics offices to access greater resources for promoting egalitarian policies.

- The function of workers' organisations

Participate in social dialogue about gender equality.

Create codes and practices promoting a non-discrimination culture, as well as workshops and training courses offering women access to knowledge and resources.

Encourage women participation in entrepreneurial activities.

Suggested activities

General activity: it is recommended to draw a conceptual map, which will be enlarged as reading and discussion on this guide move forward, summing up concepts and ideas arising from it. In this way, at the end, a global graphic summary will be obtained which will give the reader a brief view of the hierarchy of concepts and their relationships to each other.

Chap. 1: Right to decent work, a human right

Self-evaluation:

How would you define the concept of “human rights”?

What is the source of human rights?

Taking into account the different generations of human rights, which are the guiding principles for each one?

List at least four characteristics of human rights and explain them.

Group work:

Read the Universal Declaration of Human Rights and classify each one of the articles under the generations categorization.

Reflect on rights that can be included, bearing in mind historical evolution up to the present time.

Investigate human rights treaties that have or have not been ratified in your country.

Chap. 2: The ILO as promoter of labour human rights

Self-evaluation:

When did the ILO begin and which situation(s) gave rise to it?

Which are its goals and action areas ?

Why are labour rights considered human rights?

What is the main characteristic of the ILO operation?

Why do you believe this characteristic is important to workers' organisations?

Which bodies and agencies is the ILO composed of, and what are their particular roles?

Group work:

Reflect and discuss the participation of workers' organisation in social dialogue in your country or region.

Are there transparent and stable political institutions promoting social dialogue?

Does the state help to promote favourable dialogue scenarios? What actions can the different social actors carry out to strengthen dialogue scenarios?

Chap. 3: International Labour Standards (ILS)

Self-evaluation:

What are the ILS?

What types of ILS are there?

What is the main difference between a convention and a recommendation?

What are protocols?

Explain briefly how an ILS is created.

What are the different systems existing at the ILO to supervise convention compliance?

Which obligations must States periodically comply with to ratify a convention?

Which bodies and agencies carry out the different supervisory mechanisms?
Which are the existing procedures to denounce those states that do not observe conventions?
Define and compare the representation and complaint procedures (procedures, actors, supervisory organs, etc.)
What special procedure was created in 1949? How does it work?

Group work:

Based on the latest reports submitted by the Committee of Experts, has there been an improvement in labour convention compliance in your country?

Has there been any representation or complaint against your country? About which subjects?

Once you have analysed the conventions ratified by your country, do you believe there is a need to bring a representation or complaint about non-compliance of any of them?

Chap. 4: Tools for equality

Self-evaluation:

What are the constituent elements of decent work and why is decent work closely related to the equal opportunity concept?

Which are the eight ILO core conventions? Explain briefly which rights they proclaim.

Why do you think they are named like that?

Which relationship do you find between core conventions and the definition of human rights you stated above?

What are the obligations of states that ratify a convention?

Group work:

Which core conventions were ratified by your country?

Reflect on and discuss the degree of application that these ratified conventions have in practice and what actions you believe should be carried out at public policy levels for their effective compliance.

Chap. 5: Inequality and the Labour Market: An Issue of Gender?

Self-evaluation:

What characteristics can be underlined regarding women's situations in the present economy? What achievements were accomplished and which problems are still being struggled with?

What are the main ILO conventions that refer to gender and opportunity equality? Can you summarize their main content, or the key concepts expressed in them?

According to these conventions:

How would you define discrimination? Why are there two types of discrimination?

What is "work of equal value"?

What is gender division in the workplace and what effects does it bring to the labour market?

What is the minimum maternity leave?

How many leave weeks are given after childbirth date?

What is the relationship between the complete leave period and post-childbirth leave?

What are the minimum benefits a woman can be paid during maternity leave?

What is a migrant worker and what rights does he/she have in comparison with national workers?

Group work:

What gender and equal opportunity conventions has your country ratified?

Reflect on and discuss the compliance or non-compliance with ratified conventions, as well as the actions that can be carried out for effective compliance.

Which actions can the trade union movement develop to make a state ratify a convention?

Sources and resources

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CINTERFOR.

www.cinterfor.org.uy

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- *Gender, training and work . Migrant workers .*
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UNIFEM - United Nations Development Fund for Women

www.unifem.org

- *Who Answers to Women?*
PROGRESS OF THE WORLD'S WOMEN 2008/2009
GENDER & ACCOUNTABILITY
<http://www.unifem.org/progress/2008/>

International Trade Union Confederation - ITUC

www.ituc.org

- *Leaflet on Maternity Protection.*
Global Campaign for the Ratification of ILO Convention 183
<http://www.ituc-csi.org/IMG/pdf/ITUC-materniteGB.pdf>

