



**ITC-ILO Course A1-52114**

**Trade Union Training on Labour administration and Inspection  
for trade unions of the East Africa Community**

**(TMLC, Kisumu 4 to 8 April 2011)**

**Social Dialogue and Tripartism: Modalities for  
effective Labour Inspection**

# *Objectives of the Session*

## To try and understand:

- Meaning of social dialogue and tripartism
- Aims and purposes of social dialogue and tripartism
- Social dialogue/tripartism and labour inspection
- Prerequisite for social dialogue
- Levels of cooperation on labour inspection with social partners
- Modalities for effective social dialogue and labour inspection.

## Meaning of Social Dialogue and Tripartism

- The term **Social Dialogue** is synonymous to **Tripartism**
- **Social dialogue** refers to all types of negotiation, consultation or exchange of information between and among representatives of governments, employers' and workers' organizations on economic and social issues of common interests.
- The consultations, negotiations or interactions in general can be formal or informal, institutionalized or not.
- In many countries, such dealings have led to achieving Social Agreements, Contracts or Pacts between the parties.

## Meaning of Social Dialogue and Tripartism

- **Social dialogue** may also include direct dealings between the workers and the employers, otherwise referred to as collective bargaining.
- This “**bipartism**” maybe seen as a part of tripartism, with the government playing the role of provider of the legal framework, or the labour laws, within which industrial relations operate, and as *conciliator* or *arbiter* in the event that insoluble disputes may arise between the parties.

# Aims and Purposes of Social Dialogue/Tripartism

- The goal of social dialogue is to promote consensus building and democratic involvement among the main stakeholders in the world of work
- It promotes greater integration of objectives, means, and circulation and processing of information.
- Successful social dialogue has the potential to:
  - Create ownership among the parties over economic and social issues
  - Reduce conflicts, advance industrial peace, boost productivity, ensure better labour protection, and, in consequence, minimize the need for labour inspection

## **Aims and Purposes of Social Dialogue/Tripartism**

- Social dialogue provides parties an opportunity to contribute to the process of providing decent working conditions and real benefits to society
- Social dialogue produces more positive and generally acceptable results:
  - Wider extent of the consultation
  - Increased possibility of the acceptance of outcomes by a wider spectrum of societal representatives.
  - Minimizes the possibilities for conflict
- The process of social dialogue is seen as an alternative to the resolution of disputes through conflict or legal procedures - an importance means to achieve social justice.

## **Social Dialogue/Tripartism and Labour Inspection**

- Establishing inter-institutional cooperation and multilateral collaboration is an inherent part of the very concept of labour administration system.
- Tripartism constitute the framework in which labour inspection must operate if it wants to be successful.
- In the ILO context, this means the interaction between government (the labour administration system), and representatives of employers' and workers' organisations.

## **Social Dialogue/Tripartism and Labour Inspection**

- A well-organised labour inspection service with appropriate resources and adequate legal instruments is a prerequisite for effective labour inspection.
- Cooperation yields better results than confrontation, at least in terms of social peace.
- And therefore, the more the labour inspection can do to foster cooperation between employers, workers and the government, the greater its contribution to the economic and social well-being of the country is likely to be.

## Prerequisite for Social Dialogue

- Political democracy, freedom of association and a functioning market economy that is based on fairness.
- Strong and independent workers' and employers' organisations with legitimacy to speak and act with authority on behalf of their constituents.
- Acknowledgement by the state of the legitimacy of workers' and employers' organisations and their freedom to defend the interest of their members.
- Also, acknowledgement by the state that workers' and employers' organisations have something constructive to offer in the economic and social debate.

## Prerequisite for social dialogue

- Appropriate legislative and policy frameworks and well resourced mechanisms conducive to, and supportive of social dialogue.
- An environment anchored on a culture of dialogue for the prevention or peaceful resolution of disputes.
- Fair distribution of the burden and sacrifices needed for development among the parties.
- Mutual confidence between the parties and their respect for the results of the consultation process.
- Social partners' financial independence and technical knowledge and capacity to participate competently in the tripartite dialogue.
- A reconciliation of interests.

## Levels of Cooperation on Labour Inspection with Social Partners

- Supranational level
- Sectoral level
- Enterprise level

In the above 3 levels, special joint committees can be established to:

- Play a policy advisory role
- Set, guide, monitor and control the labour inspection policy formulation and implementation process.
- Complement the functions of the labour inspectorate

## **Levels of Cooperation on Labour Inspection with Social Partners**

- Exercise in-plant supervision over conditions of work.
  - Help prevent occupational and ever increasing social and economic risks.
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- Worker delegates
  - Worker inspectors
  - Shop stewards

## **Modalities for effective Social Dialogue & Labour Inspection**

- Support regular meetings of competent tripartite bodies to deal with meaningful agendas on labour inspection, and to ensure that decisions made are brought into effect.
- Tripartite bodies should set, guide, monitor and control the labour inspection policy formulation and implementation process.
- To this end, government, employers and workers representatives should:
  - Be committed, competent and active in labour inspection
  - Ensure active interaction to achieve a common agreement on labour protection.

## Modalities for effective Social Dialogue & Labour Inspection

- **Preconditions:**

- Recognition of the importance of social dialogue
- Strengthened country-level diagnostic and policy advisory capacity on labour inspection
- Enhanced internal dialogue within employers' and workers' organisations on labour inspection
- Improved technical competence of social partners on labour inspection
- Mutual information sharing and exchange of opinions
- Open discussion and effective consultation and negotiation
- Strengthened capacities of labour inspectors

**Thank you!**



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