



ACTRAV/ITC-ILO Course (A155169)

**Trade Union Actions for Achieving Decent Work for Migrants
(Kisumu, Kenya, 21 – 25 May 2012)**

The Role of Social Dialogue in the Good Governance of Labour Migration

Structure of the Presentation

The presentation is structured as follows:

- ✓ What is Social Dialogue
- ✓ ILO standards related to Social Dialogue
- ✓ Importance of Social Dialogue for addressing Migration
- ✓ The role of workers and employers' organizations
- ✓ How to involve migrant workers in Social Dialogue processes



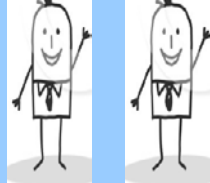
Definition of Social Dialogue

- ✓ Consultations
- ✓ All types of Negotiations
- ✓ Exchange of Information Among:
 - ✓ Representatives of Government, Employers, Workers on:
 - ✓ Issues of Common Interest Related to Economic and Social Policy

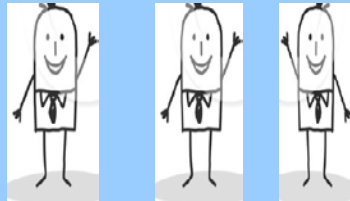


Forms of Social Dialogue

✓ Bipartite



✓ Tripartite



✓ Tripartite +



Levels of Social Dialogue

- ✓ International
- ✓ Regional
- ✓ National
- ✓ Sector/branches
- ✓ Enterprise

The ILO and Social Dialogue

- ✓ Social Dialogue Premised on Strong Tripartite Organizations
- ✓ Sustained High Level Dialogue
- ✓ ILO, Pace Setter and Example of Tripartite Deliberations
- ✓ Resolution on Tripartism and Social Dialogue:
 - ✓ Valuable and Democratic Means
 - ✓ Collaboration Among Government and Social Partners
 - ✓ Modern and Dynamic Process
- ✓ Government to Ensure Preconditions to Social Dialogue

Conditions for Constructive Social Dialogue

- ✓ Freedom of Association
- ✓ Democratic foundations
- ✓ Legitimacy of social partners
- ✓ Political will and commitment to engage in social dialogue by all parties
- ✓ Social acceptance of social dialogue
- ✓ Technical competence
- ✓ Capacity to deliver



Pitfalls in Social Dialogue

- ✓ Narrow vested interests, blocking reforms
- ✓ Lack of basic agreement on economic analysis/prescription
- ✓ Lack of democratic accountability and legitimacy

Issues addressed through Social Dialogue 1

- ✓ Macroeconomic policy framework and economic growth
- ✓ Structural change and transformation of the economy
- ✓ Wage increases and inflation; monetary policy
- ✓ Employment policy
- ✓ Educational and vocational training
- ✓ Productivity and economic competitiveness
- ✓ Taxation and fiscal policy
- ✓ Social welfare, security and protection
- ✓ Economic and social strategies to deal with externally originating pressures for reform
- ✓ Labour migration



Issues addressed through Social Dialogue 2

- ✓ Wage settings, including minimum wage determination
- ✓ Labour legislation
- ✓ Working conditions
- ✓ Labour market policy
- ✓ Labour dispute settlement
- ✓ Occupational safety and health



Benefits of Social Dialogue Process

- ✓ Democratization of economic and social policy making
- ✓ Legitimacy and ownership
- ✓ Reduce social conflicts
- ✓ Ease social tensions during economic hardship and transition periods



Benefits Associated with Social Dialogue

- ✓ Sustainable economic and labour reform
- ✓ Bringing the social dimension to the economic policy reform agenda
- ✓ National economic and social progress

Standards Related to Social Dialogue

- ✓ Freedom of association and protection of the right to organize Convention, 1949 (N°87)
- ✓ Right to organise and collective bargaining Convention, 1949 (N°98)
- ✓ Labour relations (public service) Convention, 1978 (N°151)
- ✓ Collective bargaining Convention, 1981 (N°154)
- ✓ Tripartite consultation (International Labour Standards) Convention, 1976 (N°144)

ILO Convention n°87

- ✓ Aims at protecting the free exercise of the right to organise of workers and employers' vis-à-vis public authorities (independence)
- ✓ Protects in law and in practice the freedom to establish organisations, prerequisite to the other guarantees enunciated in ILO instruments

ILO Convention n°87

The right to organize/depends on three Principles:

- ✓ That no distinction is made among those entitled to the right of association
- ✓ That there is no need for previous authorization to establish organisations
- ✓ That there is freedom of choice with regard to membership of such organisation

ILO Convention n°144

✓ Matters for consultation

- Items on the ILO Conference agenda
- Consideration of new standards for ratification or implementation
- Re-examination of unratified Conventions, or Recommendations
- Reports to the ILO on ratified Conventions
- Proposals for the denunciation of ratified Conventions.

ILO Convention n°144

- ✓ Other matters for consultation (Recommendation n°152)
 - ILO technical cooperation activities
 - Resolutions and conclusions of ILO conferences and meetings
 - Promotion of better knowledge of ILO activities
 - Any other issue

ILO Convention n°144

- ✓ Effective and meaningful consultation
 - More than merely providing information
 - Giving voice to workers and employers
 - Before Government takes a final decision

Social Dialogue and Migration

- Why is Social Dialogue important for addressing migration issues?
- What can be the role of Employers' and Workers' Organisations?
- How can migrant workers be involved in social dialogue process?

Social Dialogue and Migration

- ✓ Issue for employers and workers both in destination and in sending countries
- ✓ SD can permit to identify gaps in migration policies, labour shortages etc...
- ✓ Identify rights violations
- ✓ Assess Impact of migration on the labour market

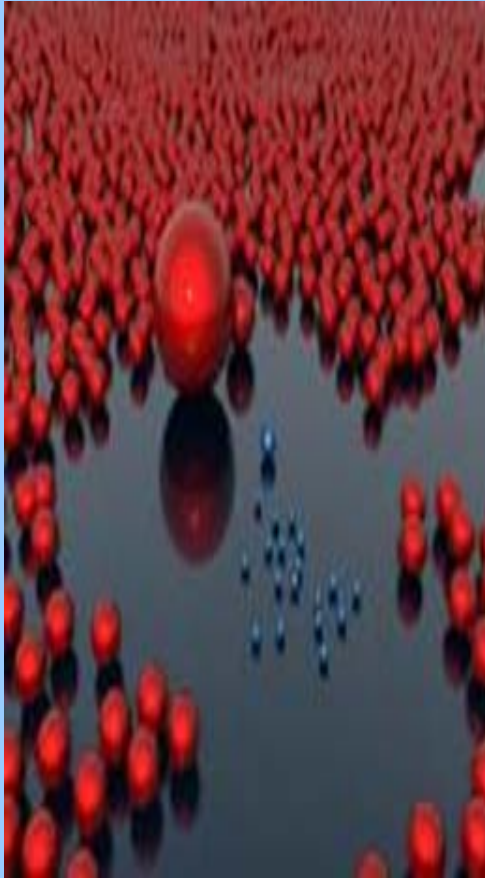
Role of Employers' and Workers' Organisations

- ✓ Involvement in policy making
- ✓ Sensitization of their members
- ✓ Training and vocational guidance
- ✓ Joint polices/CB agreements on issues of interest of migrant workers (diversity etc..)
- ✓ Advising Governments/ ILO/ Regional bodies

Migrant workers' involvement in social dialogue processes?

- ✓ Migrants being members of Workers' Organizations
- ✓
- ✓ Having their concerns addressed by employers and workers in social dialogue bodies
- ✓ Migrant organisations being involved in social dialogue processes

THE END



Any Questions