



FIFTH ITEM ON THE AGENDA

**Proposals for the agenda of the
91st Session (2003) of the Conference****Contents**

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Introduction

1. In accordance with its regular practice the Governing Body holds a first discussion in November each year on items that are proposed to be selected for inclusion on the agenda of the International Labour Conference two years later. The purpose of this discussion is to select a shortlist of a few items for closer scrutiny in March the next year. The present document, which is submitted for consideration by the Governing Body at its 279th Session (November 2000), contains, in a first part, items that are proposed to be considered in the context of this first discussion on items to include on the agenda of the 91st Session (2003) of the Conference. One of these items (occupational safety and health) is developed in a separate document,¹ for reasons explained below.
2. According to its practice since 1997, the Governing Body has extended the scope of the November discussion to include an examination of items that could be considered for inclusion on the agenda of future Conferences. The present document therefore also contains in a second part proposals that could be considered for the agenda of subsequent Conferences.

A proposed new strategy

The 1999 portfolio

3. At its 276th Session (November 1999) the Governing Body had before it a document entitled *Proposals for the agenda of the 90th Session (2002) of the International Labour Conference*.² This was the result of a three-year experiment³ with a portfolio approach to the question of identifying and developing items for the agenda of the Conference. This approach involved annual written consultations with constituents. In 1999 the portfolio contained in all some 32 proposed items and a few additional suggested themes, and reflected the views of over 100 member States, as well as the views of the Employers' and the Workers' groups of the Governing Body. These proposals were in different stages of development, since some could be considered for immediate shortlisting, while other items required further development and were intended for the agenda of future Conference sessions. In the course of the discussion on the portfolio in November 1999, several members of the Governing Body stated that they were not satisfied with the method of selecting items for the Conference agenda, and it became clear that the members of the Governing Body considered that it should be reviewed and improved.

A new integrated approach

4. The Office has accordingly examined alternatives, including a new integrated approach to ILO standards-related activities. One of the main features of this approach is that it aims to ensure that the Governing Body will be able to select new items for standard setting on the basis of an appreciation, developed in a tripartite context, of the contribution such new

¹ GB.279/5/2.

² GB.276/2.

³ GB.270/2, GB.273/2 and op. cit.

items would make to the attainment of the objectives of the ILO. As this new approach concerns possible improvements in ILO standards-related activities in general, it is presented to the Governing Body for approval at the present session under the fourth item on its agenda. The background to the proposed new approach and the context in which it is submitted is explained in detail in the related document.⁴

Occupational safety and health – An example

5. In order to allow for a better appreciation of this approach, the Office proposes that the Governing Body examine a concrete example of the method foreseen. An outline of a proposed integrated analysis of ILO standards-related activities in the area of occupational safety and health is submitted for consideration by the Governing Body, and it is suggested that such an integrated analysis be submitted for tripartite examination at the Conference. This proposed integrated examination is contained in a separate document.⁵ The reasons for selecting occupational safety and health as a first subject are outlined in the document submitted under the fourth item on the Governing Body's agenda.⁶

Restructuring of the proposals

6. The immediate consequence of this proposed new approach is that all the proposals relating to occupational safety and health that were contained in the 1999 portfolio have been transferred for consideration in the context of the integrated examination of ILO standards-related activities in the area of occupational safety and health.⁷ This integrated analysis will thus include a study of ILO standards-related activities in the area of occupational safety and health, including an examination of existing standards in the light of the objectives of the ILO and an appreciation of the most efficient way to implement and reinforce the impact of those standards. New areas for standard setting could thereby be identified, directions to take regarding revisions could be outlined and various means could be considered to reduce possible overlaps between standards. The proposed tripartite examination of such an analysis at the Conference should result in a programme of action covering standard setting and other relevant activities in the area of occupational safety and health.
7. If the Governing Body decides to adopt the integrated approach, it may wish to adopt this proposal to hold an in-depth general discussion on the basis of an integrated analysis of ILO standards-related activities in the area of occupational safety and health at the 91st Session (2003) of the Conference for inclusion in the shortlist of items to be considered in more detail at its forthcoming session in March 2001.

⁴ GB.279/4.

⁵ GB.279/5/2.

⁶ GB.279/4.

⁷ op. cit.

Proposals for the agenda of the 91st Session (2003) of the Conference

8. The proposals submitted for consideration by the Governing Body for the 2003 session of the Conference are the following:
- *Proposed integrated approach* – the proposal to examine ILO standards-related activities in the area of occupational safety and health. This proposal is contained in a separate document.⁸
 - *New proposed revision item* – following the general discussion at the 88th Session (2000) of the Conference, the Office has developed a new proposal for a revision of the Human Resources Development Recommendation, 1975 (No. 150). This proposal is submitted to the Governing Body for the first time.
 - *Proposals not selected for the Conference in 2002* – at its 277th Session (March 2000) the Governing Body had before it the question of making the final selection of items in order to fix the agenda for the 90th Session (2002) of the Conference. It decided, however, to postpone consideration of this question until its present session. The Governing Body will at the present session fix the agenda of the 90th Session (2002) of the Conference under the third item on its agenda, and the items shortlisted for possible selection are contained in the related document. The Office proposes that the Governing Body reconsider the proposals that it does *not* select for the agenda of the Conference in 2002 in the present context – that is, for possible inclusion on the agenda of the Conference in 2003. In order to limit the size of the documents submitted to the Governing Body, these proposals are incorporated by reference to the relevant parts of the document on the agenda of the 90th Session (2002),⁹ as detailed below and in the table of contents to this document. The details of these proposals are therefore not reproduced in the present document.

Proposals for the agenda of future Conferences

9. The second part of this document contains proposals that are suggested for consideration in the context of future Conferences. These proposals include the following:
- *Two new developed proposals*: Two new proposals on the subjects of Work and Family and Decent Work and Productivity have been developed. Several members of the Governing Body expressed interest in either or both these subjects at its 276th Session (November 1999). These proposals are submitted for consideration by the Governing Body for the first time.
 - *Instruments concerning seafarers*: The Joint Maritime Commission will hold its 29th Session in January 2001. Among other issues, it will have before it a proposal to examine the possibility to develop comprehensive instruments concerning seafarers.¹⁰ It should also be recalled that, based on the work of the Working Party on Policy regarding the Revision of Standards, at its 273rd, 274th, 276th and 277th Sessions the

⁸ GB.279/5/2.

⁹ GB.279/3.

¹⁰ JMC/29/2001/1.

Governing Body examined the instruments concerning seafarers and endorsed a series of decisions to revise such instruments. The question of adopting new or revised instruments concerning seafarers is therefore also an item to take into consideration for a future Conference.

- *Revision of instruments concerning fishermen:* The Governing Body has also decided to revise three Conventions and one Recommendation concerning fishermen.¹¹ These items should be developed for consideration at a future Conference after 2003. A meeting of experts held in November 1999¹² recommended the convening of a meeting of experts to examine the question of extending to fishermen ILO instruments applicable to seafarers.
- *Remaining proposals from the 1999 portfolio:* The remaining proposals that were contained in the 1999 portfolio have not been further developed for the time being. Should the Governing Body decide that the new integrated framework approach merits further consideration, it may wish to request the Office to propose additional areas for integrated framework analyses taking into account, as appropriate, the proposals and themes contained in the 1999 portfolio.

Agenda of the 91st Session (2003) of the Conference

10. At its 91st Session (2003) the Conference will have before it the following standing agenda items:
 - Reports of the Chairperson of the Governing Body and of the Director-General.
 - Information and reports on the application of Conventions and Recommendations.
11. Should the Governing Body decide to place a standard-setting item on the agenda of the Conference in 2002 for a double discussion, the second discussion on this item would thus also be before the Conference in 2003.

Purpose of the first discussion

12. The Governing Body is invited to hold a first discussion of the proposals contained or referred to in the first part of the present document in the framework of the provisions of article 10, paragraph 1, of the Standing Orders of the Governing Body with a view to selecting certain items for closer scrutiny at its 280th Session (March 2001). For that session, and based on this selection, the concise statement on law and practice stipulated in article 10, paragraph 2, of the Standing Orders of the Governing Body will be prepared, as appropriate. In March 2001 the Governing Body will then determine which item will be selected to complete the agenda of the 91st Session (2003) of the Conference.
13. ***In order to draw up the agenda of the 91st Session (2003) of the Conference and to develop items for future agendas of the Conference, the Governing Body is invited –***

¹¹ See GB.277/LILS/WP/PRS/2 and GB.277/LILS/4. The Minimum Age (Fishermen) Convention, 1959 (No. 112) will be re-examined at the present session. See GB.279/LILS/WP/PRS/1/1.

¹² Tripartite Meeting on Safety and Health in the Fishing Industry. GB.277/STM/3/3.

- (a) *to examine the proposals for the agenda of the Conference contained in or referred to in the present document;*
- (b) *to select the proposals to be examined in greater depth at its 280th Session (March 2001), when it will finalize the agenda of the 91st Session (2003) of the International Labour Conference;*
- (c) *subject to approval of the proposals submitted concerning possible improvements in ILO standards-related activities,¹³ to request the Office to propose additional themes for integrated analyses of ILO standards-related activities.*

Part I. Proposals for the agenda of the 91st Session (2003) of the Conference

A. Fundamental principles and rights at work

1. *New measures concerning discrimination in employment and occupation – Extension of the grounds on which discrimination is prohibited in Article 1 of Convention No. 111*

14. It is suggested to consider this proposal in the present context if it is not selected for inclusion on the agenda of the 90th Session (2002) of the Conference. For details of this proposal, see GB.279/3.

B. Employment

2. *Employment of women*

15. It is suggested to consider this proposal in the present context if it is not selected for inclusion on the agenda of the 90th Session (2002) of the Conference. For details of this proposal, see GB.279/3.

3. *Human resources training and development – Revision of the Human Resources Development Recommendation, 1975 (No. 150)*

16. At its 88th Session (2000) the International Labour Conference held a general discussion on human resources training and development. The decision to hold a general discussion was taken by the Governing Body in March 1998, and it was complemented by the Governing Body's decision of March 1999, which added youth employment to the original topic.

¹³ GB.279/4.

17. The conclusions of the general discussion¹⁴ were adopted unanimously in June 2000. One of the major conclusions was that the Human Resources Development Recommendation, 1975 (No. 150) should be revised. The Governing Body was also invited to request the Director-General to take these conclusions into account when preparing the programme and budget for 2002-03.¹⁵

(a) The problem

18. Adopted in 1975, the Human Resources Development Convention (No. 142) and Recommendation (No. 150) reflect the prevailing economic and social conditions of that period. At that time many countries pursued planned economic, social and industrialization policies; information technology was still in its infancy; work organization was largely based on Taylorist principles, and the labour force was for the greater part employed in secure wage jobs. According to the Conference conclusions of 2000, Convention No. 142 remains a valid instrument. This corresponds to the conclusion reached by the Governing Body on the basis of the recommendation by the Working Party on Policy regarding the Revision of Standards.¹⁶ As regards Recommendation No. 150, the discussions at the Conference resulted in the conclusion that, while it might in certain limited respects retain some relevance, it was clearly outdated. There was a need for a more dynamic instrument that was more useful to member States and the social partners in formulating and implementing human resources development policies, integrated with other economic and social policies, particularly employment policies.

19. Recommendation No. 150 reflects the planning approaches of the 1970s, while leaving little room for demand or labour market considerations. It provides little or no guidance on many issues that today are central to the training policy and system reforms being undertaken by member States. These issues comprise the policy, governance and regulatory framework of training for employability and competitiveness and for lifelong learning; the role of stakeholders other than the State (e.g. the private sector, the social partners, civil society) in formulating policies and providing training; the scope and mechanisms for increasing investment in training; devising appropriate policies and mechanisms to target training programmes at particular groups in order to promote their social inclusion; and the shift towards the development and recognition of “competencies” that comprise a wide range of work-related knowledge and technical, behavioural and social skills and attitudes; and the increasing need to focus skill development on entrepreneurship and self-employment.

(b) Origin of the proposal and envisaged solution

20. As noted, one of the main conclusions of the 88th Session of the International Labour Conference in June 2000 on the question of human resources development was that Recommendation No. 150 should be revised. The Office proposes that the Governing Body consider placing this item on the agenda of the Conference with a view to adopting a revised Recommendation.

21. The new Recommendation should be a dynamic, useful instrument that is applicable and used by member States and the social partners in formulating and implementing human

¹⁴ <http://www.ilo.org/public/english/standards/relm/ilc/ilc88/com-humnd.htm#Resolution>.

¹⁵ GB.279/ESP/6.

¹⁶ See, GB.268/LILS/WP/PRS/1, under III.1 and GB.268/LILS/5/1(Rev.1), para. 54.

resources development policies that are integrated with other economic and social policies, particularly employment policies. It could contribute to the implementation and application of Convention No. 142. In line with its conclusions, the new Recommendation would be complemented by a practical guide and a database that would assist the partners in implementing the provisions contained in the new Recommendation. The practical guide would be updated continuously by the Office as part of its normal work.

- 22.** According to the conclusions of the Conference, the terms of reference for the revision of Recommendation No. 150 should be based on those same conclusions and on the conclusions in the Cologne Charter of 1999 (the G8 Cologne Summit of June 1999 adopted a Charter on “Aims and Ambitions for Lifelong Learning”, in which they emphasized the role of education in achieving economic success, civic responsibility and social cohesion¹⁷). The review should address training and education needs in the modern world of work in both the developing and developed countries, and promote social equity in the global economy; advance the decent work concept by defining the role of education and training; promote lifelong learning, enhance workers’ employability, and address economic challenges; recognize the various responsibilities for investment in and the funding of education and training; promote national, regional and international qualification frameworks which include provision for prior learning; improve access and equity of opportunity for all workers to education and training; promote capacity building among the social partners for partnerships in education and training; and address the need for increased technical and financial assistance for the less advantaged countries and societies.

(c) Relation to existing instrument

- 23.** The main ILO instruments in the human resources development area are Convention No. 142 and Recommendation No. 150. They cover most aspects of vocational training and guidance at various levels and have replaced the Vocational Training Recommendation, 1962 (No. 117), which itself replaced a number of specific standards developed since 1939.
- 24.** Many other instruments recognize the contribution of training and guidance in promoting employment, better working conditions and equitable treatment at work. Some are closely related to Convention No. 142 and Recommendation No. 150. They include: the Paid Educational Leave Convention, 1974 (No. 140) and Recommendation (No. 148); the Vocational Rehabilitation (Disabled) Recommendation, 1955 (No. 99); the Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159) and Recommendation (No. 168); the Minimum Age Convention, 1973 (No. 138); the Discrimination (Employment and Occupation) Convention, 1958 (No. 111) and Recommendation (No. 111); the Employment Policy Convention, 1964 (No. 122); and the Equal Remuneration Convention, 1951 (No. 100) and Recommendation (No. 90). Subject to a forthcoming re-examination by the Working Party on Policy regarding the Revision of Standards of Convention No. 140 and Recommendation No. 148 in the light of a short survey, these instruments are all considered up to date.¹⁸

¹⁷ See text for example in <http://www.library.utoronto.ca/g7/summit/1999koln/charter.html>.

¹⁸ For a summary of the decisions resulting from the work of the Working Party on Policy regarding the Revision of Standards, see GB.279/LILS/WP/PRS/5.

(d) Progress made in research and preparatory work

25. If the proposal is accepted, it is envisaged that the Office would prepare the new draft Recommendation and start work on developing the practical guide mentioned above. This item could be prepared in time for consideration at the 91st Session (2003) of the International Labour Conference.

4. Informal sector

26. It is suggested to consider this proposal in the present context if it is not selected for inclusion on the agenda of the 90th Session (2002) of the Conference. For details of this proposal, see GB.279/3.

5. Investment and employment

27. It is suggested to consider this proposal in the present context if it is not selected for inclusion on the agenda of the 90th Session (2002) of the Conference. For details of this proposal, see GB.279/3.

6. Migrant workers

28. It is suggested to consider this proposal in the present context if it is not selected for inclusion on the agenda of the 90th Session (2002) of the Conference. For details of this proposal, see GB.279/3.

C. Social protection

7. Recording and notification of occupational accidents and diseases

29. It is suggested to consider this proposal in the present context if it is not selected for inclusion on the agenda of the 90th Session (2002) of the Conference. For details of this proposal, see GB.279/3.

8. ILO standards-related activities in the area of occupational safety and health

30. For details of this proposal, see GB.279/5/2.

D. Social dialogue

9. The employment relationship (scope)

31. It is suggested to consider this proposal in the present context if it is not selected for inclusion on the agenda of the 90th Session (2002) of the Conference. For details of this proposal, see GB.279/3.

Part II. Proposals for the agenda of future Conferences

A. Two new developed proposals

1. *Decent jobs and productivity*

(a) The problem

- 32.** With the rapid pace of economic globalization and the increasing liberalization of domestic and international markets, enterprises are faced with increased competition. This pressure of heightened competition, brought about by the increased market liberalization in a globalized economy, could easily lead to enterprises trying to achieve short-term competitiveness through low wages, poor working conditions, precarious employment conditions and employment of child labour. While not widespread yet, this “race to the bottom” competitive strategy could be a looming reality. Already, the potential high social cost of this heightened competition is becoming a major concern of the social partners.
- 33.** The forces fuelling globalization – such as the rapid advance in information and production technologies – are transforming production systems and labour markets. The need for flexibility, speed and adaptability is resulting in new forms of production structures and work organization based on networks, globalized manufacturing and value-chains that transcend enterprise and national boundaries. Unless firms and workers are able to adapt and acquire new capabilities and develop new approaches to achieving the goal of productive work, the new production structure could create conditions that are detrimental to the achievement of decent work for all.
- 34.** Decent work is productive and remunerative work done in condition of freedom, equity, security and human dignity. Productivity improvement – when pursued through participation and consultation, the development of nations’ and enterprises’ human and social capital, innovation and better work organization and the sharing of productivity gains – is a powerful means of creating and sustaining decent work. These so-called “high-road” approaches, involving the consultation and participation of the social partners through tripartite and bipartite productivity improvement institutions at the national and enterprise levels, strengthen both social dialogue and freedom of association. Productivity improvement through better work design and improved working condition leads to better safety and health at work. Improved productivity means viable enterprises that create and sustain job opportunities for women and men, who are better able to contribute to social security schemes.

(b) Proposed solution

- 35.** Clearly, in the face of increased competitive pressures and of the changing nature of production, there is a need to develop new concepts and modalities that will be consistent with the principles of the Declaration of Philadelphia calling for the cooperation of management and labour in the continuous improvement of productive efficiency and the collaboration of workers and employers in the preparation of social and economic measures. Competitiveness, when achieved through approaches that meet both economic and social objectives, enables countries and enterprises to take advantage of the opportunities arising from globalization while minimizing the potential negative social impact.

- 36.** Studies have shown that long-term competitiveness can only be achieved through continuous total productivity improvement. Sustainable and long-term real productivity gains in turn are achieved through high-road approaches that emphasize good human resources management and development, enterprise and industry upgrading, labour-management cooperation and consultation, and the equitable sharing of productivity gains among stakeholders.
- 37.** While the benefits of such high-road approaches for productivity and competitiveness have been achieved by many enlightened and progressive enterprises, both domestic and multinational, there is a need to encourage further the spread of such practices and to disseminate best practices that highlight the complementarity of economic and social objectives. A general discussion at the Conference could also consider widening the framework of the notion of productivity beyond economics to examine such emerging concepts as social productivity and the integration of productivity with the notion of social stability and equity. The general discussion would further the aims of the ILO Declaration on Fundamental Principles and Rights at Work to ensure that social progress goes hand in hand with economic progress.
- 38.** A general discussion should include a normative component which would take note of and put into the current context the various Conventions and Recommendations that have a bearing on the promotion of productive, remunerative and quality jobs; clarify the meaning of productivity (particularly in the context of new production structures), new forms of work organization, the changing nature of work and employment and increased competition brought about by rapid globalization; highlight the key factors that are now critical to improving productivity for sustainable economic and social development; and identify key roles for the social partners in creating the necessary conditions at the enterprise, national, regional and international level for continuous improvement of the efficiency and effectiveness of work, in full recognition of workers' fundamental rights and responsibilities. It would, in the light of the recent work of the Working Party on Policy regarding the Revision of Standards, help guide action on the up-to-date instruments in need of promotion, and identify lacunae and revision needs.
- 39.** The general discussion could also review the appropriateness of adopting an instrument, probably a Recommendation, which could provide guidance to constituents on policy and practice in the area of productivity upgrading.

(c) Relation to existing Instruments

- 40.** The proposal is linked to a number of existing documents. It will put in the context of modern economic realities the pursuit of the underlying principles and goals of the Declaration of Philadelphia as well as the ILO Declaration on Fundamental Principles and Rights at Work. Other instruments closely linked to this proposal are Recommendations Nos. 94, 113 and 129, which call for cooperation, consultation and communication at the national, industrial and undertaking levels, Convention No. 154 and Recommendation No. 163 on collective bargaining, Convention No. 142 and Recommendation No. 150 on human resource development,¹⁹ Conventions Nos. 155 and 174 and Recommendation No. 164 on safeguarding the health and safety of workers, Recommendation No. 189 concerning job creation in small and medium enterprises, Conventions and Recommendations concerning wages and remuneration, as well as the Conventions and Recommendations relating to the employment of minors and child labour. The Conference resolution of 1984 concerning the contribution of the ILO to production and productivity

¹⁹ See above, I.B.3.

improvement noted the necessity of productivity improvement in order to ensure economic growth, and underlined the close relationship between quantity and quality of employment and other labour issues and productivity improvement. While these instruments provide valuable guidance and reference points, there is a need to organize and synthesize them in a coherent and explicit set of principles and recommended basic approaches that would guide the social partners in pursuing the productivity improvement strategies that meet enterprise viability and decent work objectives.

(d) Progress in preparatory work

41. Productivity improvement, competitiveness and quality jobs were the subject of an Action Programme implemented in the 1998-99 biennium. Studies undertaken under that programme underlined the changing nature of competition under the changed market conditions brought about by globalization and trade liberalization. Guides and manuals have been developed on how to improve productivity and competitiveness at the national and enterprise levels following the high road that achieves both economic and social goals. Current work includes the development of socially responsible approaches when undertaking enterprise restructuring aimed at improving productivity and competitiveness, and expanding the notion of Human Resource Management and Development in the context of the changing nature of the structure of production, work organization and increasing knowledge content of work. Work on the links between international labour standards and productivity and competitiveness is being initiated.

(e) Future prospects

42. The opportunities offered by globalization and the negative social impact experienced so far have been the subject of deep scrutiny by the social partners and in major international forums. There is a growing awareness of the need for, and pressure for policies and programmes that achieve economic, social and ecological objectives in a balanced manner. Nations, enterprises and the social partners are constantly in search of new approaches and strategies for attaining economic growth and stability with social justice and equality. Total productivity enhancement that takes account of the complementarity and symbiosis between economic and social development is central to such strategies.

43. With the deepening of globalization, it is hence essential for the ILO to examine the heightened importance of productivity, understand the state of law and practice, and explore the usefulness of a Recommendation that would help member States and the social partners pursue productivity and competitiveness through the high road of good human resource management and development, enterprise and industry upgrading, labour-management cooperation and consultation, and the fair sharing of productivity gains among stakeholders. The discussion could also consider widening the framework of the notion of productivity beyond economics, examine the concept of social productivity and emphasize the integration of productivity with the notion of stability of society. A general discussion and the adoption of a Recommendation would further the aims of the ILO Declaration on Fundamental Principles and Rights at Work to ensure that social progress goes hand in hand with economic progress.

(f) Suggested issues for a general discussion at the Conference

44. Should the Governing Body decide to include such an item on the agenda, the Conference may wish to address the following suggested issues:

- *Productivity in the age of globalization.* What would be the relevant concept of productivity in the age of globalization? How could the concept of productivity be

expanded to encompass issues related to decent work? How compatible are the notions of productivity and decent work?

- *Best practices in productivity improvement.* What strategies and approaches, consistent with ILO principles and fundamental rights at work and reflecting the principles behind core labour standards and other related international labour standards, would be likely to achieve both the goals of productivity improvement and the creation and maintenance of decent jobs, in an era of rapidly changing structures of production and distribution, new forms of work organization and rapid technological advances? How could the benefits and gains resulting from productivity improvement be fairly shared among the stakeholders?
- *Skills and competencies required.* What new skills and competencies will be required of workers and managers for continuing productivity improvement?
- *An enabling environment and institutional framework.* What policy and legal environment will support achievement of the objectives of productivity and decent jobs? How could labour law and investment law encourage approaches aimed at achieving the two objectives? What support institutions must be strengthened to support national, sectoral and enterprise level productivity improvement efforts? What are the roles of such tripartite machinery and institutions as tripartite productivity councils?
- *Roles of the social partners.* How could the social partners help ensure that strategies and approaches aimed at achieving both productivity improvements and decent jobs are pursued at the national, sectoral and enterprise levels?
- *Role of the ILO.* How could the ILO promote policies, strategies and approaches that will achieve the objectives of both productivity improvement and decent jobs? What instruments and means of action will be appropriate? What programmes could the Office pursue?
- *A programme for future standard-setting action.*

2. Work and family in the twenty-first century

(a) The problem

- 45.** In recent years globalization, new technology, changes in work organization and changes in the structure of the labour market have affected both the world of work and the family, as well as other non-work needs. These have brought to the fore new forms of work, new kinds of work-family needs, and various solutions to the work-family dilemma.
- 46.** Changes are also occurring in the notion of the family. The rise in single-parent families and dual-income families, the increase in migration for work – especially among women, as well as demographic changes such as the rise in the proportion of the elderly, complicate the challenges workers face in reconciling work and family needs. The issue of care for the elderly is becoming as important as that of childcare in some societies, while the care of family members with disabilities is also an increasingly important issue. Moreover, in many countries work-family issues are closely linked to the promotion of gender equality at work and at home. Work and family in the twenty-first century is thus not only a social protection issue, but is also crucially concerned with equality and employment questions that require social dialogue.

- 47.** The poverty of families is a core concern. This is inextricably linked to employment, opportunities for entrepreneurship and protection for atypical workers, including homeworkers, and especially the economic empowerment of women. The growth of female-headed households is of special concern, as the insecurity faced by women workers, particularly those employed in low-wage or atypical forms of work, also affects children and other dependants. While women's economic activity rates have risen dramatically in recent years, women remain highly vulnerable to economic and social insecurity as they find themselves concentrated in the least protected sectors of the economy. Many workers resort to home work and to work in the informal sector in order to augment family income while maximizing their flexibility to balance work and family needs. Creating opportunities for micro-entrepreneurship and improving job quality in micro-enterprises therefore has important implications for workers with family responsibilities. Encouraging flexible but secure labour policies, which provide better integration of women into the workforce and men into the lives of families, would promote greater gender equity and support for inter-generational care.
- 48.** Migration for work also has an important impact on families. While in the past women used to migrate principally to join their husbands, the autonomous migration of women workers has been rising in many parts of the world. As men and women decide to seek employment outside their home countries, the children left behind can face other problems.
- 49.** With globalization, more flexible labour markets and an increasing informal sector, growing numbers of men and women are left unsupported by formal social protection, particularly in old age and in times of adversity. Because women are more likely than men to move in and out of the labour force at different stages of family formation, the interruptions in their working lives mean that women accumulate less social security for their old age. Women account for the bulk of the over-60 population in almost every country in the world, but as a consequence of a lifetime of direct or indirect discrimination and in the absence of an old-age pension system, many women must face old age without the most basic economic security. In some countries, their economic hardship has grown as the HIV/AIDS epidemic has left older women with the responsibility for caring for their infected children and, later on, their children's children.
- 50.** The length of working time – but also, and most importantly, the arrangement of working time – are important factors for workers in balancing work and family responsibilities. While working time has been falling in many countries, there have been moves in others towards longer working hours. Developments in flexible working time and leave arrangements, including in particular the extent to which there is flexibility in schedules at the initiative of workers, are crucial in this regard.
- 51.** The rapid increase in the use of part-time work and telework, for example, offers new possibilities for workers trying to balance work and family. Many workers resort to home work and to work in the informal sector in order to augment family income while maximizing their flexibility to balance work and family needs. On the other hand, greater use and variety of shift and night work arrangements and on-call arrangements introduce new challenges. Addressing the implications of these changes will require moving the focus of attention beyond the impact that family demands have on work, to consider also the impact that work has on family and personal life. The tremendous increase in women's employment has been accompanied by gradual acceptance of the relevance of work and family issues to men as well as women. Nonetheless, tackling the work-family dilemma is closely linked to the promotion of gender equality at work and at home, particularly since women still bear the main burden of caring for children, the elderly, the sick and the disabled within the family and the close community, as well as for household chores.

(b) Proposed solution

52. The Governing Body could decide to include the subject of work and family in the twenty-first century on the agenda of a future session of the Conference for a general discussion. As suggested in 1999, this would allow for a wide-ranging examination of interrelated items, including conflicts between work and family responsibilities, childcare, care of the elderly and care for family members with disabilities, flexible working time arrangements, leave provisions and security of employment and income, the ageing of the workforce, and the working and employment conditions of older workers. The discussion could also provide an opportunity to review the experience of the ILO and its constituents in this sphere, including an assessment of the practical implementation of the Workers with Family Responsibilities Convention, 1981 (No. 156).

(c) Origin of the proposal

53. A brief proposal was submitted to the Governing Body at its 270th Session (November 1997) in the section including “other proposal, with the title “Flexible working/family-friendly policies”, based on a suggestion by the United Kingdom Government. The issue of work and family was again submitted to the Governing Body at its 276th Session (November 1999), again among the “other proposals”. On the basis of support in the Governing Body it has now been developed and is presented for the first time.

54. During discussions on the Maternity Protection Convention, 2000 (No. 183), a range of issues were raised concerning parental leave, paternity leave, protection for adoptive parents and other concerns of workers with family responsibilities. Many of these were considered to fall beyond the proper scope of the new maternity protection Convention, but it was recognized that the issues should be dealt with in the context of a discussion on work and family.

(d) Relation to existing instruments

55. The Workers with Family Responsibilities Convention, 1981 (No. 156) and Recommendation (No. 165) is the main international labour standard in this field. It is a promotional Convention that has been ratified by 31 member States. Several other ILO instruments are relevant, including the Maternity Protection Convention, 2000 (No. 183), the Home Work Convention, 1996 (No. 177), the Part-Time Work Convention, 1994 (No. 175), the range of other standards on working time (hours of work, weekly rest, holidays with pay, night work) and others, as well as the standards concerning child labour and equality of opportunity and treatment and the Older Workers’ Recommendation, 1980 (No. 162).

56. A General Survey was conducted on the Workers with Family Responsibilities Convention, 1981 (No. 156) 1993.²⁰

(e) Progress made in research and preparatory work

57. The ILO has conducted considerable research on the issues of work and family since the 1980s. A *Conditions of Work Digest on Work and Family: The Childcare Challenge* was

²⁰ *Workers with Family Responsibilities*, General Survey of the reports on the Workers with Family Responsibilities Convention, 1981 (No. 156) and Recommendation (No. 165), 1981: Report III, (Part 4B). International Labour Conference, 80th Session, 1993.

published in 1988, followed by an annotated bibliography on childcare in 1990. A publication on *Combining Work and Elder Care* was issued in 1996. A publication is being finalized based on research undertaken in 1999 on voluntary initiatives at the enterprise level, with a particular focus on work-family issues.

- 58.** Recognizing that most of the available information concerns modern enterprises in industrialized countries but that the issues are universal, a series of studies will be undertaken in 2000-01 on work-family issues, with a particular focus on extending the knowledge base in developing and transition countries. These studies will examine the harmonization of work and family concerns, their influence on satisfaction and performance at work and the costs and benefits of measures to link work and family. They will also highlight the similarities and differences in the work-family theme among countries with different economic and social needs. Finally, much of the ILO's other work, notably its programmes concerning equality of opportunity and treatment, including the More and Better Jobs for Women programme, have important implications for work and family concerns. Achieving equal pay for work of equal value and promoting equal access to employment will change the factors affecting decisions when families have to decide how to allocate their total working time in order to meet family responsibilities. Furthermore, the ILO programmes concerning child labour, including the International Programme on the Elimination of Child Labour, have implications not only for the rights of children, but also for the roles of families in protecting children from the worst forms of child labour. The ILO's Global Programme on HIV/AIDS and the World of Work will also examine the impact of the pandemic on families.

(f) Future prospects

- 59.** During the Governing Body's discussion in November 1999 the proposal received support from four Governments,²¹ with another four Governments²² and the Employers' group supporting further examination of the subject by the Office.
- 60.** At the earliest, the Office could be prepared for a general discussion on this subject at the 92nd Session (2004) of the Conference, which would coincide with the tenth anniversary of the International Year of the Family.

B. Instruments concerning seafarers

- 61.** The Joint Maritime Commission, will hold its 29th Session in January 2001. It will have before it a proposal to examine the possibility of developing comprehensive instruments concerning seafarers.²³ It should also be recalled that, following examinations and recommendations by the Working Party on Policy regarding the Revision of Standards, the Governing Body has decided that the following instruments concerning seafarers should be revised:

- Medical Examination of Young Persons (Sea) Convention, 1921 (No. 16).
- Seamen's Articles of Agreement Convention, 1926 (No. 22).

²¹ Chad, El Salvador, Slovakia and Sudan.

²² Canada, France, Nigeria and the United States.

²³ JMC/29/2001/1.

- Food and Catering (Ships' Crews) Convention, 1946 (No. 68).
- Certification of Ships' Cooks Convention, 1946 (No. 69).
- Medical Examination (Seafarers) Convention, 1946 (No. 73).
- Certification of Able Seamen Convention, 1946 (No. 74).
- Prevention of Accidents (Seafarers) Convention, 1970 (No. 134).

62. These instruments will also be considered by the Joint Maritime Commission. The question of revising the above instruments should therefore be re-examined at a later stage in the light of the outcome of the meeting of the Joint Maritime Commission.

C. Revision of instruments concerning fishermen

63. Following examinations and recommendations by the Working Party on Policy regarding the Revision of Standards, the Governing Body has decided that the following instruments concerning fishermen be revised:

- Medical Examination (Fishermen) Convention, 1959 (No. 113).
- Fishermen's Articles of Agreement Convention, 1959 (No. 114).
- Fishermen's Competency Certificates Convention, 1966 (No. 125).
- Vocational Training (Fishermen) Recommendation, 1966 (No. 126).

64. As noted previously, a Meeting of Experts, held in December 1999,²⁴ recommended the convening of a Meeting of Experts to examine the question of extending to fishermen ILO instruments applicable to seafarers. The revisions decided should be developed for consideration at a future Conference, possibly in the light of the outcome of such a Meeting of Experts.

D. Remaining proposals from the 1999 portfolio²⁵

65. The following summarizes the other items included in the portfolio document of November 1999.

1. *Developed proposals*

66. In the employment sector the following items have been proposed:

- Labour market consequences of ageing.
- Privatization of public enterprises.

²⁴ The Tripartite Meeting on Safety and Health in the Fishing Industry. GB.277/STM/3/3.

²⁵ GB.276/2.

- Social dimensions of sustainable peace-building.

67. In relation to the social protection objective the following proposals have been made:

- Conditions of work of prisoners in the context of privatization.
- Prevention of sexual harassment in the workplace.
- Working time.

68. In the context of the social dialogue objective the following proposals have been made:

- New trends in the prevention and resolution of labour disputes.
- Workers' participation in decision-making at the level of the enterprise.

2. *Proposals for revision*

69. In addition to the proposals for revision of instruments examined in other contexts,²⁶ and without prejudice to the possible impact of the proposed integrated approach on this matter, the Governing Body has decided to revise the following instruments:

- Hours of work and rest periods (road transport) – Revision of Convention No. 153.
- Night work of children and young persons – Revision of Conventions Nos. 6, 79 and 90.

3. *Other proposals*

70. The following themes have also been suggested for further consideration, but have not been further developed:

- Export processing zones.
- Multinational enterprises and social issues.
- Public sector employment.
- The social impact of globalization.
- The role of labour administration in the promotion of fundamental principles and rights at work.
- Transnational labour relations.

²⁶ Concerning seafarers, see paras. 61-62, above; concerning fishermen, see paras. 63-64, above; and concerning occupational safety and health, see GB.279/5/2 as referred to in para. 30.

71. In the 1999 consultations, constituents made some other suggestions for themes to consider or to reintroduce, which included:

- The protection of workers' personal data.
- The ILO's response to economic crises.
- A proposal by the employers' organizations to revise the Dock Work Convention, 1973 (No. 137).

Geneva, 17 October 2000.

Point for decision: Paragraph 13.