

Outcome 14: The right to freedom of association and collective bargaining is widely known and exercised

RESULTS BY INDICATOR

Indicator - 14.1. Number of member States that, with ILO support, improve the application of basic rights on freedom of association and the right to collective bargaining.

Measurement

To be counted as reportable, results must meet at least two of the following criteria, as observed by the ILO supervisory bodies or in the framework of the 1998 Declaration follow-up mechanism:

An awareness-raising strategy and/or programmes on freedom of association and collective bargaining targeting the tripartite constituents are launched.

1. Convention No. 87 or 98 is ratified.
2. There is progress in the respect of the fundamental civil liberties of the members of trade unions and employers' organizations.
3. Changes are introduced in law, policy or practice to ensure that trade unions and employers' organizations can be registered and function without undue restrictions.
4. Mechanisms to ensure protection against acts of anti-union discrimination or interference are established or expanded.
5. Policies and mechanisms to promote collective bargaining are established or expanded.

Country/ Country programme Outcome (CPO)	Measurement Criteria	Result Achieved	ILO Contribution
Africa			
South Africa/ZAF153 Freedom of Association and the right to collective bargaining strengthened with particular focus on selected sectors	1	Awareness raising on programme FACB rights in the agricultural sector launched by CCMA 180 national/state/provincial labour inspectors aware of FACB rights in the rural economy and improved procedures to promote and protect these rights 60 agricultural workers trained on FACB by CCMA	ILO conducted diagnostic process Training of labour court judges, labour inspectors, workers and their organizations on FACB Advisory services leading to greater collaboration across institutions such as that between the CCMA and the labour inspectorate.
	5 and 6	Adoption of a training manual for labour	Finalization of manual expected in

		inspectors as an internal document for sustained training and cross institutional collaboration	November. Full CCMA participation in all trainings
Asia and the Pacific			
Philippines	1 & 3	<p>In May 2012, the Philippines adopted the Guidelines for the security forces to promote effective exercise of workers' rights and to address violence and threats against workers and trade unionists.</p> <p>The implementation of the newly adopted guidelines promoted peaceful strikes, dialogue, peaceful resolution or diffuse tension in some labour disputes.</p>	<p>Formulation and printing of the training module whose intended target audience are the police and the military and other relevant security forces to guide them on the discharge of their respective mandates without infringing freedom of association rights.</p> <p>30 union leaders/representatives trained on Negotiating Collective Bargaining Agreements</p> <p>Follow up SWOT activities for employers and capacity building on CB and social dialogue</p> <p>30 Philippines National Police officers trained on workers' rights</p> <p>Tripartite orientation on the 2012 Guidelines on the Conduct of the DOLE, DILG, DND, DOJ, AFP and PNP relative to the Exercise of Workers Rights and Activities.</p>
Sri Lanka/LKA104 Improved Social Dialogue to achieve job security, productivity and competitiveness	1	A labour law and legal facilitator guidebook produced to be used by the National Institute of Labour Studies in building employer and trade union capacities in legal representation to protect FoA and CB.	ILO supported the development of the materials. Targeted training programmes to be supported by ILO with TU and Employer organizations in the months of August to December 2013.
	5	A special investigation unit to undertake unfair labour practices cases has been established by the Ministry of Labour and the DOL, as part of increasing efforts to handle unfair labour practices.	ILO held discussions with the DOL in setting up such an initiative and also carried out the required training programmes to train the special investigation unit personnel on unfair labour practices on evidence collection

			processes, grounds for prosecution and reporting procedures.
<p>Bangladesh/BGD226 Country takes effective measures to respond and implement CEACR recommendation including fulfilling its reporting obligations.</p>	1 & 4	<p>Amendments to the Bangladesh Labour Act in July 2013 have improved the protection of workers' representatives and ensured free worker participation in their elections. However, the amendments do not address all concerns previously raised by the ILO. In addition, the specific EPZ law still needs to be amended along the lines of the supervisory body comments and the Industrial Relations Regulations also need to be amended to reflect the Bangladesh Labour Act amendments</p>	<p>ILO advice was sought throughout the process of reviewing proposed amendments to the Labour Law. ILO comments were delivered by the Country Director at the two public hearings of the Parliamentary Standing Committee on Labour on the Bangladesh Labour Act amendments. Training programmes are being finalised for MoLE/Industrial Relations Institute (IRI)/DL, the employers, and the trade unions on the new law. Support will be provided for all 3 partner groups to provide on the ground training to their constituents and members on the content of the new law and the implications to their respective constituents.</p>
Europe			
<p>Georgia/GEO102 Right to freedom of association and collective bargaining is known and exercised</p>	1	<p>In the course of the biennium, the tripartite constituents in Georgia were provided with awareness-raising campaigns on the labour law reform, facilitation of social dialogue at the national level, strengthening collective bargaining and the creation of a sound labour dispute resolution system.</p>	<p>In the framework of the Dutch-funded project "Promotion of Fundamental Principles and Rights at Work" (FPRW) and technical support provided by the DWT/CO Moscow, a series of trainings and awareness-raising workshops on fundamental principles and rights at work (PRW) and good practices of collective bargaining, mediation of labour disputes were organized for the Government, the Georgian Trade Unions Confederation (GTUC) and the Georgian Employers' Association (GEA).</p>
	4	<p>The Parliament adopted in May 2012 a package of amendments to the Labour Code providing for: the institutionalization of social dialogue; better protection for the trade</p>	<p>In the framework of the Dutch-funded project "Promotion of Fundamental Principles and Rights at Work" (FPRW), the ILO provided support in setting up and maintaining political</p>

		unions and employer's organizations to function freely and without any restrictions; provisions on collective bargaining fully in line with ILO C98 and provisions for the establishment of a mediation mechanism	<p>dialogue with the Government to make the necessary amendments to the labour code, to stop anti-union activities in the country and strengthen tripartite social dialogue body</p> <p>The ILO also supported tripartite consultations in order to assist them in concluding an agreement on the nature and characteristics of a labour mediation mechanism. Regular consultations with the government, social partners, members of the Parliament and with key international players like the EU delegation and the US embassy in Georgia were also held to inter alia share information on the planned amendments of the labour code.</p>
	6		<p>The FPRW project and the Finish-funded project "From the Crisis towards Decent and Safe jobs" have promoted the re-establishment of the state body with the mandate to enforce the amendments made to the Labour Code. In addition, the Finish project has provided support in organizing tripartite participatory trainings on gender equality and work and family balance that served as an effective platform for the government, the Eos and the TUs for discussing maternity protection and social security issues in the prism of collective bargaining and social dialogue at different levels.</p>
Americas			
Colombia/COL108 Representantes del Congreso y los	5	La Comisión Nacional de Concertación adoptó la creación formal de la CETCOIT y acordó	En seguimiento a la recomendación de la Misión Tripartita de Alto Nivel, que visitó

interlocutores sociales del Ministerio de Trabajo estarán informados sobre la relevancia de las NIT y de los pronunciamientos de los órganos de control de la OIT, en materia de libertad sindical		tripartitamente su reglamento de funcionamiento, con el objeto de contar con un mecanismo para proponer soluciones a los actos que violan la libertad sindical. El Ministerio de Trabajo creó en el 2012 un mecanismo de seguimiento a los acuerdos, para apoyar su cumplimiento por las partes	Colombia en febrero del 2011, la OIT, con el apoyo del Gobierno de Colombia y el proyecto sobre "Principios y Derechos Fundamentales en el Trabajo" (FPRW) , prestó asistencia técnica para la formulación y adopción de las reglas de funcionamiento de la CETCOIT
	6	El Gobierno Nacional aprobó en mayo del 2012 el Decreto 1092 que reglamenta la negociación colectiva en el sector público, atendiendo los comentarios de los órganos de control de la OIT, brindados en su informe de 2012, referidos a la necesidad de mejorar el desarrollo de los principios de la negociación colectiva contenidos en los Convenios. Posteriormente, el Ministerio de Trabajo puso en marcha una jornada de información y promoción de la negociación colectiva en el sector público a nivel nacional	La OIT acompañó el proceso de discusión sobre el mecanismo de negociación colectiva contenida en el Decreto 535, que finalmente resultó en la decisión de revisar su contenido, en el que participaron miembros de las centrales sindicales, funcionarios del Ministerio de Trabajo y representantes de la academia. La OIT desarrolló un programa de capacitación para mediadores en las negociaciones del sector público y prestó asesoría al gobierno del Magdalena para iniciar el proceso de negociación colectiva con el sindicato.
Chile/CHL104 Nivel de aplicación y cumplimiento de los principios y derechos de la libertad sindical y negociación colectiva mejorado; y perfeccionamiento en la legislación en materia de negociación colectiva concordada	1	En marzo del año 2013, se crea en la Central Unitaria de Trabajadores (CUT) con la asistencia técnica de la OIT, las coordinadoras sindicales por sector de la producción: la Eléctrica, la inter-empresa, la minera y la del transporte. Estas se traducen en cuatro mesas de trabajo que han constituido una estrategia de sensibilización en torno a la negociación colectiva y la libertad sindical. A nivel de gobierno regional, se establece una mesa tripartita en el Maule, en el marco de la Agenda de Fomento y Calidad del Empleo de la Región, buscando propiciar el diálogo social y la promoción del Trabajo	La OIT ha sido punto de encuentro para la constitución de todas las mesas de trabajo, pues se le entiende como espacio neutral para llevar a cabo las sesiones. En ese espacio, se proporciona asistencia técnica por medio de la entrega de insumos y participación de especialistas de la OIT y de expertos de otras instituciones. A su vez, la OIT ha dotado de mecanismos de resolución de conflictos a los actores, aportando así a la materialización de los acuerdos.

	Decente.	
6	<p>Se instaure un mecanismo destinado a la promoción de la negociación colectiva que consiste en una mesa bipartita integrada por la Confederación de la Producción y El Comercio (CPC) y la Central Unitaria de Trabajadores (CUT). En julio de 2013 se desarrolló un seminario denominado "Políticas Laborales para un desarrollo con igualdad en Chile: la voz de los actores del mundo del trabajo" en el que se presentó el documento de trabajo: "Políticas laborales para un desarrollo con igualdad en Chile", que considera las temáticas centrales que se han abordado y aún están pendientes en el ámbito de la negociación colectiva, que contó con la participación tanto de la CPC y la CUT, como del gobierno. En este se produjo un logro histórico que consiste en el acuerdo de llevar a cabo una mesa bipartita de trabajo con una agenda sin exclusiones temáticas, que incluye de manera expresa el objetivo conjunto de promoción de la negociación colectiva.</p>	<p>La contribución de la OIT se traduce en: la acogida y promoción de la instancia. Elaboración del documento en el que se enmarcan las discusiones, asistencia técnica para cada actor, que facilita la participación de los mismos en las discusiones técnicas y elaboración de insumos técnicos para facilitar las discusiones. A su vez, se generarán minutas que permitan recoger los acuerdos a fin de que puedan materializarse en una ruta conjunta de trabajo.</p>

Indicator - 14.2. Number of member States that, with ILO support, take significant action to introduce freedom of association and the right to collective bargaining in EPZs.

Measurement

To be counted as reportable, results must meet at least one of the following criteria, as observed by ILO supervisory bodies or in the framework of the 1998 Declaration follow-up mechanism:

1. An awareness-raising strategy and/or programmes on freedom of association and collective bargaining targeting the workers and employers in EPZs are launched.
2. Measures are adopted to permit workers' organizations to be established and function in EPZs.
3. Mechanisms to ensure protection against acts of anti-union discrimination or interference in EPZs are established or expanded.
4. Policies and mechanisms to promote collective bargaining in EPZs are established or expanded.

Country/ Country programme Outcome (CPO)	Measurement Criteria	Result Achieved	ILO Contribution
Arab States			
Jordan/JOR128 Tripartite mechanisms established and sound industrial relations promoted to ensure the enforcement of national legislation, and the development of socio-economic policies	1	Diagnostic tools for freedom of association and collective bargaining in the export processing sector (Pharmaceutical and chemical sector) developed and applied raising awareness in the sector.	ILO diagnostic mission (towards full freedom of association and collective bargaining in the export processing sector) undertaken and to give rise to priorities established at national level for action to promote FACB.
Asia and the Pacific			
Indonesia/IDN154 The application of ILO Conventions Nos. 87 and 98 are strengthened in Economic Processing Zones through capacity building of employers, workers and the Government.	1	The conduct of the diagnostic survey has already largely enhanced awareness of FACB principles in EPZs. Tripartite agreement on the programme and strategy for policy-making and awareness-raising on freedom of association discussed in October 2013, the elaboration of national action plan and the implementation of an awareness-raising strategy.	ILO has carried out Freedom of Association Diagnostic survey in Garment and apparel sector in the EPZ area in the province of Jakarta, Banten and West Java. National plan of action was elaborated by the social partners in October and awareness-raising and capacity building exercises have begun.

<p>Philippines/PHL129 Improved application of basic rights on freedom of association and the right to collective bargaining</p>	<p>1</p>	<p>Following awareness-raising in the sector, two Bills introduced in the Congress which aim to protect the interest and welfare of Call Centre/BPO workers, including the right to organize and join unions.</p> <p>-- An awareness-raising campaign was conducted to increase the knowledge and awareness of DOLE and PEZA officials on FACB.</p>	<p>- ILO facilitated/conducted trainings on FOA CB for stakeholders in EPZs, including: Total of 17 orientation seminars on FoA CB and DOLE-PNP-PEZA Guidelines covering around 1,027 participants from 558 establishments in various economic zones. Participants included those from security agencies and management organizations. 23 officials of DOLE/PEZA trained as trainers on FOA/CB 80 DOLE and PEZA officials from Luzon, Visayas and Mindanao provided with training on ILS and FoA CB 56 officials from DOLE, PEZA, NLRC and NCMB trained on techniques on conciliation, mediation.</p>