

**FOR DEBATE AND GUIDANCE**

SECOND ITEM ON THE AGENDA

Update on the programme to give an orientation on international labour standards, the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy and other related matters**1. Introduction**

1. This proposal intends to further develop an ILO programme to provide expert advice on how companies realize international labour standards and the Tripartite Declaration on Multinational Enterprises and Social Policy (the MNE Declaration). Companies are understood to be management and workers, and their representatives. This document outlines the background of this initiative, its objectives, scope, content and functioning.
2. Based on an internal survey performed in 2005, it is estimated that the ILO receives approximately 400 requests for information from companies per year. Requests come mainly from MNEs, but also occasionally from domestic companies or socially responsible investment funds and consulting firms, primarily from industry and the service sector.
3. Most requests concern: legislation; codes of conduct and interpretations of the provisions contained in international labour standards; employment and industrial relations statistics; social and labour corporate performance indicators; good practices; role and activities of the Global Compact; certification of conformity with international labour standards; a particular country's performance in protecting labour rights; and publications and other materials. Over 90 per cent of the requests are handled by the receiving Office unit without systematic involvement of other units or tracking of the answers. Sometimes requests are referred to the Bureaux of Employers' and Workers' Activities.
4. The requests differ according to the extent of involvement required from the ILO. There are three types of requests:
 - (a) **Requests for information.** These requests could be for general information, for example, the ILO position and activities with regard to CSR, or queries on issues such as legislation, codes of conduct, interpretation of international labour standards, statistics, good practices and publications. These requests mainly originate from

companies. They cover a broad range of issues and emanate from different contexts (enterprise, sector, country, etc.). This type of request can be grouped into two broad categories:

- requests for information that do not require an elaborate reply (frequently asked questions (FAQs)); and
 - requests for which tailored and coordinated answers need to be prepared (customized replies).
- (b) **Requests for consultation** on issues such as providing information to assist in developing codes of conduct and related tools, and through training and speaking engagements. Most of the requests for consultation originate from industry-driven or multi-stakeholders' initiatives and organizations. They tend to evolve towards more formal collaboration requests.
- (c) **Requests for collaboration** on projects usually occur when a company or an organization has had previous interactions with the ILO. Upon request, the ILO brings input to intergovernmental organizations for their policies or codes, and assists companies in realizing international labour standards.

2. Background

5. This programme, proposed by the workers and employers and subsequently endorsed by the Governing Body, aims to promote a better use of the MNE Declaration and reply to queries concerning how companies may realize international labour standards.
6. When companies approach the ILO, replies are provided building on the wealth of expertise of technical units and field offices but there is no mechanism to ensure that replies are coordinated, consistent and coherent, and provided in a reasonable timeframe. The answers are not automatically tracked and there is no certainty that they are in an appropriate format and language understandable for managers and workers in companies.
7. In November 2006, the Governing Body requested the Office to prepare a paper outlining the modalities of a concrete programme to advise companies on the realization of international labour standards and the MNE Declaration.¹
8. In March 2007, as a follow-up on previous discussions, the Subcommittee recommended that the Governing Body “approve the development by EMP/MULTI of an Office programme, in cooperation with relevant departments (...) to provide companies with expert advice on the realization of international labour standards and the MNE Declaration ...”.²
9. Following the above discussions, it was decided that to implement the programme a helpdesk would be set up. The helpdesk will constitute a centralized service for use by all ILO units receiving requests as well as for direct access by outside requesters.
10. The service provided by the helpdesk must respond to company needs and be consistent with the guidance on the application of standards provided by the ILO supervisory mechanisms. To be credible, consistent and effective, replies should:

¹ GB.297/PV, para. 228; GB.298/MNE/4.

² GB.295/PV, para. 248; GB.298/10, paras 13–27.

- be based on best available ILO technical expertise;
- be well coordinated with the activities of other ILO departments;
- draw on the jurisprudence and other guidance provided by the ILO supervisory mechanisms, the interpretation of the MNE Declaration given under the procedure for the examination of disputes, and the conclusions of the Governing Body;
- take into account the local context where appropriate (local laws, industrial relation practices, etc.);
- be relevant and easily understood;
- be given within an acceptable timeframe; and
- be supported by an effective knowledge management system.

3. The programme: Helpdesk

11. The objective, scope and process of the helpdesk must be clearly defined and communicated. The objectives of the helpdesk have been outlined as: “an Office programme, in cooperation with relevant departments (...) to provide expert advice on the realization of international labour standards and MNE Declaration”. The programme will provide advice on how companies can realize international labour standards and the Declaration, and will promote a better implementation of the MNE Declaration in the world of work. In its operations, the helpdesk will take steps to ensure that any advice or response provided cannot be used as a means of endorsement of any specific user or practice.
12. The users will include managers and workers in companies (multinational and domestic enterprises), constituents and industry-wide organizations. Queries coming from companies and constituents will follow the same process. The pattern of demands coming from industry-wide organizations and initiatives (business-driven and multi-stakeholder organizations) will be notified to an advisory group (see paragraph 21). Access to the helpdesk will not be available in limited situations based on legal restrictions such as those resulting from sanctions or other prohibitions imposed by the United Nations or by the International Labour Conference.
13. The helpdesk will handle questions by companies and organizations related to the content and use of the MNE Declaration, and the understanding of international labour standards. Requests for collaboration on projects fall outside of the scope of the helpdesk.
14. The content of the replies will have to be fully aligned with the jurisprudence and other guidance provided by the relevant instruments and ILO’s supervisory machinery and policy bodies, including the MNE Declaration itself, the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up, the reports of the Committee on Freedom of Association and the reports of the Committee of Experts on the Application of Conventions and Recommendations.
15. The content of the replies will also refer, as appropriate, to the tools developed in technical cooperation projects or published by the Office.
16. The flow chart appended to this paper gives a complete overview of the helpdesk process. The process starts when a company or organization sends a query to the ILO. This query

can be addressed to different units of the ILO: regional offices, subregional offices, country focal points or headquarters units. Each reception point/unit will constitute the front desk of the programme. Being in direct contact with the company, the front desk will also communicate the final answer to the company.

17. The process for preparing the answer will depend on the type of questions received:
 - Category (a) FAQs: Field staff or headquarters units receiving this category of question will notify the managing unit. They will then prepare the answer by using the Knowledge Management System (see below). They will send the final answer notifying the managing unit. If queries are directly addressed to the managing unit, it will operate as the front desk.
 - Category (b): when the question needs a coordinated and tailored reply it should first be forwarded to the managing unit which will coordinate the reply process. The type of request coming from business-driven and multi-stakeholder initiatives includes an additional step of informing the advisory group. A consolidated answer will be prepared by an experts team (see paragraph 20) in collaboration with regional and subregional offices where appropriate. The final answer will be sent by the managing unit notifying the relevant ILO units and field staff.
18. All requests and replies will be recorded and stored in the Knowledge Management System (KMS) by the managing unit for future reference and for quality management purposes. The KMS is meant to support the helpdesk processes. Its functions are:
 - Storing and making knowledge available, including fact sheets, training programmes, replies to FAQs, links to other programmes, etc. The information will be made available on the Intranet. Part of such information (e.g., FAQs, fact sheets) could eventually be accessible on the ILO public web site.
 - Tracking the flow of requests and replies and supporting the managing unit in managing the whole programme.
19. The Office will set up a managing unit of the helpdesk system with a full-time staff member charged with implementing and managing the helpdesk. The managing unit may receive queries and will act as front desk when requests are directly addressed. It will develop with the experts team (see paragraph 20) generic responses for queries under category (a). It will assess the timeliness and quality of answers provided for queries under category (a), and ensure a timely process and reply. It will channel the requests, coordinate the preparation of answers within the experts team and send replies for the queries of category (b), following up when needed. It will further coordinate the experts team and develop and maintain the KMS, build the database and assess with the experts team which existing material and references should be included, and which new material needs to be developed. Finally, it will act as a resource for the network (in relation to information, training material, link to other programmes) and deliver capacity building in relation to the helpdesk.
20. The experts team will provide the technical input for advice to companies based on the expertise of all ILO relevant technical departments. It will include officials from across the Office, including the Bureaux of Employers' and Workers' Activities and the Turin Centre as well as other selected experts from headquarters and field offices on an ad hoc basis when needed. Given the central role that NORMES is expected to play, the issue of resources needed to meet the additional workload needs to be addressed before the helpdesk becomes fully operational.

21. The Office will also convene and act as secretariat for the advisory group, which will provide views on the main orientations of the helpdesk programme. The advisory group will include the Officers of the Subcommittee, representatives from the International Organisation of Employers, the International Trade Union Confederation, and the Executive Director of the Employment Sector, who will act as Chair.
22. A reporting system will be set up to evaluate the work of the helpdesk and provide the Governing Body regularly with a summary of the results.
23. The Subcommittee may wish to express its views on the proposal outlined in the preceding paragraphs, including on the financial implications raised in paragraph 20.

Geneva, 25 February 2008.

Submitted for debate and guidance.

Appendix

Helpdesk system flow chart

