

General Discussion Committee: Decent work and the social and solidarity economy

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► Draft conclusions concerning decent work and the social and solidarity economy

I. Introduction

1. Guided by the Declaration of Philadelphia in the Constitution of the International Labour Organisation, which affirms that “all human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity”; and that “the attainment of the conditions in which this shall be possible must constitute the central aim of national and international policy”.
2. [Enterprises are sustainable to the extent that they are economically viable and contribute to a future for our planet and for present and future generations that is economically, socially and environmentally sustainable, in line with the ILO’s mandate for social justice and decent work and the 2030 Agenda for Sustainable Development.]
3. [The Centenary Declaration sets down that the ILO must direct its efforts to “supporting the role of the private sector as a principal source of economic growth and job creation by promoting an enabling environment for entrepreneurship and sustainable enterprises, in particular micro, small and medium-sized enterprises, as well as cooperatives and the social and solidarity economy, in order to generate decent work, productive employment and improved living standards for all”.]
4. Taking into consideration that the ILO Declaration on Social Justice for a Fair Globalization, 2008 (the Social Justice Declaration), the Centenary Declaration for the Future of Work, 2019, and the ILO Global call to action for a human-centred recovery from the COVID-19 crisis that is inclusive, sustainable and resilient, 2021, explicitly recognize the social and solidarity economy (SSE) as a relevant means of achieving sustainable development, social justice, decent work, productive employment and improved living standards for all.
5. Recognizing the relevance of the SSE to its mandate since the founding of the Organization, the ILO has led the promotion of the SSE within the United Nations (UN) system, including through standards-related action. Although the SSE is not new, its policy importance and visibility have grown significantly since the beginning of this century. The Promotion of Cooperatives Recommendation, 2002 (No. 193), the Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204) and the Employment and Decent Work for Peace

and Resilience Recommendation, 2017 (No. 205) acknowledge the contribution of the SSE to inclusive societies, to the transition from the informal to the formal economy, to enabling recovery and to building resilience.

[II. Definition of SSE]

6. The SSE encompasses enterprises, organizations and other entities that are engaged in economic, social, and environmental activities to serve the collective and/or general interest, which are based on the principles of voluntary cooperation and mutual aid, democratic and /or participatory governance, autonomy and independence, and the primacy of people and social purpose over capital in the distribution and use of surpluses and/or profits as well as assets. SSE entities aspire to long-term viability and sustainability, and to the transition from the informal to the formal economy and operate in all sectors of the economy. They put into practice a set of values which are intrinsic to their functioning and consistent with care for people and planet, equality and fairness, interdependence, self-governance, transparency and accountability, and the attainment of decent work and livelihoods. The SSE may include[according to national circumstances, including regulations / and practices,] cooperatives, associations, mutual societies, foundations, social enterprises, self-help groups and other entities operating in accordance with the values and principles of the SSE.
7. [The complementarity and relationship between for-profit-enterprises, in particular micro, small and medium enterprises, and SSE entities, enterprises, and organizations can also strengthen the contribution to decent work and the social and solidarity economy, as well as to inclusive economic growth and community development and should be enhanced.]

III. Guiding principles to address challenges and opportunities

8. In pursuing opportunities to promote decent work and the SSE for a human-centred future of work, Member States should:
 - (a) consider the contribution of the SSE to decent work, inclusive and sustainable economies, social justice, sustainable development and improving standards of living for all;
 - (b) respect, promote and realize the fundamental principles and rights at work, other human rights, and relevant international labour standards, including in all types of SSE entities;
 - (c) value the local anchoring of the SSE and its contribution to both well-established and innovative solutions to provide decent work opportunities and meet the needs of disadvantaged and marginalized groups, particularly women, including in rural areas;
 - (d) develop an inclusive, integrated and gender-responsive approach to the promotion of the SSE, including with respect to groups in situations of vulnerability, recognizing the value of care and unpaid work;
 - (e) consider the need to pay special attention to SSE workers and economic entities in the design, implementation and monitoring of strategies and measures to address the root causes of informality and facilitate the transition from the informal to the formal economy and the achievement of decent work and universal, adequate, comprehensive and sustainable social protection systems;
 - (f) consider the contribution of sustainable enterprises to decent work, as outlined in the Conclusions concerning the promotion of sustainable enterprises, 2007;
 - (g) recognize and support the contribution of the SSE to a just digital transition;

- (h) take account of the SSE's role in respecting human dignity, building community and fostering diversity, solidarity, and respect for traditional knowledge and cultures, including among indigenous and tribal peoples;
- (i) assess the potential of the SSE to withstand crises and preserve jobs, including in small and medium enterprises, notably in some cases of enterprise restructuring through transition to worker ownership.

9. However, there are several challenges that require Member States to consider:

- (a) the difficulties that SSE entities face and share with the vast majority of micro small and medium enterprises, in particular in most developing countries, such as an unfavourable environment for SSE entities, [such as shrinking civic space,] policies exacerbating informality, poverty, and indebtedness, legal uncertainty, weak rule of law, inadequate access to finance, unfair competition and trade practices and other deficits in the conditions for a conducive environment;
- (b) facilitating improved access of SSE entities to financial services, including, where appropriate, through diverse and specific financial measures and instruments;
- (c) fostering the contribution of the SSE [and other enterprises] to a just transition towards environmentally sustainable economies and societies for all, promoting sustainable consumption and production patterns taking into account the challenges of climate change;
- (d) recognizing and supporting the role of the SSE in enhancing productivity [and competitiveness] by enabling the horizontal, vertical and transversal organization of SSE entities, harnessing the complementarity and possible synergies with other enterprises, in line with the Job Creation in Small and Medium-Sized Enterprises Recommendation, 1998 (No. 189), investing in competencies development and lifelong learning, as well as in technology and infrastructure;
- (e) social dialogue that is inclusive of the entities and workers of the SSE and the organizations representing them, [notably] whenever consideration is being given to measures which may affect them directly [or indirectly] / [ensuring that entities and workers in the SSE benefit from freedom of association and the right to collective bargaining to enable social dialogue with representative organizations of employers and workers for shaping measures which directly affect entities and workers of the SSE, as well as consulting with relevant and representative organizations of the SSE entities concerned];
- (f) the need to support the SSE's potential for building social inclusion, especially as regards women, youth and disadvantaged groups, such as the unemployed, persons with disabilities, migrant workers, and indigenous peoples;
- (g) the importance of combatting pseudo-SSE entities and their circumvention of labour and other legislation in violation of workers' rights, and the risk of unfair competition with compliant enterprises and responsible business, in particular micro, small and medium-sized enterprises, in line with Recommendation No. 193.

[IV. The role of governments and the social partners]

- 10.** [Governments, in consultation with the social partners, and through dialogue that is inclusive of organizations representing the entities and workers of the SSE, should, in accordance with national circumstances:]

- (a) [establish a conducive environment consistent with the nature and diversity of the SSE, as a critical component of a conducive environment for sustainable enterprises more generally;]
- (b) [ensure a level playing field among all enterprises, by treating SSE entities in accordance with national law and practice and on terms no less favourable than those accorded to other forms of enterprise;]
- (c) [enact policies that foster the creation of quality jobs for all, including in the SSE, to underpin a robust, inclusive, sustainable and resilient economic recovery, in line with fundamental principles and rights at work, other human rights and relevant international labour standards, including but not limited to those listed in the Annex;]
- (d) [recognize the role of the SSE and integrate it into national development, recovery and employment plans, through pro-employment, macroeconomic, tax, social, environmental and other policies for promoting just digital and environmental transitions and reducing inequalities;]
- (e) [recognize the role of the SSE in the transition from the informal to the formal economy, and support the transition to the formal economy for all workers and entities, including those in the SSE;]
- (f) [further the contribution of the SSE to decent work in national and global supply chains, including through the development of cooperative-to-cooperative trade;]
- (g) [strengthen the interaction between the SSE and public administration at all levels, including local and regional, and set up appropriate public-private partnerships with the SSE;]
- (h) [introduce support measures for SSE entities, where appropriate, to enable their access to information, finance, markets, technology, infrastructure and well-regulated and socially responsible public procurement;]
- (i) [ensure that measures to promote the SSE foster social innovation, initiative, entrepreneurship and collaboration while preserving and promoting the traditions and cultures of indigenous and tribal peoples;]
- (j) [take measures to promote anti-corruption and good governance, facilitate registration, and simplify administrative procedures for the development of SSE entities and other enterprises;]
- (k) [establish a mechanism for inter-ministerial collaboration and coordination of SSE-related policies within and across national structures;]
- (l) [promote collaboration among labour inspectors, social partners and SSE representatives to devise solutions concerning pseudo-SSE entities, unlawful practices and rights violations;]
- (m) [integrate the SSE into public education at all levels and invest in the education and training of workers and entities in the SSE, including on financial literacy, to improve their resilience and effectiveness; and]
- (n) [improve statistics on the SSE, including through collaboration between national statistical institutes and SSE representatives, to inform the formulation and implementation of policies.]

11. The social partners should engage in bipartite and tripartite social dialogue with a collaborative and proactive attitude vis-à-vis the SSE [on issues of mutual interest], share knowledge and experiences, notably on good practices to promote decent work in the SSE.
12. Governments and the social partners should commit to promoting universal, adequate, comprehensive and sustainable social protection systems; access to lifelong learning and training; incorporation of occupational safety and health [as a fundamental right / as a basic right / and preventive culture] to mitigate against such things as exposure to hazards, as well as to violence and harassment.
13. Employers' organizations should consider, where appropriate, extending membership to SSE entities wishing to become members and provide them with adequate support services. Employers' organizations could also facilitate SSE entities' access to business networks and partners that can contribute to their development; enhance their business potential; entrepreneurial and managerial capacities; strengthen their productivity and competitiveness; and facilitate their access to international markets and institutional funding.
14. Workers' organizations share historical roots with SSE entities in the quest for the promotion of democracy and social justice in the economy and of human and labour rights. They support and defend the rights and interests of SSE workers and this interaction should be reinforced, including by increasing SSE workers' awareness of their labour rights and recruiting SSE workers to join unions; support their organizing and collective bargaining; develop partnerships and alliances to achieve common goals; and increase the visibility of SSE workers. They could also provide inputs and counselling, especially for SSE entities in their formative stages, facilitate the provision of SSE goods and services for union members, and contribute to the establishment of SSE entities, as relevant.

V. The role of the ILO

15. Based on the constitutional mandate of the ILO, the Office should promote the establishment and development of strong and resilient SSE entities, while taking into account the diverse realities and needs of Member States, including the varying degrees of development of the SSE, and relevant international labour standards. [A non-exhaustive list of instruments of the International Labour Organization and the United Nations relevant to decent work and the social and solidarity economy is included in the Annex.]
16. Actions taken by the Office to promote the SSE for a human-centred future of decent work, should focus on the provision of legal and policy advice; advocacy; knowledge generation; exchange and dissemination of good practices; training and education; capacity building; and development cooperation. More specifically, the Office should aim to:
 - (a) support ILO constituents in developing a conducive environment for [all enterprises, including] SSE entities [as sustainable enterprises], tackling legal and institutional barriers, including through the elaboration of policy frameworks on: the transition from the informal to the formal economy[, increase global productivity]; the creation of decent work including for young people and vulnerable groups; skills development and access to quality education and training; the promotion of gender equality and women's empowerment [, particularly in the care economy,]; freedom of association and the effective recognition of the right to collective bargaining; non-discrimination; the elimination of child labour and forced labour; occupational safety and health; the just transition to environmental sustainability, and just digital transformation;

- (b) enhance understanding of the SSE, including through sharing good practices, conducting and disseminating research, and undertaking awareness-raising activities for constituents, academic institutions, the general public and other relevant stakeholders on the contributions of the SSE to decent work;
- (c) support Members States in elaborating indicators that adequately measure the SSE's economic and social contribution, collecting and compiling comparable, reliable harmonized data on the SSE, and work towards the development of international guidelines on statistics concerning the SSE, in collaboration with SSE networks and representative bodies, national statistical offices and international organizations;
- (d) further integrate the SSE into ILO activities at regional and national levels, including through Decent Work Country Programmes, development cooperation projects, including South-South and triangular cooperation, and other relevant ILO activities, focusing on capacity building of the social partners on strengthening the institutional development of SSE entities and [the rights and] skills of the workers [and employers] in those entities;
- (e) strengthen and accelerate Office support for developing comprehensive national strategies and targeted programmes where SSE entities can be instrumental in pressing areas such as decent work in the care economy and the transition from the informal to the formal economy;
- (f) promote partnerships between SSE networks and representative bodies and employers' and workers' organizations, so that they can benefit from support services and advice favouring their development and the resolution of social and economic issues;
- (g) provide training to promote decent work in the SSE that supports the development, *inter alia*, of the governance and management of SSE entities to improve their levels of productivity[, resilience, social contribution and well-being] [and competitiveness], as well as the quality of goods and services they produce, in collaboration with the International Training Centre of the ILO;
- (h) develop guidance and provide training to labour inspectors on effective enforcement of labour legislation in the SSE to ensure that SSE entities are neither set up nor used for non-compliance with labour law or used to establish disguised employment relationships;
- (i) better integrate the SSE into the relevant outcomes, outputs and indicators of the ILO Programme and Budget, and reinforce the resources allocated to the work of the Office on the SSE;
- (j) reactivate the Office-wide coordination mechanism on the promotion of the SSE, in particular with the Bureau for Employers' Activities (ACT/EMP) and the Bureau for Workers' Activities (ACTRAV), in close cooperation with employers' and workers' organizations;
- (k) strengthen its leadership on the SSE for advancing decent work and sustainable development, through its work in the UN Inter-Agency Task Force on SSE, promoting policy coherence within the United Nations system, international financial institutions, and other multilateral institutions, with a view to mainstreaming international labour standards [and rights-based approaches], pro-employment, macro-economic and industrial policies in global action on the SSE;
- (l) maintain, intensify and where possible, broaden SSE-related partnerships, to better coordinate efforts on policy guidance and tools that enhance and complement existing frameworks and agreements.

[Annex. Non-exhaustive list of instruments of the International Labour Organization and the United Nations relevant to decent work and the social and solidarity economy]

[Fundamental Conventions]

- Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)
- Right to Organise and Collective Bargaining Convention, 1949 (No. 98)
- Forced Labour Convention, 1930 (No. 29) and its Protocol of 2014
- Abolition of Forced Labour Convention, 1957 (No. 105)
- Equal Remuneration Convention, 1951 (No. 100)
- Discrimination (Employment and Occupation) Convention, 1958 (No. 111)
- Minimum Age Convention, 1973 (No. 138)
- Worst Forms of Child Labour Convention, 1999 (No. 182)]

[Governance Conventions]

- Labour Inspection Convention, 1947 (No. 81)
- Employment Policy Convention, 1964 (No. 122)
- Labour Inspection (Agriculture) Convention, 1969 (No. 129)
- Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)

Other Technical Conventions

- Social Policy (Non-Metropolitan Territories) Convention, 1947 (No. 82)
- Employment Services Convention, 1948 (No. 88)
- Labour Clauses (Public Contracts) Convention, 1949 (No. 94)
- Social Security (Minimum Standards) Convention, 1952 (No. 102)
- Social Policy (Basic Aims and Standards) Convention, 1962 (No. 117)
- Human Resources Development Convention, 1975 (No. 142)
- Occupational Safety and Health Convention, 1981 (No. 155)
- Workers with Family Responsibilities Convention, 1981 (No. 156)
- Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159)
- Employment Promotion and Protection against Unemployment Convention, 1988 (No. 168)
- Indigenous and Tribal Peoples Convention, 1989 (No. 169)
- Home Work Convention, 1996 (No. 177)
- Protocol of 2002 to the Occupational Safety and Health Convention, 1981
- Private Employment Agencies Convention, 1997 (No. 181)
- Maternity Protection Convention, 2000 (No. 183)
- Domestic Workers Convention, 2011 (No. 189)]

[Recommendations]

- Income Security Recommendation, 1944 (No. 67)
- Vocational Rehabilitation (Disabled) Recommendation, 1955 (No. 99)
- Protection of Migrant Workers (Underdeveloped Countries) Recommendation, 1955 (No. 100)
- Indigenous and Tribal Populations Recommendation, 1957 (No. 104)
- Workers' Housing Recommendation, 1961 (No. 115)
- Employment Policy Recommendation, 1964 (No. 122)
- Tenants and Share-croppers Recommendation, 1968 (No. 132)
- Rural Workers' Organisations Recommendation, 1975 (No. 149)
- Vocational Rehabilitation and Employment (Disabled Persons) Recommendation, 1983 (No. 168)
- Employment Policy (Supplementary Provisions) Recommendation, 1984 (No. 169)
- Home Work Recommendation, 1996 (No. 184)
- Job Creation in Small and Medium-Sized Enterprises Recommendation, 1998 (No. 189)
- Promotion of Cooperatives Recommendation, 2002 (No. 193)
- Human Resources Development Recommendation, 2004 (No. 195)
- Employment Relationship, 2006 (No. 198)
- Social Protection Floors Recommendation, 2012 (No. 202)
- Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204)
- Employment and Decent Work for Peace and Resilience Recommendation, 2017 (No. 205)]

[Resolutions]

- Resolution concerning the promotion of sustainable enterprises – International Labour Conference, June 2007
- Resolution concerning the promotion of rural employment for poverty reduction – International Labour Conference, June 2008]

[United Nations Instruments]

- Universal Declaration of Human Rights, 1948
- International Covenant on Economic, Social and Cultural Rights, 1966
- International Covenant on Civil and Political Rights, 1966
- International Convention on the Elimination of All Forms of Discrimination Against Women, 1979
- International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, 1990
- Convention on the Rights of Persons with Disabilities, 2006]]