The crucial importance of an inclusive employment policy
32. When the ILO was established in 1919, following the end of the First World War, employment issues were an urgent priority. The Preamble to the 1919 Constitution emphasizes the urgent need to ensure the prevention of unemployment. Indeed, one of the instruments adopted by the first International Labour Conference (ILC), the Unemployment Convention, 1919 (No. 2), calls on countries to take measures to prevent unemployment and develop a free public employment service. Subsequently, in 1944, the Declaration of Philadelphia reaffirmed the fundamental principles on which the ILO is based, emphasizing that “poverty anywhere constitutes a danger to prosperity everywhere” (Part I(c)). Part III of the Declaration of Philadelphia recognizes, inter alia, “the solemn obligation of the International Labour Organisation to further among the nations of the world: (a) full employment and the raising of standards of living”, and notably “(b) the employment of workers in the occupations in which they can have the satisfaction of giving the fullest measure of their skill and attainments and make their greatest contribution to the common well-being”. As the Organization embarks on its second century, employment policy remains at the core of its mandate to promote the attainment of decent work and safeguard the well-being of all workers. In Part I(B) of the ILO Centenary Declaration for the Future of Work, 2019, the ILC declared that it is “imperative to act with urgency to ... shape a fair, inclusive and secure future of work with full, productive and freely chosen employment and decent work for all.”

33. Taking into account the breadth of the present General Survey and the variety of instruments covered, the Committee only addresses certain aspects of employment policy in depth, and will examine others only tangentially or from the perspective of coordination and coherence. This selection is based on the questionnaire approved by the Governing Body for the Survey. Certain aspects, such as the transition to formality and measures to foster the employment of specific groups, are addressed in other chapters. Nevertheless, the Committee wishes to reiterate that national employment policies should be comprehensive, as employment is not a target that can be achieved and sustained through a single policy measure. It is necessary to adopt a diversified array of complementary instruments in different areas, as highlighted in the 2014 ILC Conclusions. ... Employment policies should also be inclusive so that the objective of full, productive and freely chosen employment translates into specific opportunities for all workers, without distinction whatsoever.

34. In this chapter, the Committee focuses on: the history and content of Convention No. 122 and Recommendation No. 169; a general description of the process followed by many countries in adopting a national employment policy; measures for job creation and inclusive, sustainable economic growth; fostering the green and blue economy; and the impact of new technologies on employment.

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1. Background

35. Convention No. 122, accompanied by the Employment Policy Recommendation, 1964 (No. 122), and Recommendation No. 169, adopted two decades later, provide a sound and comprehensive framework for ILO member States to promote employment and address specific decent work deficits, including those encountered by disadvantaged groups. The instruments provide substantive guidance for the development of national employment policies and programmes focused on the promotion of employment, job creation and income generation, as well as on the prevention of unemployment, poverty reduction and improved standards of living.

36. The Committee recalls that after the adoption of Convention No. 122, at its 51st Session in 1967, the World Employment Programme was adopted as the ILO’s contribution to the International Development Strategy for the United Nations Development Decade, and sought to introduce a new employment-oriented approach to poverty alleviation and development through a continuing interaction between research, policy analysis and operational activities.

37. In 1976, the World Conference on Employment adopted a Declaration of Principles and Programme of Action which reaffirmed the need to meet the challenge of creating sufficient jobs in developing countries to achieve full employment. The Conference took the further step of recognizing, as one of the primary objectives of national development efforts and international economic relations, the achievement of full employment and the satisfaction of the basic needs of people. In 1979, the ILC renewed its endorsement of the Declaration of Principles and Programme of Action and, in so doing, adopted a resolution concerning follow-up to the World Conference on Employment, which included a request to the Governing Body to place the question of the revision of employment policy instruments on the agenda of the earliest possible session of the ILC.12


II. Employment policy and the right to work

39. Convention No. 122, in Article 1, calls on member States to “declare and pursue, as a major goal, an active policy designed to promote full, productive and freely chosen employment”. The objective of the policy is to stimulate economic growth and development, raise standards of living, meet requirements for skilled workers and overcome both unemployment and underemployment.

40. The human rights dimension of employment is reflected in the Preamble to Convention No. 122, which cites the affirmation by the Universal Declaration of Human Rights, 1948, that “everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment”.

41. The core principles of Convention No. 122 are reflected in Recommendation No. 169, which also makes explicit reference to the right to work, indicating that “[t]he promotion of full, productive and freely chosen employment … should be regarded as the means of achieving in practice the realisation of the right to work”, which “should be a priority in … economic and social policies of Members and, where appropriate, their plans for the satisfaction of the basic needs of the population” (Paragraphs 1 and 3).

42. The Committee recalls that, in order to deliver on the right to work in a meaningful and sustainable manner, efforts to implement the Convention should be underpinned by a respect for all human rights, as enshrined in the 1966 United Nations Covenants on Economic and Social Rights and on Civil and Political Rights which have been ratified by almost all States that are members of the United Nations. The Covenants, adopted two years after Convention No. 122, also affirm the right to work.

43. Many national Constitutions recognize the right to work and provide that it is the duty of the State to promote conditions in which the right to work of all citizens can be effectively realized.

Of the 12 countries that have ratified the Convention since the General Survey of 2010, nine have Constitutions that include provisions establishing the right to work: Chad (article 32), Fiji (article 33), Mali (article 17), Niger (article 33), Rwanda (article 37), Switzerland (article 41), Sri Lanka (article 28), Togo (article 37) and Viet Nam (article 35).

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16 Namibia, Saint Vincent and the Grenadines and Trinidad and Tobago have also ratified the Convention in this period.
III. Content of the instruments

1. Declaring and pursuing an active national policy

44. Article 1(1) of Convention No. 122 requires member States to make an explicit formal proclamation of their national employment policy. The political commitment to full, productive and freely chosen employment may be reflected in national legislation or key declarations of intent, such as a national plan or a similar overall policy framework.

45. The national employment policy should reflect a concerted and coherent vision of the country’s employment objectives and set out specific means of achieving them. Programmes and actions should be linked by a common vision with continuity over time and which can ensure coherent economic, social and labour policies independently of changes of government.

46. The Convention does not prescribe a specific form for the national employment policy. Some countries may decide to adopt a fully fledged and stand-alone employment policy, while others may advance progressively, giving priority to some dimensions over others, or targeting certain groups, and developing the remaining dimensions at a later stage.17 Regardless of its form, it is crucial for the employment policy to be positioned as a major goal within the national agenda and macroeconomic policies.18

47. The majority of States have adopted some form of national employment policy. The Committee notes in this regard that the following countries have adopted stand-alone national employment policies: Albania, Algeria, Armenia, Azerbaijan, Bangladesh, Barbados, Benin, Bosnia and Herzegovina, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Cabo Verde, Central African Republic, Chile, China, Comoros, Democratic Republic of the Congo, Costa Rica, El Salvador, Ethiopia, Fiji, Gabon, Ghana, Guatemala, Honduras, Iraq, Côte d’Ivoire, Jordan, Kazakhstan, Kenya, Republic of Korea, Kyrgyzstan, Liberia, North Macedonia, Madagascar, Malawi, Mali, Malta, Mauritania, Mauritius, Republic of Moldova, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Russian Federation, Rwanda, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Slovakia, Slovenia, Sri Lanka, Sudan, Sweden, United Republic of Tanzania, Timor-Leste, Togo, Turkey, Uganda, United Arab Emirates, Zambia and Zimbabwe. Some of these policies have been drafted with ILO technical cooperation.19 Some other countries are in the process of adopting a national employment policy.20 Some are currently revising their policy.21

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17 General Survey of 2010, para. 514. For example, in Ecuador, Egypt, Paraguay and the Marshall Islands, there is a strategy for youth employment.
18 ibid., para. 27.
19 For example, since 2010, the ILO has contributed with the elaboration of the national employment policies in the following countries: Albania, Armenia, Azerbaijan, Burkina Faso, Cambodia, Cameroon, China, Comoros, Costa Rica, Côte d’Ivoire, Ethiopia, Ghana, Guatemala, Iraq, Jordan, Kyrgyzstan, North Macedonia, Malawi, Mali, Morocco, Mozambique, Namibia, Panama, Peru, Philippines, Russian Federation, Samoa, Sao Tomé and Principe, Senegal, Serbia, Seychelles, Sri Lanka, Togo and Zambia.
20 For example, Afghanistan, Bangladesh, Belize, Botswana, Chad, Congo, Georgia, Guinea, Guinea-Bissau, India, Jamaica, Mauritius, New Zealand, Palau, Papua New Guinea, Somalia and Trinidad and Tobago.
21 For example, Albania, Armenia, Benin, Burkina Faso, Côte d’Ivoire, North Macedonia, Niger, Peru, Rwanda, Saudi Arabia and Republic of Tanzania.
48. Other countries have embedded the national employment policy within a broader national development plan or national action plan.22

_Bahrain_ – The Government has adopted a plan of action and decrees issued by the Council of Ministers containing guidelines on the promotion of employment and protection of national employment.

_CEACR_ – In its comments concerning _Comoros_, the Committee noted with interest that the National Employment Policy Act (PNE) had been adopted through Framework Act No. 14-020/AU of 21 May 2014 issuing the national employment policy. The Act aims to provide a common and coherent vision of the strategic approaches for national action on employment by increasing opportunities for low-income population groups to access decent work and a stable and sustainable income.23

49. Member States have developed a diverse range of policies and measures to address specific aspects of employment promotion. Some countries are currently implementing policies and programmes that prioritize issues of concern, such as informality or skills mismatches, or that promote employment for specific groups, including young people, migrants and persons with disabilities.

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22 For example, _Bahrain_, _Plurinational State of Bolivia_, _Canada_, _Ecuador_, _Egypt_, _Germany_, _Indonesia_, _Ireland_, _Latvia_, _Lithuania_, _South Africa_ and _Switzerland_.

50. ILO member States which are Members of the European Union (EU) have adopted a diverse range of policies to promote full employment in line with the *Europe 2020 employment strategy*.

In 2010, the Lisbon Strategy was succeeded by Europe 2020: A European strategy for smart, sustainable and inclusive growth (2010–20), which sets employment objectives and targets at the level of the European Union (EU). These are translated into national targets by Member States, which report regularly on their implementation. One of the key elements of the Europe 2020 strategy are the National Reform Programmes (NRPs), which are action plans drawn up by national governments establishing how their countries will implement the Europe 2020 strategy targets and objectives, and particularly the employment targets.

51. Other regional unions and groups of countries have also adopted similar initiatives to foster employment.

The African Union has adopted the Agenda 2063 which seeks to attain inclusive growth and sustainable development through, inter alia, job creation, productivity improvement and increased competitiveness.

The Smaller Island States (SIS) of the Pacific Islands Forum (Cook Islands, Micronesia, Kiribati, Nauru, Niue, Palau, Marshall Islands and Tuvalu) seek to ensure sustainable development for their people through working together to address issues of specific relevance and importance to the group. To this end, they have adopted the Smaller Island States Regional Strategy 2016–2020.

The Inter-American Council of Integral Development of the Organization of American States, has adopted a plan of action of Bridgetown 2017 which aims at advancing towards social justice, decent work and sustainable development in the Americas.

The Strategic Plan for the Caribbean Community (CARICOM) 2015–2019 aims at realizing the human potential of the people of the islands through full employment, poverty reduction, good governance and technological innovation, inter alia.

52. *In addition to declaring a national employment policy, the Committee considers that there should be a strong commitment to implementation through active policies and programmes which take into account national conditions and levels of national, regional and local development.*
2. Objective of the employment policy

53. The objective of Convention No. 122 is threefold: to promote full, productive and freely chosen employment.24

(a) Full employment

54. In accordance with Article 1(2) of the Convention, full employment means that “there is work for all who are available for and seeking work”. This goal goes hand-in-hand with the fundamental right to work. It refers to creating employment opportunities for all those available for and seeking work, without implying that everyone must be in employment at all times. Some degree of frictional unemployment (involving persons transitioning between jobs) is considered inevitable in flexible labour markets, as even well-functioning labour markets cannot match workers to available jobs instantaneously.25 Thus, at any given time, it is likely that a small percentage (2–3 per cent) of the labour force will be unemployed while normal labour market adjustments are made. However, frictional unemployment is short-term in nature and should be distinguished from more serious forms of unemployment, such as long-term unemployment or mass unemployment caused by economic crises. The prevention of these latter forms of unemployment is the main challenge to be addressed by employment policies directed at maintaining full employment.

55. The Committee recalls the 1996 ILC Conclusions concerning employment policies in a global context and considers that certain aspects of these Conclusions remain particularly topical in the context of the current changes in the world of work, especially the development of new technologies and the risks of job displacement due to automation. The Committee emphasizes that “the definition of full employment as a level of employment where all those available, able and actively seeking work can obtain it” remains fundamentally valid. In that context, changes in the structure of employment in terms of what constitutes full, productive and freely chosen employment need to be taken into account. Full employment remains an achievable goal despite anxieties over the possible job-destroying effects of rapid technological change and intensified international competition. The Committee considers that the objective of full employment is valid for all countries, allowing different interpretations for developing countries.26 At the same time, full employment should be harmonized with the objectives of economic progress and sustainable growth, which may involve structural changes and the transition of workers from highly polluting sectors to the green and blue economies.

Statistical concepts

In this section, the Committee refers to certain international standard statistical concepts recognized by the International Conference of Labour Statisticians (ICLS), which are used to analyse and contextualize levels of employment, including: the labour force, unemployment, labour underutilization (underemployment), time-related unemployment and the potential labour force.27

The labour force refers to the current supply of labour for the production of goods and services in exchange for pay or profit. The sum of persons in employment and in unemployment equals the labour force.

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Persons in unemployment are defined as all those of working age who were not in employment, carried out activities to seek employment during a specified period and were available to take up employment. All three criteria must be met for a person to be considered as unemployed. Not being in employment is assessed with respect to the reference period for measuring employment. Seeking employment refers to any activity when carried out, during a specified recent period comprising the last four weeks or one month, for the purpose of finding a job or setting up a business or agricultural undertaking. This includes also part-time, informal, temporary, seasonal or casual employment, within the national territory or abroad. In the case of persons setting up a business, the point when the enterprise starts to exist should be used to distinguish between search activities aimed at setting up a business and the work activity itself. The notion of currently available serves as a test of readiness to start a job, assessed with respect to a short reference period comprising that used to measure employment.

Although the problem of unemployment is omnipresent in public discourse, labour underutilization can take on additional forms that are not captured by the headline unemployment rate and can be used to complement this indicator. In this regard, the Committee notes that additional measures of labour underutilization are defined by resolution 1 of the 19th ICLS, 2013. Unemployment is now integrated as one of the measures of labour underutilization, which also include “time-related underemployment” and the “potential labour force”.

Time-related underemployment refers to situations when the working time of employed persons is insufficient in relation to alternative employment situations in which they are willing and available to engage. Specifically, persons in time-related underemployment are employed persons who, during a short reference period wanted to work more hours, whose working time in all jobs was less than a specified hours threshold, and who were available to work additional hours given the opportunity.

The potential labour force comprises people of working age who, during a given short reference period, were neither employed nor unemployed and either: (1) looked for a job and were not available to work, but would become available within a short period (i.e. unavailable jobseekers); or (2) did not look for a job, but wanted employment and were available for work (i.e. available potential jobseekers). The second group includes discouraged jobseekers, made up of those who did not look for a job for labour market-related reasons. The potential labour force is not part of the current labour force but could be integrated into it if some conditions were to change, implying that such persons are only marginally detached from the labour market.\(^\text{28}\)

The Committee notes the importance of these new measures, which will enable better statistical measurement of the participation of all persons in all forms of work and in all sectors of the economy, including of labour underutilization, and of interactions between different forms of work. The 2013 resolution, together with other resolutions concerning status in employment adopted in 2018, are relevant to evaluations of the quantity and quality of work at the national level.\(^\text{29}\)

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\(^{29}\) This is also relevant to chapter II on the employment relationship.
1. The crucial importance of an inclusive employment policy

(b) Productive employment

56. Article 1(2)(b) of the Convention provides that the national employment policy should seek to ensure that “work is as productive as possible”. Productive employment which is defined as employment yielding a sufficient level of income (above the poverty line) requires the efficient organization of resources, and should be assessed in light of national circumstances. Labour productivity is therefore a key measure of economic performance and national development. Value increases when labour works smarter or with better skills, but it also increases with the use of more or better machinery, reduced waste of input materials or the introduction of technological innovations.

57. If workers are to be able then to contribute to the full extent of their capacity to economic growth and other social purposes, it is essential to increase their abilities and opportunities. Policies to improve labour productivity include: macroeconomic policies that favour employment (through investment in infrastructure, tax and welfare reforms, the quality of education and training, business investment, tax incentives or the removal of unnecessary barriers to efficiency), supplemented by fair wage and labour market policies and institutions that make labour markets more effective, inclusive and equitable, including wage-setting institutions, minimum wage systems, mandatory social benefits, unemployment insurance, employment protection legislation and proper enforcement mechanisms.

The International Organisation of Employers (IOE) indicated in its observations concerning the implementation of Convention No. 122 that sustained productivity growth is the main driver of the development process, including employment and decent work creation, and the transition to the formal economy. Sustained productivity growth translates into better financial performance, which enables enterprises to hire and retain more workers, as well as to invest in machinery and equipment, research and development. Such growth also permits enterprises to invest in skills development for their workers, improve working conditions and expand the production of goods and services. At the same time, increased productivity enables enterprises to be competitive, obtain access to financing and reap the benefits of international trade. Productivity is the engine of sustainable growth and a key factor in improving standards of living over the longer term.

(i) Sustained growth, environmental sustainability, inclusivity and equality

58. An understanding of the driving forces behind productivity, in particular the accumulated impact of machinery and equipment, improvements in organization and in physical and institutional infrastructure, improved health and skills of workers (“human capital”) and the generation of new technology, is important for the formulation of policies to support economic growth. The Committee notes that three factors in particular should be taken into consideration when examining productivity: sustained growth; environmental sustainability; and equality. Lasting productive employment is required to ensure sustained growth.

30 See in this regard, for example, M. Mwamadzingo and P. Chinguwo: Productivity improvement and the role of trade unions, ILO, 2015.
59. The 2030 Sustainable Development Goals (SDGs), adopted in 2015, call on countries to take measures to promote decent work, productive and sustainable employment. In particular, SDG 8, on “sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all”, sets targets that include sustaining growth and achieving higher levels of economic productivity through diversification, technological upgrading and innovation, including through a focus on high value added and labour-intensive sectors.

60. When examining employment programmes that promote the use of very short-term contracts or other forms of fixed-term and temporary employment contracts, the Committee has requested governments to provide information on the impact of these programmes on opportunities for lasting employment.

The CGT-FO of France refers to the increase in precarious employment (according to DARES, the share of new hires on fixed-term contracts has increased significantly in 25 years, particularly since the 2000s, from 76 per cent in 1993 to 87 per cent in 2017), stemming from changes in social legislation and the deregulation of the labour market. This has led to an explosion of short-term contracts. The worker organization considers that the fight against job insecurity must become a priority and it is therefore not a question of adapting the French social model to these changes without calling them into question.

The UGT of Spain refers to the priority given to quantity over quality of employment.

CEACR – In its comments concerning the application of Convention No. 122 in Spain, the Committee noted that the CCOO indicated that most of the employment created is concentrated in low productivity sectors and continues to be precarious and of poor quality. In this context, the CCOO maintains that the contracts that are signed continue to be primarily temporary contracts. It adds that, in 2017, 95 per cent of employment contracts were temporary or part-time contracts. The CCOO further maintains that the average duration of temporary contracts continues to decrease, and that the number of short and very short temporary contracts continues to increase, as does turnover. In its response, the Government indicates that, while the number of signed contracts are primarily temporary in nature, in 2017, for the first time since the beginning of the economic recovery, the net creation of indefinite term contracts (263,900) exceeded the number of temporary contracts (222,900).
The German Confederation of Trade Unions (DGB) of Germany indicates that many measures, such as agency work or limited-duration contracts that were conceived as exceptions or to bridge a gap, are now being used as normal instruments of the labour market. A similar pattern can be seen in all forms of precarious work: low income, low social protection and fewer rights to co-determination than employees. The largest group of people in precarious work are those with mini-jobs. In 2018, 7.5 million employees were in mini-jobs. Of those, 4.7 million were in only marginal employment, 2.7 million of them in the traditional working-age bracket between 25 and 64. With an upper limit of €450 per month, mini-jobs are dead-end jobs with few prospects, low income and often poor working conditions. Of the 3.1 million workers in marginal employment in the group relevant to the labour market (25–64 years-old) around 80 per cent have a vocational or academic diploma.

The FNV and CNV of the Netherlands refer to the increase of flexible employment and the predominance of self-employment, including false self-employment. According to the unions, these forms of flexible organization of work are unlikely to lead to significant productivity gains and employment growth as self-employed workers do not have access to training and they have poor access to social security in case of sickness and disability. They consider that the recent introduction of the Labour Market Balance Act will not help to address the issue of flexibility.

The Venezuelan Confederation of Workers (CTV) indicates that there is no active national policy aimed at promoting full, productive and freely chosen employment, nor are there coordinated social programmes or policies. This has resulted in the informalization of the labour force and the deindustrialization of the country, with its consequent loss of productive employment. Moreover, there are no public policies aimed at addressing the unequal participation of women at work, or promoting the inclusion of young persons or workers with disabilities in the labour market.

61. The Committee will examine some of these contractual arrangements in chapters II and VI which, while these provide some form of income, may present challenges with respect to labour and social protections, as well as encourage high employment turnover, leading to precarious employment. The Committee recalls in this regard that clear institutional and legal frameworks are needed to create productive and lasting employment that ensures adequate protections while recognizing enterprise needs in terms of flexibility.

62. SDG 8 calls on countries to increase efficiency in production while decoupling economic growth from environmental degradation. The aim is to promote prosperity while protecting the planet. The goal of ending poverty must be aligned with strategies for economic growth that address both social needs and environmental concerns.

35 SDG 8, targets 1–4. See section on green jobs below.
1. The crucial importance of an inclusive employment policy

Ghana – Two of the four policy objectives of the National Employment Policy (2015) include a strategic action related to green jobs or the green economy:

1. “to promote and support initiatives for the creation of green jobs in energy and industrial efficiency, energy supply, transportation, biodiversity, conservation and ecosystem restoration, soil and land management, and waste management”;

2. “to expand social protection mechanisms for workers exposed to external shocks (i.e. fire, flood, retrenchment, structural changes to green economy, etc.), and develop new learning strategies to help them cope with these socio-economic shocks before they are re-integrated into the labour market”.

The cross-cutting reflection of environmental sustainability is also signalled by the inclusion of the Environmental Protection Agency Act 1999 (Act 490) in the policy and legal context, providing guidance for the regulation of employment, working conditions and labour relations. In addition, the National Environment Policy and the Ghana National Climate Change Policy are mentioned, among others, as referral policies that should be developed in synergy with the National Employment Policy.

63. The Committee recalls that productive employment and decent work are prerequisites for raising living standards and alleviating poverty. It recommends that the close links between productivity and poverty reduction should be re-examined in the framework of growing inequalities throughout the world and persistent informality. The Committee notes that wage growth has not kept pace with productivity growth and that the share of national income going to workers has declined.36 The gap between the wealthy and other segments of the population continues to widen.

64. The Committee welcomes the human-centred approach adopted in the ILO Centenary Declaration for the Future of Work, 2019,37 aimed at reorienting the economy towards human-centred growth and development, while providing opportunities to create decent work, facilitate the formalization of those in informal employment and end working poverty.38 The Committee notes in this respect that several countries have provided information on the specific measures taken to address poverty within and in coherence with national employment policies.39 These measures include: mechanisms for specific categories of workers (such as workers with disabilities, youth, certain categories of women, the long-term unemployed and rural workers), the transition to formality, the improved coherence of employment policies and social protection mechanisms, job creation, increasing the minimum wage, providing free care facilities to foster labour market participation, cash benefits and skills development.

Malta – The National Strategic Policy for Poverty Reduction and for Social Inclusion 2014–24 retains employment as one of the six dimensions of well-being that contribute towards the reduction of poverty and the promotion of social inclusion.

36 According to the ILO report on The Global Labour Income Share and Distribution, Key findings of July 2019, the share of global income earned by workers has declined from 53.7 per cent in 2004 to 51.4 per cent in 2017. See also ILO: Global Commission on the Future of Work: Work for a brighter future, Geneva, 2019, p. 18.
39 For example, Algeria, Armenia, Burkina Faso, Cabo Verde, Canada, Central African Republic, China, France, Mali, Malta, Montenegro, Nigeria, Portugal and Togo.
Portugal – Over the past 20 years, Portugal has established and implemented the social integration income (RSI), which was initially a guaranteed minimum wage, as part of a poverty reduction strategy. This type of support is intended to protect persons living in extreme poverty and comprises a cash benefit designed to meet their minimum needs and an integration programme that includes a contract (a series of actions that reflect the characteristics and conditions of the recipient’s household) with a view to their progressive integration into society, the labour market and the community.

65. The Committee also recalls that measures to increase labour productivity should be accompanied by measures to ensure equality of opportunity and treatment in all aspects of employment.

(ii) Unpaid work

66. Unpaid work takes many forms, ranging from care work to unpaid internships. Much unpaid work, and particularly unpaid care work, results in extremely valuable outcomes that contribute to the economy, as well as society (raising and caring for children, caring for elderly and ill persons, performing domestic work). This work is not yet adequately reflected in national accounts. The Committee notes in this regard that some countries have taken measures to start measuring the incidence of unpaid work in the national economy. The Committee notes that the recently adopted ICLS resolution concerning statistics on work relationships suggests that each country should develop national statistics on work relationships in order to provide adequate information on the impact of government policies and regulation in relation to unpaid forms of work.

67. These responsibilities are primarily assumed by women, who still perform three-quarters of all unpaid care work. This has a bearing on productive employment. Time devoted to care work is diverted from paid work, or means that the workers concerned only have access to lower-paying jobs or jobs with lower career prospects. It is also important to take measures to limit hours of work, whether paid or unpaid, to ensure adequate leisure time and enhance quality of life for women and men. Measures that foster infrastructure development, access to care facilities as well as other relevant public services, economic growth and employment have an incidence on labour market participation and reduce unpaid work. While this situation is changing, the Committee considers that policies should promote the sharing of unpaid work in the home, with the aim of increasing equality of opportunity in the workplace. The Committee highlights the need to address unpaid work when examining productivity.

(c) Freely chosen employment

68. In accordance with Article 1(2)(c) of Convention No. 122, the national employment policy shall aim to ensure that “there is freedom of choice of employment and the fullest possible opportunity for each worker to qualify for, and to use his skills and endowments in, a job for which he or she is well suited, irrespective of race, colour, sex, religion, political opinion, national extraction or social origin”.

69. The Committee notes in this respect that the objective of freely chosen employment consists of two elements. First, no person shall be compelled or forced to undertake work that has not been freely chosen or accepted or prevented from leaving work if he or she so

40 For example, in its report, the Government of Georgia indicated its intention to carry out a “use of time survey” to measure the extent of unpaid domestic work. Nigeria’s national employment policy refers to changes in demographics and the incidence in unpaid domestic work. Others like Jamaica indicated their intention to cover unpaid work in the national policy. The Governments of Brazil and Canada referred to the measures taken to address unpaid internships.


wishes. Second, all persons should have the opportunity to acquire qualifications and to use their skills and endowments free from any discrimination. Some countries explicitly mention “freely chosen employment” in their national employment policy goals.

(i) Freedom from forced or compulsory labour

70. The prevention and prohibition of compulsory labour as a condition sine qua non of freedom of choice of employment is addressed by two fundamental ILO Conventions: the Forced Labour Convention, 1930 (No. 29), and the Abolition of Forced Labour Convention, 1957 (No. 105).

(ii) Non-discrimination

71. The Discrimination (Employment and Occupation) Convention, 1958 (No. 111), another of the eight fundamental ILO Conventions, prohibits discrimination in employment and occupation on seven grounds: race, colour, sex, religion, political opinion, national extraction or social origin. This prohibition encompasses discrimination in relation to recruitment, conditions of work, opportunities for training and advancement, termination, or any other employment-related conditions, including discrimination in choice of occupation. The Committee notes that the national employment policy should thus include measures to ensure equality of opportunity and treatment to enable all persons, without discrimination, to fully exercise their right to work, including the right to vocational guidance and training. The Committee emphasizes that equality of opportunity and treatment in employment and occupation is an essential element of any inclusive employment policy, and recalls that the policy should also include measures to prevent unemployment for specific groups of workers who are vulnerable to exclusion. Some countries explicitly mention equality of opportunities and freedom from discrimination as a national employment policy goal.

Israel – The Government indicates that there are a variety of programs run by different ministries, sometimes in partnership with the JDC-TEVET (a social incubator bringing sustainable and innovative employment solutions to the most disadvantaged populations). For example, there are programs for: Jewish women, for the promotion of employment of Arab women, for disadvantaged rural areas in the periphery, for the empowerment of poor families, for the promotion of the employment of workers with disabilities (Accessible Work) and for young adults, which supplies placement and employment support services for young adults with disabilities.

Gender equality

72. The Committee highlights the need to address persistent gender inequalities through employment policies that are coordinated with other national strategies and development plans. While women represent half of the world’s population, they are still not adequately represented in the world of paid work. Discrimination and structural obstacles continue to hinder their access to, advancement and retention in employment.

The Confederation of Labour of Russia (KTR) refers to a list of 456 occupations and 38 industrial sectors, in which women are prohibited from working.

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43 General Survey of 2010, para. 48.
44 For example, Namibia and Sri Lanka.
46 A more in-depth analysis of equality of opportunity and treatment is contained in ch. VI.
47 For example, Armenia, Guatemala, North Macedonia, Morocco and Peru.
1. The crucial importance of an inclusive employment policy

Inclusive policies

73. Convention No. 122 and Recommendation No. 169 encourage countries to adopt policies and measures that promote the employment of particular categories of workers who encounter difficulties in finding lasting employment, such as certain categories of women, young people, older workers and workers with disabilities, as well as the long-term unemployed and migrant workers lawfully within their territory. In this regard, one of the overall objectives of developing a national employment policy is the achievement of greater equality of opportunity in terms of access to employment, as well as equality of treatment concerning conditions of work and the protection of the various categories of workers.

CEACR – In its comments concerning Barbados, the Committee noted with interest the adoption in 2012 of the National Employment Policy targeting persons with disabilities, youth, women, workers in the informal economy, and migrants.

(iii) Coordination of education and training policies with employment policies

74. Education and training policies are closely linked to increased productivity and facilitate the free choice of employment. Moreover, in light of ongoing technological changes, workers will need to continuously acquire new skills, reskill and upskill. The national employment policy should provide support to workers through the inevitable transitions that they will encounter during their working lives. Recommendation No. 169 indicates that education and training systems, including retraining schemes, should offer workers sufficient opportunities for adjusting to changed employment requirements resulting from technological change with a view to ensuring the best possible use of existing and future skills (Paragraph 22).

The TUC of the United Kingdom refers to the need to motivate and enable all workers to gain the skills for the economy of the future through the development of a universally accessible, high-quality information, advice and guidance system that effectively links skills progression and sustainable careers. Furthermore, it is necessary to help time-poor workers by providing an entitlement to time for learning, especially for workers with low skills or in increasingly vulnerable occupations.

75. The Committee has consistently highlighted the need to coordinate education and vocational training policies with employment policies. This is crucial to ensure that there is an adequate supply of skilled jobs, while offering workers a wider array of options on the labour market. The Committee has also referred to the importance of consulting the social partners and other concerned stakeholders on the development of education and training programmes so as to ensure that they meet the needs of employers. Many national employment policies include specific measures to improve education and training as a priority.
The CGT-FO of France refers to the need to ensure the participation of social partners in building the vocational training system. Furthermore, skills development systems based on personal accounts creates the risk of cost increases in the training courses.

76. The majority of countries report on the education and vocational training measures taken to improve preparation for working life and to respond to labour market needs. Many countries indicate that their systems are being restructured to adapt to changes and to improve the quality of vocational education and training curricula and programmes. While some countries report low employment rates of workers who lack basic education or training and existing skills mismatches in their labour markets, others refer to barriers encountered by youth with high levels of education in seeking employment.

El Salvador – The National Employment Policy (2017–30) establishes the specific objective of increasing the competencies and qualifications of the workforce through education and training with a view to meeting production needs.

Greece – The Labour Market Needs Identification Mechanism contributes decisively to improving the effectiveness of employment and training programmes by providing updated data on labour market needs to the bodies that design employment and vocational education and training policies and programmes.

United Republic of Tanzania – The National Employment Policy (2008–25) establishes the obligation for academic, training and research institutions to adjust their curricula to reflect labour market needs (point 4.3).

Uganda – The National Employment Policy includes a focus on education, skills development and training (section 6.5). The policy recognizes the importance of universal primary and secondary education as a precursor to skills development. It sets as a priority the promotion of skills development and training, especially for young persons already in wage employment. Similarly, the focus on training for the self-employed is on those young people who already have a good track record of small enterprise management.

77. In designing and formulating the national employment policy, a skills needs assessment should be carried out across major sectors of the economy by level of education, competencies and training. This assessment should also include an examination of formal and informal apprenticeships and other work-based learning programmes to assess their effectiveness. The assessment should also take into account changes in the market and identify potential growth sectors, skills gaps and mismatches, and the disadvantages faced by specific groups.

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53 Education and training measures actually constitute a significant part of most national employment policies. Some national employment policies such as Sri Lanka are even titled “HR/skills and employment policies”.

54 For example, Mali and Greece.

55 For example, Cabo Verde and China, as well as many European countries.
of workers. The Committee notes that some national policies explicitly focus on skills needs assessments to identify, inter alia, skills gaps, training and certification requirements for in-demand occupations and new or emerging occupations that will require new skills.56

**Estonia** – The National Reform Programme 2020 provides for the implementation of a coordination system to monitor labour needs and develop skills to facilitate the planning of the structure, volume and content of formal education within the adult education system and in-service training, the development of curricula and career planning, and to help employers develop the skills of their employees.

78. It is vital for countries to continuously adapt and improve their vocational education and training systems and to promote lifelong learning in response to these new challenges, particularly in areas where sustainable employment opportunities are emerging.57 From an individual perspective, such systems facilitate school-to-work transitions and assist persons already in employment to adapt and upgrade their skills throughout their working lives. From a societal perspective, lifelong learning is a powerful means of enhancing economic flexibility and productivity, and of ensuring international economic competitiveness, particularly for the many countries with an ageing workforce.58

79. The Committee notes that many countries include lifelong learning as a priority in their national policies,59 or have adopted specific strategies to promote lifelong learning.60

**The Republic of Moldova** – The National Employment Strategy (2007–15) prioritizes the development of human capital and promotes lifelong learning. Areas for action include: modernizing the education system and ensuring quality education for all; promoting enterprise-based training; and involving the social partners in realigning national vocational education and training systems.

**(d) The informal economy**

80. A national employment policy with the objective of promoting full, productive and freely chosen employment also needs to include measures to facilitate the transition from the informal to the formal economy. Paragraph 29(1) of Recommendation No. 169 calls on member States to facilitate the progressive integration of the informal economy into the national economy, while taking measures to improve conditions of informal work. Similarly, Paragraph 14 of Recommendation No. 204 indicates that the national employment policy should include the objective of creating quality formal economy jobs. Recommendation No. 204 emphasizes the need to adopt a comprehensive employment policy framework for this purpose, developed through tripartite consultation.
1. The crucial importance of an inclusive employment policy

3. Ensuring a comprehensive approach

81. Article 1(3) of the Convention provides that the national employment policy “shall take due account of the stage and level of economic development and the mutual relationships between employment objectives and other economic and social objectives and shall be pursued by methods that are appropriate to national conditions and practices”. Over the years, the Committee has repeatedly emphasized the interdependence of economic, social and employment objectives and regularly requests countries that have ratified Convention No. 122 to provide detailed information on the manner in which the national employment policy is coordinated with other economic and social policies.

82. The Committee notes that most of the national employment policies supported by the ILO and adopted over the last decade provide a comprehensive approach cutting across both macro and microeconomic dimensions and addressing both labour supply and demand as well as labour market governance policies.

CEACR – In its comments concerning Switzerland, the Committee noted in 2016 the Government’s indication that the country’s performance in relation to labour market policy is based on several factors, namely: price stability; long-term average budget balance and the smooth operation of short-term economic stabilizers; a diversified economic structure; flexibility of the active population; focus on vocational training and the dual training system; the policy regarding foreign workers; and decentralized relations between employers and workers.61

83. A wide range of integrated policy interventions are needed to foster the quality and quantity of employment.62 In the ILC Conclusions adopted in 2010 following the first recurrent discussion on employment, the Conference recognized the importance of promoting both the quality and quantity of employment through a combination of coherent macroeconomic, labour market and social policies.63

84. The Committee further notes that the 2014 ILC Conclusions concerning the second recurrent discussion on employment64 provide strategic guidance on addressing current employment challenges. They refer to a set of guiding principles for rights-based, employment-centred sustainable economic recovery and development, reaffirming the principles established in Convention No. 122 and Recommendation No. 169. They also highlight the importance of adopting a comprehensive employment policy framework to promote full, decent, productive and freely chosen employment. They also emphasize that the policy should be developed through inclusive tripartite social dialogue and be accompanied by a high degree of coherence, collaboration and policy coordination at the global, regional and national levels.

85. The Conclusions call for the inclusion of specific elements in the national employment policy: (a) pro-employment macroeconomic policies; (b) trade, industrial, tax, infrastructure and sectoral policies; (c) enterprise policies, in particular an enabling environment for sustainable enterprises; (d) education policies that underpin lifelong learning and skills development policies that respond to the evolving needs of the labour market and to new technologies, and broaden options for employment, including systems for skills recognition; (e) labour market policies and institutions, such as: (i) wage policies, including minimum wages; (ii) collective bargaining; (iii) active labour market policies; (iv) strong employment services; (v) targeted measures to increase the labour market participation of women and under-represented groups; (vi) measures to help low-income households to escape poverty and access freely chosen employment;

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61 CEACR – Switzerland, C.122, direct request, 2016.
64 ILO: Conclusions concerning the second recurrent discussion on employment, ILC, 103rd Session, Geneva, 2014.
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and (vii) unemployment benefits; (f) policies that address long-term unemployment; (g) labour migration policies that take into account labour market needs and ensure migrants have access to decent work; (h) tripartite processes to promote policy coherence across economic, environmental, employment and social policies; (i) effective inter-institutional coordination mechanisms; (j) strategies to facilitate young people’s school-to-work transition; (k) policies to encourage the transition to formality; (l) policies to tackle the challenge of environmental sustainability, and ensure a just transition for all; (m) policies to tackle the employment and social protection implications of the new demographic context; (n) relevant and up-to-date labour market information systems; and (o) effective monitoring and evaluation systems of employment policies and programmes. Each member State will decide in consultation with national stakeholders at national level which are more relevant and necessary.

86. Following the adoption of the 2010 and 2014 ILC Conclusions, the ILO has promoted a comprehensive approach to employment policy, in which a national employment policy should articulate both a vision and a coherent framework linking all employment policy interventions, and involving all stakeholders: government, workers’ and employers’ organizations, development partners, financial institutions, non-governmental organizations and civil society groups. This should also take into account the important link existing between employment and social protection, the main object of which is to protect people from uncertainty and poverty by compensating for temporary or permanent shortfalls in income and redistributing risk. Such social protection depends for its financing, either directly or indirectly on workers’ ability to work and earn an income.

87. Figure 1.2 shows the different elements and connections that are formed when national employment policies are addressed using a comprehensive approach.

88. The 2014 ILC Conclusions coincide with SDG 8 in proposing a set of coordinated policy actions aimed at promoting full, productive and freely chosen employment which are crucial to addressing the employment challenges of the future of work at the national and global levels. Such policies would also have a major impact on ending poverty in all its forms (SDG 1) by lifting millions of working poor out of poverty. They would also contribute to: SDG 4 on education through the provision of quality vocational and technical education; SDG 5 on gender equality by empowering women in the labour market; SDG 9 on infrastructure and sustainable industrialization by promoting labour-intensive and sustainable public works; SDG 10 on reducing inequality through fiscal and wage reforms and equal access to productive employment; SDG 11 on disaster-affected people by addressing the specificities of labour markets in fragile States; SDG 16 on peace, justice and strong institutions; and SDG 17 on partnership and policy coherence by encouraging inter-ministerial coordination for the formulation and implementation of employment policy measures and supporting the production and dissemination of timely and reliable labour market indicators to support and enhance policy decisions.

89. The level of coordination varies from one country to the other. Some countries establish coordination structures involving a multiplicity of agencies within and outside the government, including the social partners and other stakeholders. The range of government agencies includes ministries dealing with finance, economic affairs, production and trade. In this regard, the Committee has consistently requested information on the manner in which the employment policy is related to other economic and social objectives and how measures are kept under periodic review within the framework of a coordinated economic policy.

65 See ILO, Social Protection: Building social protection floors and comprehensive social security systems: “Employment and Social Protection”.
68 For a description and enumeration of coordination structures, see ILO, “Employment policy implementation mechanisms across countries”, 2017, op. cit.
69 CEACR – Canada, C.122, observation, 2018; China, C.122, observation, 2017; Cyprus, C.122, observation, 2018; Ireland, C.122, observation, 2017; and Republic of Korea, C.122, observation, 2017.
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Indeed, inter-ministerial committees have been established in many countries.70 Some trade unions argue however, that there is no effective mechanism for coordination and agreement of the national policy.71

Mali – According to the Government, all policies and plans are developed with reference to the Strategic Framework for Economic Recovery and Sustainable Development in Mali (CREDD), which is a unifying framework for all economic and social development policies and strategies. CREDD considers employment, which is included in axis 2 (specific objective 22), as a key lever of the poverty reduction strategy. The sectoral reviews of the Planning and Statistics Unit feed into the CREDD review of the implementation of economic and social policies.72

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70 For example in Burkina Faso, Cambodia, Cameroon, Chad, China, Comoros, Côte d’Ivoire, Ethiopia, Ghana, the Republic of Korea, Malawi, Mexico, the Republic of Moldova, Morocco, Mozambique, Namibia, Panama and Sierra Leone.

71 For example the Bulgarian Industrial Association (BIA) considers that there is no effective mechanism for coordination and agreement of the national strategy papers for relevant key policy areas and their expected effect on employment. Similarly the UGT from Spain and the NZCTU from New Zealand.

72 In their reports, several Governments refer to the various ways in which they ensure that policies are revised in a coordinated manner. For example, Argentina, Afghanistan, Australia, Austria, Bahrain, Belgium, Benin, Bosnia and Herzegovina, Brazil, Burkina Faso, Cambodia, Canada, Central African Republic, Chile, China, Democratic Republic of the Congo, Croatia, Cyprus, Denmark, Estonia, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Indonesia, Ireland, Japan, Republic of Korea, Latvia, Lithuania, Mali, Morocco, Myanmar, Namibia, Nepal, New Zealand, Nigeria, Norway, Oman, Pakistan, Philippines, Poland, Romania, Senegal, Seychelles, Slovakia, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Thailand, Togo, Turkey, United Arab Emirates, United Kingdom and Zimbabwe.
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CEACR – In its comments concerning Croatia, the Committee noted with interest the range of measures undertaken by the Government with a view to attaining the objectives of the Convention within the framework of a coordinated economic and social policy. The Government indicates that, as a member of the EU since July 2013, Croatia develops a National Reform Programme (NRP) each year within the broader process of economic policy coordination, referred to as the European Semester.

CEACR – In its comments concerning Fiji, the Committee noted that the National Employment Policy (NEP) had been developed by the Technical Committee established by the National Employment Centre (NEC) to formulate Fiji’s first NEP.

90. The Committee recalls that the members of the coordination structure at the national level should include not only the relevant ministries and the social partners, but also local government when employment policies are rooted and implemented at the local level. In their reports, many countries have provided specific information on the recognition of local governments as stakeholders and their participation in the development, coordination and implementation of national employment policies. The Committee also notes that regional and multilateral agreements may place obligations on governments that could in turn impose constraints on the development and implementation of their employment policy.

Tunisia – The Government of Tunisia indicated that following the restructuring of employment programmes in 2012, a partnership programme has been established with the regions to promote employment. The aim of this programme is to facilitate the integration of the various categories of jobseekers into employment by supporting regional or local initiatives of particular importance in terms of job creation and the establishment of new businesses. The various components of civil society in the regions are involved in the design, development, implementation and monitoring of the programme.

The Bulgarian Industrial Association referred in its report to the need to better coordinate all strategic policies including with budgetary objectives and establish clear responsibilities. It is also necessary to build up appropriate institutional mechanisms for the implementation of the policy.

74 CEACR – Fiji, C.122, direct request, 2017.
75 For example, in their reports, the Governments of Argentina, Chile, France, Kiribati, Morocco and Tunisia refer to the participation of different ministries, such as the ministries of finance or economy, in the elaboration of the employment policy.
76 For example, Australia, Bulgaria, Japan, Latvia, Nigeria, Philippines, Slovakia, Tunisia, United Arab Emirates and United States.
4. Implementation and review

91. Article 2(a) of Convention No. 122 requires countries to “decide on and keep under review, within the framework of a co-ordinated economic and social policy, the measures to be adopted for attaining the objectives” of full, productive and freely chosen employment. Accordingly, many countries that have decided to adopt and implement an active national employment policy have established procedures or mechanisms through which employment-related measures and programmes can be decided upon, implemented and periodically reviewed in a comprehensive and coordinated manner.77

92. The implementation of measures designed to pursue an active employment policy might involve a range of decisions in a wide variety of economic and social fields. In this regard, the Convention is a flexible instrument as it leaves member States free to decide on the methods and mechanisms which need to be instituted for the implementation of employment policy measures.78

93. The Committee, however, considers that one of the fundamental steps for the best implementation of the Convention is that member States build or strive to build the institutions that are necessary to ensure the realization of the full employment objectives. For example, this step could include the provision of: institutions ensuring fair access to, and free choice of, employment; mechanisms for consultations with the social partners and others affected by policy measures; basic labour market institutions, such as a network of public employment offices to facilitate the matching of the supply and demand for employment; public sector institutions and private agencies for the recruitment and placement of workers, including migrant workers; educational and training institutions that enable workers to acquire the skills required for productive employment; and regulatory and business institutions that ensure the growth of small and medium-sized enterprises, as well as cooperatives.79

94. Article 3 of the Convention calls for the measures and programmes to be adopted and implemented under the national employment policy through an inclusive process of consultation with the social partners and persons affected by the measures to be taken. Paragraph 5 of Recommendation No. 169 indicates that policies, plans and programmes adopted in the framework of the employment policy should be drawn up and implemented in consultation and cooperation with employers’ and workers’ organizations and other representatives of the persons concerned, particularly those in the rural sector. The Committee notes that, in the spirit of the instruments, national employment policies should be designed and implemented in consultation and cooperation with specific groups, such as women, older workers and young persons, those in the informal economy, persons with disabilities, indigenous and tribal peoples and other persons affected. The active participation of the concerned groups will in turn foster ownership and cooperation in the policy and the measures taken for its implementation.

95. The Committee recalls that it is the joint responsibility of the tripartite partners to ensure that representatives of the most marginalized and disadvantaged segments of the economically active population are consulted in the formulation and implementation of the measures of which they are the prime beneficiaries.80 Indeed, many countries indicate in their reports that their national employment policies have been adopted with the participation of the social partners and other civil society groups.81 Nevertheless, some workers’ organizations report that they are not consulted, or that their viewpoints are not taken into account in the adoption, implementation and review of employment policies.82
96. These tripartite consultative bodies are different from the inter-ministerial employment committees mentioned before. These are set up in the context of the process of the national employment policy to steer the formulation, implementation and monitoring of the policy. They include different stakeholders beyond traditional tripartite actors. Both inter-ministerial committees and consultative tripartite bodies can exist simultaneously in the process of the national employment policy. However, while the first one has a decision-making role and can extend social dialogue beyond traditional tripartite partners, the second is often an advisory committee.

*Cabo Verde* – Coordination involved the following stakeholders: the Government, employers, civil society, trade unions (two trade union federations), the Social Dialogue Council and the National Employment and Vocational Training Council.

*Ghana* – The National Employment Policy was launched in April 2015 following an extensive process of consultations involving the Ministry of Employment and Labour Relations, the National Development Planning Commission, several other ministries, the Ghana Employers’ Association, trade unions, “think tanks” and civil society.

*Turkey* – the National Employment Strategy (NES) (2014–23) was prepared with the contribution of relevant ministries, public institutions and organizations, employer-employee confederations, the academy and other stakeholders.

*Turkmenistan* – Employment policies are developed, implemented and reviewed in consultation with, and with the direct participation of employers’ and workers’ representatives, namely the National Centre of Trade Unions of Turkmenistan and the Union of Industrialists and Entrepreneurs of Turkmenistan, and civil society organizations, such as the Turkmenistan Women’s Union, the Turkmenistan Youth Union, the Turkmen Blind and Mute Society, the Voluntary Association of Persons with Disabilities and the Sports Club of Persons with Disabilities.

97. Consultation may be carried out through permanent consultative bodies or a variety of other means. Permanent bodies may have general competence for all social and economic matters, or may be exclusively dedicated to employment coordination, limited to certain

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areas of social or economic policy85 or to certain industries or occupations.86 Consultations may also be carried out through ad hoc institutions created for the purpose of formulating the national employment policy. The Committee notes that the 2018 ILC Conclusions concerning the second recurrent discussion on social dialogue and tripartism highlights the importance of ensuring adequate social dialogue in policymaking and of strengthening mechanisms and institutions for social dialogue on policies regarding the changing world of work, including policies on technological change, the green economy, demographic shifts and globalization.87 Efforts have been made at national level to improve social dialogue but further progress is required.

The General Labour Federation of Belgium (FGTB), the Confederation of Christian Trade Unions (CSC) and the General Confederation of Liberal Trade Unions of Belgium (CGSLB) refer to limitations to the consultation process at national level and indicate that the National Council for Labour (CNT) opinions are rarely taken into account.

The Finnish Trade Unions (SAK), the Confederation of Unions for Professional and Managerial Staff in Finland (AKAVA), the Finnish Confederation of Professionals (STTK) indicate that tripartite cooperation has been minimal and that legislation has been adopted without consultation. The unions further refer to difficulties in adopting adequate unemployment policies and that the activation model has been ineffective.

THE Italian Union of Labour (UIL), the Italian General Confederation of Labour (CGIL) and the Italian Confederation of Workers' Trade Unions (CISL) indicate that trade unions are involved in the development of employment policies, and to protect the fundamental rights of workers through consultation and collective bargaining, as well as through the National Council for Economics and Labour (CNEL), although there have been some governmental pressures for the abolition of this institution.

The Free Trade Union Confederation of Latvia (FTUCL), refers to the pilot project to develop sectoral collective bargaining to better accommodate the sectoral needs of all the social partners. As a result, agreements have already been signed in the construction and restaurant and hotel sectors.

Business New Zealand indicates that while they are consulted, they are not sure they are listened to.

85 For example: Australia (Safe Work Australia), Mauritius (National Wage Consultative Council and National Remuneration Board) and Morocco (Occupational Medicine and Occupational Risk Prevention Board).
86 For example, Algeria (Higher Council of the Public Service).
The General Confederation of Portuguese Workers and the Confederation of Portuguese Industry state that workers’ and employers’ representatives have been called upon to give their views through the Standing Committee for Social Dialogue.

CEACR – In its comments concerning Ireland, the Committee noted with interest the establishment of the Labour Employer Economic Forum (LEEF) as a new formal structure for dialogue between the social partners to discuss economic and social policies that affect employment and the workplace.

Australia – The National Workplace Relations Consultative Council (NWRCC) provides a regular and organized means for senior representatives of the Australian Government, employers and employees to consult on workplace relations and labour market matters of national concern.

Malta – The Employment Relations Board is an active body through which representatives of the tripartite partners are consulted on all employment matters, including on amendments to all employment legislation. The Board meets regularly to discuss pertinent issues and develop solutions that are taken on board by the Government.

Morocco – In the context of the development of a National Employment Policy, a tripartite steering committee was established under the auspices of the Minister of Labour.

98. Recommendation No. 169 also envisages consultations on: measures to encourage multinational enterprises to undertake and promote employment policies (Paragraph 12); measures for the employment of young persons and other disadvantaged groups (Paragraph 19); and the promotion of new technologies at work (Paragraph 23). Members are also called upon to encourage the social partners to engage in collective bargaining concerning the social consequences of the introduction of new technologies (Paragraph 25); and should also consult when developing measures for regional and local development (Paragraph 33).

Ghana – Goal 9 of the National Employment Policy envisages the promotion of forward and backward linkages between local small-scale enterprises and multinational businesses, through tripartite consultations with multinational businesses in the supply chain, to try to maximize the positive contribution that multinational businesses make to the local economy in terms of employment and training.

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1. Establishing appropriate mechanisms and procedures

99. Article 1(3) of Convention No. 122 provides that the policy shall take account of the stage and level of economic development and the links between employment, economic and social objectives, and “shall be pursued by methods that are appropriate to national conditions and practices”. This flexible approach leaves countries free to establish the procedures they deem most appropriate to their circumstances. In this respect, the Committee considers it useful to describe the approaches taken by various countries as guidance for the development and implementation of an active employment policy.

100. The Committee recalls that the ILO has facilitated national processes for the development of comprehensive national employment policies by: conducting analyses of the employment and labour market situation; providing research and analysis to inform policy design, monitoring and evaluation; offering advice on incorporating employment goals into overarching policy frameworks; undertaking capacity-building for governments and the social partners; and facilitating tripartite policy dialogue. Demand from national constituents for ILO support in the formulation of national employment policies and implementation processes has grown steadily in recent years. The following sections provide an overview of the process followed by several countries with ILO assistance.

(a) Diagnosis and assessment

101. As a first step, governments may put in place an organizational framework, working groups and technical teams, prepare timelines for the process and allocate budgets. The employment situation is examined and analysed,91 and existing policies and legal frameworks are reviewed. The relevant stakeholders should be consulted in the process of identifying employment challenges and opportunities.92 The design or revision of an employment policy benefits from accurate evidence-based information and detailed and accurate labour market statistics, disaggregated by sex, age and region, where possible.

Indonesia – The Government indicates in its report that the labour aspect is the estuary of all policies, so opportunities and challenges will keep emerging along with socio-economic development. The Government therefore conducts studies of changes and the development of labour force policies so that they stay relevant to current needs and are coordinated.

(b) Design and formulation

102. The tripartite constituents and other stakeholders proceed to prioritize the challenges and opportunities identified and define the objectives to be pursued by the national policy. On this basis, the concerned parties decide on policy interventions to achieve these objectives. The employment policy benefits from the inclusion of specific, measurable and time-bound goals and targets, action plans for their implementation, indicators to measure outcomes, the clear delineation of responsibilities and a monitoring and evaluation mechanism.93

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90 ibid., p. 7.
91 Paragraph 4 of Recommendation No. 122 indicates that the employment policy should be “based on analytical studies of the present and future size and distribution of the labour force, employment, unemployment and underemployment” and recommends that “adequate resources should be devoted to the collection of statistical data, to the preparation of analytical studies and to the distribution of the results”.
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103. A well-articulated policy that sets out clear priorities and specific targets, sound budgetary allocation and realistic performance frameworks facilitates monitoring and evaluation. The Committee notes the information provided by governments concerning specific action plans with quantitative and qualitative targets set out in national policies with multiple objectives, including reducing unemployment and labour underutilization generating employment growth and fostering the labour market participation of specific groups. Some policies contain targets for the transition to the formal economy.

**Thailand** – In November 2016, the Cabinet of Thailand approved special measures as Thailand is becoming an ageing society. The promotion of employment for older workers is a priority measure. In 2017, the target was 39,000 older workers, although the actual number of older persons employed through the scheme was 41,950. In 2018, the target increased to 58,800, with 59,104 older workers being employed.

**CEACR** – In its comments concerning the Dominican Republic, the Committee noted with interest the adoption in 2014 of the National Employment Plan (PNE), the objectives of which include the creation of 400,000 jobs in four years, the promotion of decent jobs, the formalization of employment, equality of opportunity, equity and access to security.

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95 For example: Myanmar (formal jobs); Seychelles (My First Job Scheme, skills development programme, unemployment relief scheme).

96 For example, Australia (creating 1 million jobs).

97 For example: Armenia (workers with disabilities), Bosnia and Herzegovina (Republika Srpska – employment of war victims) and Denmark (workers with disabilities).

98 CEACR – *Dominican Republic*, C.122, observation, 2017. For additional information on the targets established by certain countries, see ILO: "Employment policy implementation mechanisms across countries", 2017, op. cit.
104. Once formulated, a national consensus on the policy should be sought in consultation with the social partners and other stakeholders. Validation of the policy by consensus is followed by formal adoption by the government, which gives the policy executive force through its political commitment. The policy should then be disseminated.

Nigeria – The preface to the National Employment Policy adopted in 2017 specifies that various stakeholders and the social partners made inputs to initial drafts. The stakeholders jointly reviewed and validated the policy and the accompanying implementation matrix at a workshop held in Abuja, where the suggestions made were incorporated into the final draft. The Federal Ministry of Labour and Employment then constituted a Technical Committee to finalize the policy, which was then approved by the Federal Executive Council.

CEACR – In its comments concerning Cambodia, the Committee noted with interest the adoption of the National Employment Policy (NEP) 2015–25 by the Council of Ministers. The NEP, developed in consultation with the social partners, aims to: increase decent and productive employment opportunities; improve skills and human resource development; and enhance labour market governance. NEP measures are being implemented through an inter-ministerial committee. Provincial and municipal committees will also be established to contribute to its implementation.

CEACR – In its comments concerning Madagascar, the Committee noted with interest the adoption of Act No. 2015-040 of 9 December 2015, determining the orientation of the National Employment and Vocational Training Policy (PNEFP), which is the subject of an awareness-raising campaign. It is accompanied by an Operational Plan of Action (PAO). The objective of the PNEFP, together with the implementation of the General State Policy (PGE), the National Development Plan (PND) and the Sustainable Development Goals (ODD), is to eradicate unemployment and underemployment by 2020 through the creation of sufficient numbers of formal jobs to absorb jobseekers.

105. An adequate budget should be allocated to deliver the national employment policy.

CEACR – In its comments concerning Spain, the Committee noted the observation by the CCOO that, in order to develop a good active employment policy, it is necessary to have an adequate budget. The CCOO expressed its concern that the budget allocation for active employment policies fell between 2013 and 2017.
106. Countries have established various types of systems to ensure the coordinated implementation of the policy at the national and local levels. Political commitment to the policy at the highest levels is essential to promote the ownership and commitment of all the actors concerned.

107. Institutional arrangements may be needed to support implementation. These generally include decision-making processes and an institutional framework, which generally include three basic elements: (a) public employment services; (b) labour market information systems (LMIS); and (c) the budget.

108. Public employment services play a key role in the implementation, monitoring and evaluation of employment policy. They perform functions such as counselling, placement and data collection. They may handle passive services (unemployment benefit) and active services (job incentives, job creation and skills development). Public employment services may have broad territorial and personal coverage, or may function as one-stop-shops in combination with other social services. Some countries report that employment services focus on the labour market inclusion of specific groups. Inter-ministerial committees (at national and local levels) are very important in the implementation stage to ensure employment mainstreaming which implies that each organization takes employment into account in its own mandate and coordinates with others.

Belarus – According to the Government, all state employment services are accessible and provided free of charge. With a view to helping citizens find a job independently, the Ministry of Labour and Social Protection offers access free of charge to the national vacancies database through the information portal of the State Employment Service.

Georgia – State Program on Employment Support seeks to develop and implement active labour market policies and employment support services, particularly to improve employment opportunities for people with disabilities, young persons and other groups.

109. Labour market information systems play a vital role in informing the design, implementation, monitoring and evaluation of focused and targeted active employment policies. They also help reduce transaction costs in labour markets by supplementing the incomplete information of labour market agents. Employment budget allocation and efficient management ensure implementation of the national policy. Budget allocation should also be the subject of close monitoring and evaluation to ensure cost-effective implementation.

110. The Committee consistently requests governments to provide information on the implementation of national employment policies at the national level, requesting information on plans, programmes and statistical data as well as impact.

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102 For example, Belarus, Georgia, Hungary and Lithuania.
103 For example, Japan with respect to older workers.
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Bulgaria – In its report, the Government indicated that the updated employment strategy contains a mechanism for implementation and reporting. The approach adopted addresses employment not merely as a process of labour demand and supply, but as a system of social and economic relations, in which economic processes and social inclusion are of critical importance. The strategy outlines responsibilities for implementation in the various action areas. It engages sectoral ministries and agencies, and the social partners, and establishes indicators and specific deadlines for monitoring and evaluation.

(d) Monitoring, evaluation and revision

111. The monitoring and evaluation system assesses the impact of the measures taken and examines outcomes in relation to the targets and indicators adopted. Recommendations may also be made for the future to serve as a baseline for updating the policy. Stakeholders and the social partners should be engaged in this process which should be carried out periodically. Several countries have described their national monitoring and revision processes, the periodicity and timelines for revision, and the bodies responsible.

112. The Committee has consistently requested governments to provide information on the impact and effectiveness of the measures adopted to promote full, productive and freely chosen employment. It recalls that a comprehensive, participative and transparent monitoring and evaluation mechanism enables all the parties concerned to identify achievements and challenges in meeting policy objectives. The Committee notes that the great majority of national employment policies provide for participatory monitoring and evaluation mechanisms that accurately record progress.105

Bahrain reported that employment programmes are adjusted periodically in accordance with the relevant requirements.

Guatemala – The tripartite-plus National Decent Work Commission (CONED) launched the National Policy on Decent Work 2017–2032 (PNED), which focuses on four strategic objectives: employment generation; human resource development; enabling environments for enterprises; and the transition to formality. Part 8 of the PNED provides that CONED is responsible for its annual evaluation and monitoring, for which it must identify or develop measurement instruments, which must be adapted to the strategic nature of the policy by identifying the best qualitative and quantitative indicators for the measurement of the results achieved.

Qatar – The Government indicates that research provides basic data to help gauge the relationship between the needs of the national labour market and the demographic, social and economic characteristics of individuals on the market. This data is used to design and evaluate national development policies and programmes.

105 For example, the national employment policies of: Armenia, Australia Barbados, Benin, Bosnia and Herzegovina (Republika Srpska), Burkina Faso, Comoros, Ethiopia, Ghana, Jordan, Kenya, Kiribati, Morocco, Mauritius, Republic of Moldova, Mongolia, Montenegro, Namibia, Nepal, Philippines, Rwanda, Seychelles, Slovakia, Slovenia, Sri Lanka, United Republic of Tanzania, Timor-Leste, Tunisia, Turkey and Uganda.
1. The crucial importance of an inclusive employment policy

CEACR – In its comments concerning *Austria*, the Committee noted that the achievement of targets for the employment of older workers is monitored every six months and that measures are taken without delay if progress is not being made.106

CEACR – In its comments concerning *Croatia*, the Committee noted that an independent and comprehensive evaluation of all active labour market policies carried out between 2010 and 2013 was published in February 2016 to determine their impact on employment.107

CEACR – In its comments concerning the *Czech Republic* the Committee noted that to assess the impact of the active employment policy measures taken and establish an ongoing monitoring and evaluation system, the Government launched the project “Evaluating the efficiency and effectiveness of AEP implementation”.108

CEACR – In its comments concerning *Peru*, the Committee noted that the Government has adopted supplementary rules for the application and monitoring of compliance with the employment quota for persons with disabilities that is applicable to private sector employers. These rules were the subject of prior consultation with the social partners and with organizations of persons with disabilities.109

2. Challenges in the implementation of the national employment policy

113. The Committee notes that many countries have provided information on the range of challenges addressed in implementing the national employment policy. Demographic changes may give rise to difficulties in some countries, particularly the so-called “youth bulge”.110 Others refer to budgetary difficulties,111 or human and economic shortages in the public structures responsible for implementing the national employment policy.112 Some report a lack of cohesion in the labour market,113 or difficulties in reaching consensus.114

106 CEACR – *Austria*, C.122, observation, 2015.
110 For example, *Afghanistan* and *Canada*.
111 For example, *Burkina Faso*, *Democratic Republic of the Congo* and *Zimbabwe*.
112 For example, *Mali* and *Togo*.
113 For example, *Togo*.
114 For example, *Sri Lanka*. 
V. Job creation and inclusive and sustainable economic growth

114. Convention No. 122 provides, in Article 1, that national employment policies should aim to stimulate economic growth and development, raise living standards and prevent unemployment and underemployment. To this end, the national employment policy must include demand-side measures through macroeconomic and sectoral policies aimed at creating jobs. To achieve and maintain full employment, States have to position employment as a major macroeconomic goal within the national policy agenda and ensure that trade, investment and industrial promotion policies support the objectives of the Convention. The Committee notes the information provided by certain countries highlighting the important role of macroeconomic policies in successful employment policy implementation.115 The Committee has periodically requested information on the impact of such policies on job creation and on combating unemployment and labour underutilization, creating quality jobs and ensuring the inclusion of specific groups facing barriers to entering or staying in the labour market.

**Guatemala** – The Government indicates that employment was not previously a major goal of national macroeconomic policy. The National Policy for Decent Employment (PNED) 2017–32 now places employment at the heart of macroeconomic policy.

115. Employment policies should also include measures to promote the growth of micro, small and medium-sized enterprises (MSMEs) and cooperatives, and other targeted programmes to help overcome specific labour market obstacles. On the supply side, employment policies need to link employment with education, skills training and capacity-building, especially in view of the rapid changes in the world of work.

116. Together with multinationals, MSMEs form part of local, regional and global supply chains and are well placed to provide not only jobs, but also opportunities for decent work. Measures should also be taken, including adequate governance measures, to create an enabling environment for entrepreneurship, innovation and sustainable enterprises.

The National Labour Council (CNT) from Belgium indicates that measures for the flexibilization of the labour market with a view to foster employment creation have resulted in poor quality employment.

The Federation of Finnish Enterprises (SY) indicates that the rigidity of the Finnish labour market system has hampered small companies’ ability to create new jobs.

The General Confederation of Workers (CGT) from Honduras refers to the adoption of temporary employment programmes which foster precarious work and lowers workers’ protection.

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115 Countries that have provided information on their macroeconomic policies are: Argentina, Algeria, Bulgaria, Burkina Faso, Cabo Verde, Cameroon, China, Dominican Republic, Gabon, Georgia, Ghana, Guatemala, Honduras, India, Mali, Namibia, New Zealand, Nigeria, Seychelles, Thailand, Turkey and United Arab Emirates.
117. Paragraph 30 of Recommendation No. 169 highlights the important role of small enterprises, cooperatives and associations as providers of jobs and contributors to inclusion. Moreover, micro- and small enterprises (MSEs) are flexible and can easily adapt to local conditions and needs. They have the potential to mobilize local savings, require little in the way of managerial skills and use traditional industrial skills that can respond more rapidly to regional and local employment creation needs.

1.  Support for MSMEs

118. MSMEs, together with cooperatives, facilitate the inclusion of workers experiencing difficulties entering the labour market. MSMEs can also serve as a stepping stone for formalisation and in supporting a transition to a more environmentally sustainable world. Green transitions are likely to open up many business opportunities, although obstacles will have to be overcome related to the motivation of MSMEs, their business practices, relative lack of skills and the perceived cost and complexity of green transitions.116

119. Available ILO data shows that when self-employment, employment in MSMEs, agriculture and informal employment are taken into account, self-employed persons and MSMEs account for 70 per cent of employment globally. The share of employment in MSMEs is significantly higher in countries with lower income levels, where they provide the vast majority of jobs.117 Each country has its own definition of MSMEs, which can differ radically, ranging from rural family enterprises to digital start-ups. These enterprises vary in size, sector, rural versus urban location, degree of formality, turnover, growth and age.118

120. MSMEs may present higher decent work deficits than larger enterprises. The goal is to encourage the creation and growth of MSMEs, while taking measures to ensure that they provide decent work. The 2007 ILC Conclusions concerning the promotion of sustainable enterprises noted that: “An environment conducive to the creation and growth or transformation of enterprises on a sustainable basis combines the quest for profit … with the need for development that respects human dignity, environmental sustainability and decent work.”

121. The Committee notes that, in view of the importance of MSMEs as drivers of economic growth and development, the ILO has recognized119 the need to establish a legal framework adapted to their needs. To unlock the potential of MSMEs to create more and better jobs, employment policy can include measures such as investment in training to build

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117 ILO: Small Matters: Global evidence on the contribution to employment by the self-employed, micro-enterprises and SMEs, 2019.
118 ILO: Technical Note 4: Instrument concerning job creation in SMEs, op. cit.
119 Small Matters, 2019, op. cit.
entrepreneurship and management skills in MSMEs and create an enabling environment to improve sustainability, productivity and working conditions.

122. The Committee further notes that digitalization offers significant opportunities for MSMEs to improve their management practices, productivity and market intelligence and to reach a larger client base with relatively low costs. However, many MSMEs lack basic digital skills and/or resources to capitalize on this opportunity.120

123. Part VI of Recommendation No. 169 indicates that the employment policy should take account of the importance of small enterprises in generating employment opportunities. The Job Creation in Small and Medium-Sized Enterprises Recommendation, 1998 (No. 189), recognizes that SMEs are drivers of economic growth and that they offer the potential for traditionally disadvantaged groups to gain access to productive, sustainable and quality employment opportunities. Recommendation No. 189 provides guidance on the elements that national employment policies should include in establishing an enabling environment for SMEs.121

124. The Committee recalls that the 2015 ILC Conclusions concerning small and medium-sized enterprises and decent and productive employment creation indicate that measures to be taken to create an enabling environment could include: simplifying overly complex regulations; improving MSME access to finance; clustering, networking, linking into technology platforms, and supply chain and local economic development; addressing decent work deficits; and public investment in infrastructure, as well as education and training and technology. SMEs can also take advantage of new technologies and innovations to improve their organization of work and production, while at the same time taking advantage of international trade and e-commerce.122 The Conclusions acknowledge that improvements can most effectively be achieved by embedding specific SME policies in national development plans and generic policies, and highlights the fundamental role of governments in this respect.123

125. Recommendation No. 204 calls for an integrated policy framework addressing the promotion of entrepreneurship, MSMEs and other forms of business models and economic units, including cooperatives and other social and solidarity economy units.124 Paragraph 1(b) of the

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120 ILO: Technical Note 4: Instrument concerning job creation in SMEs, op. cit.
121 General Survey of 2010, para. 787.
124 See also ch. III.
ILC109/III(B) – Promoting employment and decent work in a changing landscape

1. The crucial importance of an inclusive employment policy

Recommendation reaffirms the creation, preservation and sustainability of enterprises in the formal economy as a means of fostering formalization.

126. The Committee notes the information provided by governments concerning the specific measures taken to support the establishment, formalization, development and sustainability of SMEs. The main measures taken by governments concern the following issues:

- removal of obstacles and onerous administrative procedures such as one-stop shops, reduction of costs and the establishment of electronic procedures for registration and the payment of taxes;
- creation of institutions to promote SME creation and assist small business, including public employment services, training and information hubs to create SMEs, small business buses that travel the country engaging in awareness-raising, mentoring programmes, events and fairs;
- access to credit and other financial support including subsidies, guarantees and crowdfunding, as well as the establishment of credit institutions for SMEs;
- tax exemptions and tax simplification;
- access to public procurement;
- improvement of legislative framework;
- development of an entrepreneurial culture.

125 The following countries have provided information in this respect: Afghanistan, Algeria, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Belgium, Benin, Bosnia and Herzegovina, Brazil, Burkina Faso, Cambodia, Cameroon, Canada, Central African Republic, China, Colombia, Democratic Republic of the Congo, Croatia, Cyprus, Denmark, Dominican Republic, Egypt, Estonia, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, India, Indonesia, Ireland, Israel, Japan, Republic of Korea, Latvia, Libya, Mali, Malta, Montenegro, Morocco, Myanmar, Namibia, Nepal, New Zealand, Nigeria, Norway, Oman, Pakistan, Philippines, Poland, Senegal, Seychelles, Slovakia, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, United Arab Emirates, United Kingdom, Uruguay and Zimbabwe.

126 For example: Algeria, Argentina, Armenia, Brazil (Supplementary Act No. 123 of 14 December 2006), Burkina Faso (Decree No. 2017-1165/PRES/PM/MCIA/MATD/MINEFID of 27 November 2017 adopting the SME Charter), Cambodia, Egypt, Gabon, Greece, India, Myanmar, Seychelles and Turkmenistan.

127 For example: Algeria, Armenia, Australia (New Business Assistance, Exploring being my Own Boss, self-start information hub and entrepreneurship facilitators), Egypt (Micro, Small and Medium Enterprise Development Agency), Israel (Small and Medium Business Agency – SMBA), New Zealand (Small Business Council), Oman (Public Authority for Small and Medium Enterprise Development), Suriname (Directorate for Entrepreneurship) and Turkey (Small and Medium Industry Development Organization – KOSGEB).

128 For example, Austria.

129 For example, Montenegro.

130 For example, Canada, Greece and Myanmar.

131 For example, Algeria.

132 For example, Armenia, Bahrain, Belgium, Ghana, Indonesia, Poland, Sudan, Thailand and Tunisia.

133 For example, China.

134 For example, Azerbaijan, Montenegro, Nigeria and Turkmenistan.

135 For example, Dominican Republic and Libya.

136 For example: Brazil (Programme for Employment Creation and Income Generation – PROGER – and the National Guided Production Microcredit Programme – PMMPO), Cameroon (National Employment Fund), India (Pradhan-Mantri Mudra Yojana – PMMY – and the Micro Units Development and Refinance Agency Ltd. – MUDRA), and Trinidad and Tobago (National Entrepreneurship Development Company Limited of Trinidad and Tobago).

137 For example: Armenia, Bangladesh, Belgium, Ghana, Indonesia, Poland, Sudan, Thailand and Tunisia.

138 For example, Brazil (tax exemption for new entrepreneurs), Brazil (tax simplification) and Dominican Republic (National Tax Directorate to expedite formalization).

139 For example, Armenia, Dominican Republic, Gabon, India, Latvia, Mali, Poland and Thailand.

140 For example: Belgium (the tax reform for companies in 2018), Central African Republic (an SME code is being prepared), France (Act No. 00016/2005 of 20 September 2006 on the promotion of SMEs), Gabon (Act No. 15/1998 establishing the Investment Charter, Act No. 16/2005 on the promotion of SMEs and MSIs, Act No. 32/2005 on business incubators and industrial sectors), Japan (Law on the promotion of improvement in employment management in small and medium businesses to ensure the labour force and the creation of employment opportunities), Seychelles, Turkmenistan and United Arab Emirates.

141 For example, Armenia and Philippines.
1. The crucial importance of an inclusive employment policy

- business training particularly with respect to new technologies, new organizational measures;\textsuperscript{141}
- establishment of incubation centres;\textsuperscript{142}
- improving small enterprises productivity;\textsuperscript{143}
- incentives for the creation of SMES in certain sectors;\textsuperscript{144}
- incentives for members of disadvantaged groups that establish SMES;\textsuperscript{145}
- incentives for foreign direct investment.\textsuperscript{146}

\textit{India} – The Public Procurement Policy for Micro and Small Enterprises (MSEs) Amendment Order, 2018, provides that at least 25 per cent of annual procurement shall be targeted at SMEs. Of this total, 3 per cent must be earmarked for procurement from MSEs owned by women, and there is a target of 4 per cent for MSEs owned by entrepreneurs belonging to the scheduled castes and scheduled tribes. A portal has been launched to monitor the implementation of the policy.

\textit{Ireland} – The Future Jobs Ireland 2019 programme focuses on SMEs, and particularly on the improvement of SME productivity. SMEs account for 99.8 per cent of Irish enterprises and the Government considers them to be key to the country’s economic success.

\textit{CEACR} – In its comments concerning \textit{Algeria}, the Committee noted that major measures have been taken to encourage the creation of microenterprises, including: the simplification and reduction of procedures; facilitated access to credit for micro-entrepreneurs (with interest payments covered 100 per cent by the State); support after start-up provided by the National Youth Employment Support Agency (ANSEJ) and the National Unemployment Insurance Fund (CNAC); and access to public procurement and tax benefits for microenterprises in the south of the country and the Hauts Plateaux region. Incentives have also been established to promote knowledge-based activities and new technologies.\textsuperscript{147}

\textsuperscript{141} For example, Armenia, Egypt and Philippines.
\textsuperscript{142} For example, Egypt and Turkey.
\textsuperscript{143} For example, Ireland, Japan and United Kingdom.
\textsuperscript{144} For example: Brazil (incentives for technological innovation), Norway (incentives for start-ups and innovation), Pakistan (fisheries, poultry, livestock farms, fruit and vegetable processing) and Seychelles (tourism, off-shore banking, and information technology).
\textsuperscript{145} For example, United States, the Office of Disability Employment Policy (ODEP) has a programme to provide information to small businesses concerning workers with disabilities.
\textsuperscript{146} For example, Nepal.
\textsuperscript{147} CEACR – Algeria, C.122, direct request, 2017.
1. The crucial importance of an inclusive employment policy

CEACR – In its comment concerning the Dominican Republic, the Committee noted that the objectives of the National Employment Plan relating to MSMEs envisaged the creation of 5,000 new enterprises and 90,000 new jobs in four years, a 10 per cent increase in the formality rate and the creation of 200 new agricultural and commercial cooperatives. The Government refers in its report to a series of measures taken to facilitate the creation of SMEs, such as the establishment of a guarantee fund, the setting up of a one-stop-shop at the National Tax Directorate to expedite formalization procedures and the promotion of new export markets. The Committee also noted that, in agreement with the Inter-American Development Bank, the Government has implemented policies for the award of public contracts to SMEs, enterprises owned by women, ecological enterprises and innovative entrepreneurs. The Government has also taken steps to evaluate the impact of these policies.

According to the New Zealand Congress of Trade Unions (NZCTU), the facilities and exemptions granted to SMEs often have direct consequences on working conditions and wages.

127. The Committee notes that adequate data and statistics on SMEs need to be compiled to facilitate the adoption of tailor-made policies and interventions and to assist in supporting the formalization of SMEs. Skills development adapted to the particular needs of SMEs, the introduction to new technologies and appropriate measures for entrepreneurship development should also be considered when drawing up national employment policies. The Committee considers that all these measures should aim also to promote gender equality.

The CGT–FO from France refers to the measures taken by the Government to reduce SMEs costs and indicates that this does not necessarily foster employment creation. In turn, CGIL CISL UIL from Italy indicate that measures such as tax and social security exemptions for SMEs result in lower protection for workers, mainly youth and women.

2. Enabling cooperatives

128. In the context of societal and structural change, there is increased interest in economic models based on cooperation, mutualism and solidarity. Cooperatives are an effective vehicle for the inclusion of all categories of workers in employment. In particular, they can help women gain access to employment, especially in situations where their ability to participate in the world of work is reduced by social and cultural constraints. Cooperatives provide opportunities for groups that are vulnerable to exclusion, such as workers with disabilities, indigenous and tribal peoples and the long-term unemployed.

129. Cooperatives create employment in all sectors, from care and agriculture, to finance and insurance, in both urban (for example waste management) and rural areas (forestry and energy, among others). They have been instrumental in increasing access to work, upgrading and integrating small-scale farming into agri-business supply chains and improving livelihoods for rural workers. Cooperatives are becoming increasingly involved in both climate change adaptation (for example, through mutual insurance schemes for crops, support for crop

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148 CEACR – Dominican Republic, C.122, observation, 2017
149 The Promotion of Cooperatives Recommendation, 2002 (No. 193), reflects the changes in the socio-economic environment in which cooperatives have to operate, as well as the constraints and opportunities arising out of globalization.
diversification and improved watershed management) and mitigation (renewable energy, forestry and agroforestry cooperatives). Cooperatives provide social security for many workers in the informal economy. Domestic workers, homeworkers and persons with disabilities have also benefited from integration in cooperatives. Platform cooperatives have also been established in recent years by the self-employed and platform workers as an alternative form of organization to advance social dialogue. Cooperatives have contributed to the representativeness of workers, especially in the informal economy.

130. Some countries began developing legislation on cooperatives several decades ago. Others have integrated cooperatives into local and global supply chains. Several countries report establishment of incubator programmes to develop cooperatives as a form of job creation, to promote local and regional development and to develop urban and rural cooperatives. In some countries, cooperatives enjoy tax exemptions or credit allocations, particularly those dedicated to work. Some countries have provided information on the legal framework within which social security is provided to cooperative workers. Others promote the establishment of cooperatives that foster financial access to sectors traditionally excluded from the financial system. Some promote cooperatives in the context of back-to-work programmes, or for the employment of specific groups.

3. Multinational enterprises

131. Paragraph 12 of Recommendation No. 169 calls on Members to encourage multinational enterprises (MNEs) to promote the employment policies envisaged in the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, as amended in 2017 (the “MNE Declaration”) and to ensure that the negative effects of the investments of MNEs on employment are avoided and that positive effects are encouraged.

132. Drawing on the MNE Declaration, the Committee recognizes the fundamental role played by MNEs in the economies of both home and host countries, through foreign direct investment (FDI) and their own operations, as well as through forward and backward linkages with local or national enterprises. They contribute not only to economic development, but can also be drivers of change for the implementation of fundamental labour rights and better working conditions, which can then spill over to MSMEs with which they interact in global supply chains. They can also contribute to technology and skills transfers. An increasing number of MNEs have specific supplier codes, most of which refer to relevant international labour standards. MNEs can be effective agents in promoting the Decent Work Agenda, for example by fostering formalization, when they are well embedded in the national context and aligned with national priorities. Host countries have a role to play in ensuring enabling conditions for multinationals with the aim of creating employment.

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150 For example, Ghana (Decree No. NLCD 252 of 1968, the “Co-operatives societies Act”).
151 For example, Guatemala (the National Development Plan sets a priority of integrating cooperatives into supply chains, access to financial resources and technological development) and Philippines (agriculture, forestry and fisheries).
152 For example, Togo.
153 See for example, Brazil (National People’s Cooperatives Incubation Programme (PRONINC) and the National Fair and Cooperative Trade System (SCCS)).
154 Honduras, National Employment Policy, section 4.
155 For example, Republic of Korea.
156 For example, Colombia (Act No. 1233 and Regulatory Decree No. 3553 of 2008 exempt “associated labour cooperatives” from taxation).
157 For example, Cuba (Legislative Decree No. 297 of 2012 provides for social security for cooperatives in the agricultural sector).
158 For example, Greece.
159 For example, Indonesia and Poland (for workers with disabilities).
161 ibid., para. 258.
133. The Committee notes that the ILO MNE Declaration refers to the United Nations Guiding Principles on Business and Human Rights, which outline the respective duties and responsibilities of States and enterprises in relation to human rights. In this regard, it underlines that enterprises are required to comply with all applicable laws and to respect human rights, and that rights and obligations should be matched to appropriate and effective remedies when breached. The Committee recalls that the Guiding Principles apply to all States and to all enterprises, both multinationals and others, regardless of their size, sector, operational context, ownership and structure. The Committee further highlights the fundamental role of multinational enterprises in the development of global supply chains and their role of due diligence to identify, prevent, mitigate and account for how they address their impacts on human rights, including decent work deficits.

134. In their reports, several countries refer to a variety of incentives adopted at national level, including tax and duty exemptions, to attract FDI and foster employment creation. Some governments explicitly indicate that national laws and regulations apply to MNEs operating in the country. Some national employment policies aim to promote forward and backward linkages between local small enterprises and MNEs in an attempt to maximize their positive contribution to local economies in terms of employment and training. Some countries allow MNEs an important role in the policy review process.

Cambodia – The Law on Investment of 1993, as amended in 2003, adopts several measures to promote MNEs, including:
- encouraging domestic investment and FDI in priority sub-sectors with a high employment potential;
- promoting entrepreneurship;
- identifying and prioritizing sub-sectors with a high employment potential; and
- promoting employment in priority sub-sectors through enterprise development and support to SMEs in both urban and rural areas.

Morocco – The Government indicates that MNEs have a crucial role to play in creating direct and indirect jobs, technology transfer, skills development and respect for workers’ rights in their activities. The Government is aware of the importance of encouraging the establishment of these companies in order to attract FDI so as to benefit from positive spin-offs and new production capacities.

CEACR – In its comments concerning Panama, the Committee noted in its report that the Government indicates that the country has concluded free trade agreements with a view to promoting growth. As a consequence, FDI increased by 19 per cent and almost 70 multinational enterprises have been established. It has also been found that the most dynamic economic sectors in terms of employment generation are those with the greatest international involvement.

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162 For example, Bahrain, Cambodia and Egypt.
163 For example, Bahrain and Estonia.
164 For example, Ghana (National Employment Policy, Goal 9.9) and Philippines.
165 CEACR – Panama, C.122, direct request, 2013.
VI. Fostering the green and blue economies

135. The Committee is bound to address the urgent issues of climate change and just transition policies, particularly in light of their fundamental impact on the world of work. It notes the findings of the ILO *World Employment Social Outlook 2018: Greening with jobs*, according to which environmental degradation increases risks from natural hazards and the loss of ecosystem services, both of which directly affect the number and quality of jobs and curtail the ability of workers to work. Women and categories of workers who are facing difficulties in accessing employment (such as migrants, refugees and forcibly displaced persons, people in poverty, and indigenous and tribal peoples) are most affected by environmental degradation. However, the report highlights that progress towards decent work is compatible with environmental sustainability. If work is the predominant cause of climate change, then inevitably it must be central to prevention, mitigation and adaptation strategies.\

136. The “blue economy” refers to those activities relative to the exploitation and conservation of the oceans. It concerns “the sustainable use of ocean resources for economic growth, the improvement of means of subsistence and of jobs, while at the same time preserving the health of ocean ecosystems”\(^{167}\). The blue economy encompasses a vast range of activities, from fishing to exploitation of mineral resources on the ocean floor, to coastal tourism, blue energy and biotechnologies, maritime transport, aquaculture and desalination. In fact, 72 per cent of Earth’s surface is covered by oceans and seas. The blue economy thus has a crucial role to play in mitigating climate change.\(^{166}\) Shallow coastal ecosystems, such as mangroves and tidal marshes or wetlands, as well as marine and submarine ecosystems, are now considered to be key elements in the fight against climate change. The ocean is not only essential to the welfare of our planet, it is also a workplace and an important source of jobs. Slightly over 60 per cent of the world’s people live in coastal regions. According to the International Union for the Conservation of Nature (IUCN), there are close to 4 billion people who live less than 150 kilometres from the coast,\(^{169}\) and more than 350 million people depend on the ocean for their subsistence.\(^{170}\) The oceans are not only the daily workplace of tens of millions of persons,\(^{171}\) they also represent the main economic sector of island States, particularly of small island developing States (SIDS).

137. The Committee recalls that the SDGs provide a global framework to combat climate change.\(^{172}\) Addressing climate change requires policy responses that have an impact on economies and societies at many levels, across all economic sectors, and affect both the formal and informal economies. The impacts differ from country to country. Many different sectors and types of jobs will be affected. However, the achievement of environmental sustainability can lead to an economy that offers more and better jobs.\(^{173}\)

138. Workers and enterprises have a key role to play in the transition, through green jobs, innovation, the adoption of new technologies and modes of production, investment and standard-setting.\(^{174}\) In addition, the interconnectedness of supply chains means that consumption and production in one country are closely related to the emissions and materials used in others. It is therefore crucial to adopt policies that maximize job creation opportunities, while mitigating the risk of job losses and social disruption.\(^{175}\)

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\(^{167}\) World Bank: *What is the blue economy*, 6 June 2017

\(^{168}\) WWF: *Principles for a Sustainable Blue Economy*, 28 May 2015


\(^{170}\) ILO Statement to UN Oceans Conference Partnership Dialogue 4, 7 June 2017.

\(^{171}\) ILO Statement to UN Oceans Conference Partnership Dialogue 7, 9 June 2017.


Development of key indicators for the environmental economy and the overall economy, EU-28, 2000–18 (2000 = 100)

Notes: (1) Eurostat estimates; (2) In full-time equivalents; (3) Index compiled for chain-linked volumes data in EUR million (reference year 2010; at 2010 exchange rate).
Source: Eurostat (online data codes: nama_10_a10_e, nama_10_gdp, env_ac_egss1, env_ac_egss2).

Employment in the environmental economy, by domain, EU-28, 2000–16 (thousand full-time equivalents)

Note: Data for EU-28 are estimated by Eurostat.
Source: Eurostat (online data code: env_ac_egss1).
139. The Committee notes that several countries have adopted specific measures in their national employment policies, national development frameworks or other programmes or policies to address climate change, the transition to the green economy and the creation of decent green jobs. Some countries have established targets for the creation of green jobs. Others are taking measures for the greening of traditional industries with the creation of new jobs and the development of “green skills” strategy that involves awareness-raising, the adoption of measures to develop the green economy, including the recycling sector (“économie circulaire”) or other specific sectors, taking advantage of green technologies, and have introduced tax exemptions and credit loans for investment in the green economy. Others have adopted specific legislation on green jobs. Some countries are already adopting social protection mechanisms for workers exposed to structural change.

An integrated policy framework for green employment:
The example of the EU

In the EU, only a few Member States link policies for green growth to employment promotion. To promote a more combined approach, in 2014 the European Commission developed an integrated framework for employment policies in the transition to a green economy. It lays out targeted policy responses and tools to help make labour market and skills development policies conducive to job creation in the green economy. The main features of the framework are:

1. Bridging skills gaps
   - Fostering skills development, meeting skills demands in growing eco-industries, upskilling across all sectors and reskilling in vulnerable sectors.
   - Aligning sectoral training standards in vocational education and training with labour market needs, including through close involvement of the social partners to design and review training programmes, qualifications and accreditation systems.
   - Improving forecasting of skills needs across sectors and industries.

2. Securing transition
   - Anticipating change and managing restructuring, building on sectoral initiatives.
   - Adapting labour market institutions through payments for ecosystem services focusing on green employment strategies and programmes.
   - Promoting occupational mobility, as well as mobility of jobseekers, including through competence-based job matching.

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176 For example, Brazil, Bulgaria, Canada, China, Comoros, Denmark, Ghana, Kenya, Malta, Mauritius, Mongolia, Morocco, Namibia, Nigeria, Philippines, Slovakia, Sri Lanka and Zimbabwe.
178 For example, Canada (the Youth Employment Strategy includes plans to create 15,000 new green jobs).
179 For example, China and Slovakia.
180 For example, Sri Lanka (tourism, agriculture, health and manufacturing sectors).
181 For example, Comoros, Germany, Ghana, Kenya, Malta, Mauritius, Mongolia, Morocco, Namibia, Nigeria and Zimbabwe.
182 For example, Philippines (Republic Act No. 10771 prompting the creation of green jobs and granting incentives).
183 For example, Ghana.
3. Supporting job creation

- Improving access to and use of existing funding opportunities.
- Shifting taxes away from labour towards polluting economic activities.
- Promoting green public procurement, assisted by regulations on certification and life-cycle costing approaches, and supported by capacity-building for public sector managers and private sector enterprises.
- Promoting entrepreneurship and social enterprises in expanding green sectors, accompanied by a dedicated Green Action Plan for SMEs with green skills upgrading of the workforce.

4. Improving data collection and quality

- Harmonizing statistics for more evidence-based policymaking and monitoring.
- Anticipating employment implications and transitional adjustments, including changing skills needs.

5. Promoting social dialogue

- Encouraging social partners to develop joint activities at cross-industry and sectoral levels.
- Ensuring workers’ participation in environmental management, more efficient use of energy and resources, and the identification of new risks at the workplace.
- Enhancing workers’ rights to information and consultation, including for the development of sector-wide resource-efficiency road maps.


The Irish Congress of Trade Unions indicates that a Just Transition Implementation Pathways Policy should be adopted with the participation of workers in order to ensure decent work opportunities for displaced workers. It further suggests that a climate justice fund be established to guarantee the purchasing power of lower-income households.

140. The Committee considers that measures to address climate change should be taken into account in national transition plans, national development plans and national employment policies. The national employment policy, in coordination with other relevant national policies, should ensure the protection of workers who lose their jobs as a result of structural change. Such protection should consist not only of unemployment protection, but also the provision of skills training to strengthen employability through transitions, as well as appropriate incentives for the development of sustainable and innovative enterprises that create green jobs.
VII. Impact of new technologies on employment

141. Technological innovation brings with it new possibilities and moves the frontiers of human capability much further than previously imagined. The impact of technology in the world of work is manifold. The Committee notes in this regard the intense public debate and anxiety that has already been triggered concerning the potential destruction and creation of jobs due to automation and robotization.184 At the same time, automation and robotization have considerably improved working conditions in many sectors and hazards have been reduced. But new challenges have emerged: technology has enabled the emergence of new forms of work and the organization of work that are difficult to fully comprehend, in which roles and responsibilities are not clear, the lines between workers and employers are blurred or appear to be blurred, the time and space dimensions are diluted and individual privacy has almost disappeared. While the full impact of innovations on the world of work is not yet known, some aspects are under examination to determine whether the existing regulatory framework is still fit for purpose.185

142. The Committee notes that Recommendation No. 169 provides valuable guidance on addressing technological innovation in the world of work. Paragraph 26(d) indicates that the development of technology should be one of the major elements of national development policy as a means of increasing productivity, creating employment opportunities and satisfying basic needs. Technology should contribute to improving working conditions, reducing working time186 and preventing the loss of jobs. Members should encourage the development of new technologies and research on their effects on the volume and structure of employment, conditions of employment, training, job content and skill requirements (Paragraphs 20 and 21).

143. The Recommendation also recognizes the challenges that technological change poses to the survival of enterprises and job stability. It calls on Members to facilitate adjustment to structural change at the global, sectoral and enterprise levels and the re-employment of workers who have lost their jobs as a result of structural and technological changes (Paragraphs 10 and 26(c)). The negative effects of technological changes on employment, working and living conditions and on occupational safety and health should be eliminated to the extent possible, in particular through the incorporation of ergonomic, safety and health considerations at the design stage of new technologies (Paragraph 22).

144. In its report, the Global Commission on the Future of Work observes that:

Technological advances – artificial intelligence, automation and robotics – will create new jobs, but those who lose their jobs in this transition may be the least equipped to seize the new opportunities. ... Specific measures are also needed to address gender equality in the technology-enabled jobs of tomorrow. ...187 As the organization of work changes, new ways must be found to afford adequate protection to all workers, whether they are in full-time employment, executing micro tasks online, engaged in home-based production for global supply chains or working on a temporary contract.


185 M.M. Travieso: Regulating technology at work (forthcoming).

186 Already in 1962, when examining ways to reduce working hours, the Reduction of Hours of Work Recommendation, 1962 (No. 116), suggested taking into account the “progress achieved and which it is possible to achieve in raising productivity by the application of modern technology, automation and management techniques” (Para. 7(b)). In 1961, the Workers’ Housing Recommendation, 1961 (No. 115), made reference to the need to take into account technological developments when providing housing to workers.

In their reports, some governments recognize that technology can lead to better productivity and greener economic activities, while causing disruption in the labour market, which makes it necessary to provide adequate skilling, upskilling and reskilling to workers. Some countries have adopted legislation on the introduction of technology and the need to evaluate its impact on employment and working conditions.

The Committee has noted the adoption of measures within the context of national employment policies to promote technological development, including incentives for enhanced research, innovation and entrepreneurship. Some countries have provided information on incentives and the promotion of labour-saving technologies and new forms of the organization of work which provide better services with fewer resources.

Regarding the impact of new technologies on the world of work, the Committee notes that almost all countries have provided information on the reflection that is currently being developed at the national level on this subject, as well as the specific political, legislative and economic measures that they are adopting. Some countries are studying the impact of digital transformation on society, and particularly on the workforce.

Denmark – The Government has established a Disruption Council to discuss and bring forward suggestions on how Denmark can adjust to the future. Its members include trade unions, employers’ organizations, entrepreneurs, experts, young persons, CEOs and ministers. The Disruption Council is looking into a number of major themes – including new technologies and business models, future skills and competencies, and the future of the Danish flexicurity-model.

In their reports, several countries refer specifically to the potential for job disruption as a result of technological changes. Many are already developing strategies to mitigate the effect that these changes may have on workers. Some countries indicate that existing procedures, general legislation or social security mechanisms relating to retrenchment or the modification of working conditions are also applicable in the case of technological change. Others have adopted new or adapted existing legislation and mechanisms to cope with structural and technological change.

The role of public employment services in providing assistance to jobseekers in the event of job displacement is also highlighted, as is the possibility of providing some type of public financial assistance or structural adjustment programmes to offer access training for individuals, and to help enterprises facing technological change to train workers. Some countries have developed a procedure for the retraining of workers in other sectors, combined with measures to help companies find qualified staff.

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145. For example, India.
146. For example, Argentina (Act No. 24013, section 23).
147. For example, CEACR – Algeria, C.122, direct request, 2017; Barbados, C.122, direct request, 2017; Hungary, C.122, direct request, 2017; Rwanda, C.122, direct request, 2017.
148. For example, Denmark.
149. For example, Ireland (National Skills Council: Digital transformation: Assessing the impact of digitalisation on Ireland’s workforce, 2018).

150. For example, the United Arab Emirates indicates that 60 per cent of the current labour force is employed in posts vulnerable to automation.
151. For example, Algeria, Armenia, Bahrain, Belgium, Cambodia, Central African Republic, Colombia, Democratic Republic of the Congo, Cyprus, Dominican Republic, Gabon, Ghana, India, Indonesia, Latvia, Mauritius, Nepal, Norway, Pakistan, Palau, Poland, Portugal, Senegal, Suriname, Switzerland, Thailand, Trinidad and Tobago, Turkey, Turkmenistan, United Arab Emirates, United Kingdom and Uruguay.
152. For example, Argentina, Bosnia and Herzegovina, Brazil, Ecuador, Greece, Lithuania, Mali, Malta, Oman, Philippines, Romania, Seychelles, Sudan, Slovakia and Togo.
153. For example, in Suriname and Sweden.
154. For example, Australia, Austria, Bosnia and Herzegovina, Egypt and Estonia.
155. For example, Australia, Austria and Belgium.
1. The crucial importance of an inclusive employment policy

**United States** – The Dislocated Worker (DW) program under the Workforce Innovation and Opportunity Act (WIOA) Title I serves as the primary vehicle to help workers who have lost their jobs as a result of layoffs gain new skills and find in-demand jobs. The DW program connects industries’ needs for a skilled workforce to the public work-force system’s trained workers. The DW program offers career counselling, training, credential attainment, and job placement. WIOA also authorizes Dislocated Worker Opportunity Grants, which are discretionary grants to states to fund career services and training. They provide resources to states and other eligible applicants to respond to large, unexpected layoff events causing significant job losses. The funding is intended to temporarily expand capacity to serve dislocated workers and meet demand for WIOA employment services.

150. Some countries envisage the adoption of measures to address technological change through social dialogue, tripartite consultations or collective bargaining. The legislation in some countries establishes the requirement to engage in collective bargaining on the impact of the introduction of technology, establish training systems to improve the adaptability of workers to change, and increase mobility and the consequences of these changes on working conditions. In some countries, the social partners have established job security councils that offer individual support to enhance the prospect of finding new jobs, and may even provide financial support to displaced workers. They may cover different sectors and occupations. In some cases, institutions responsible for regional or local development are also involved, as change may have a greater impact on some regions than on others.

**Belgium** – Collective Labour Agreement No. 39 concerning information and consultation on the social consequences of the introduction of new technologies to companies with at least 50 workers provides that, when the employer decides to invest in new technology that has significant collective consequences on employment, the organization of work or working conditions, written information must be provided and consultations held with workers’ representatives at the latest three months before the introduction of the new technology is commenced. Consultation must be organized if the new technology can give rise to “significant collective social consequences”, in the form of a change in working conditions, the organization of work or employment consequences due to dismissals and transfers. If these information and consultation procedures are not respected, the employer may not unilaterally terminate a worker’s employment contract, except for reasons unrelated to the introduction of the new technology. The burden of proof lies with the employer during the period when information should have been provided up to three months following the actual introduction of the new technology.

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200 For example, Australia, Suriname and United Kingdom.

201 For example, Afghanistan, Indonesia and Japan.

202 For example, Bangladesh and Belgium (as of January 2020, a new collective agreement on e-commerce will apply to all companies that engage in night work or work on Sundays due to e-commerce).

203 For example, Argentina (Act No. 24013, section 24).

204 For example, Sweden.

205 For example, the Swedish Agency for Economic and Regional Growth is responsible for supporting the regions and municipalities most affected by restructuring.
151. Other countries have already adopted specific legislation, including constitutional principles addressing the impact of technology on workers,\(^{206}\) while others have adopted legislation to regulate new forms of work in the framework of new technologies, such as e-commerce.

**Brazil** – Article 7 of the Brazilian Constitution provides the rights that aim to improve the social conditions of urban and rural workers: XXVII – protection on account of automation, as established by law.

**Canada** – The Government indicates that, in Newfoundland and Labrador, technical knowledge and the impact of technology are part of the job evaluation system classification. This means jobs have recently been reviewed and assessed for their technical knowledge, which should result in a fair wage for technical knowledge which, in turn, should have an impact on the ability to recruit and retain workers in these skill areas. There are also technical change clauses in most, if not all, Canadian collective agreements.

**Sri Lanka** – The National Human Resources and Employment Policy of Sri Lanka contains a section on science, technology and innovation skills which envisages the development of a national technical workforce planning and development strategy.

**CTA Autónoma** from Argentina, indicates that there are no consultations or collective bargaining with the social partners with respect to the impact of new technologies at work.

**BAK** from Austria states that there is no sufficient training for jobseekers that will help them to access the labour market in the framework of structural and technological change.

With respect to e-commerce in particular, the FGTB, the CSC and the CGSL from Belgium referred to the fact that new legislation adopted on the issue risks to seriously affect health and safety of workers. This measure has been adopted without consultation with workers.

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\(^{206}\) For example Brazil and Belgium.

\(^{207}\) For example, Brazil (Ministry of labour and Employment registration number: sp001130/2019. Section 34: Automation: “When automating production methods and introducing new techniques or machinery, the enterprise shall develop and offer training during working hours for as long as necessary so that the workers can better fulfil their new responsibilities.”)
VIII. Conclusions

153. The Committee considers that, in view of the complexity of the employment challenges across the world, there is no “one-size-fits-all” solution for the process of the design and development, or the content of the national employment policy. It is nevertheless essential to ensure that policies are:

- tailored to national economic and social conditions;
- embedded in a comprehensive framework;
- developed, implemented and evaluated through a consultative process with the social partners and representatives of those concerned by the measures to be taken; and
- monitored and evaluated in relation to the established targets and indicators.

154. The Committee emphasizes that the process should provide for the periodic revision of the policy and the adjustment of measures and plans to ensure their efficiency. The results achieved may contribute to setting a baseline for future employment policies.

155. The Committee stresses the need to create an enabling environment for MSME’s, including cooperatives, by measures such as: simplifying overly complex regulations; access to finance; linking into technology platforms, supply chains and local economic development; addressing decent work deficits; and public investment in infrastructure, as well as education and training and technology. The Committee highlights the role that cooperatives can play in enabling people to work their way out of poverty and in helping them defend their interests and take part in decisions that concern them. MSME’s and cooperatives can, together with multinationals and finance institutions, be a viable means of promoting decent and sustainable work, especially with proper policy frameworks and financial and institutional support mechanisms in place. The Committee further highlights the importance that the national employment policy fosters as far as possible the creation of green jobs with decent work.

156. Finally the Committee considers that all enterprises should have the opportunity to take advantage of new technologies and innovations to improve their organization of work and production and that measures should be taken to help workers navigate through transitions.