



International
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▶ Promoting employment and decent work in a changing landscape

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EXECUTIVE SUMMARY

The Committee of Experts on the Application of Conventions and Recommendations (CEACR) is pleased to publish this new General Survey, which addresses a crucial subject that is one of the principal concerns of policies and programmes at the international, national and regional levels: namely employment and decent work. Employment is a matter of enduring interest for everyone: women and men, young and old. This is particularly true now, in view of the deep-rooted changes that are occurring in the world of work. Globalization, climate and environmental change, as well as technological innovation, are giving rise to new and emerging forms of work, and to changes in the structure and organization of work. The varied and, in many cases, contradictory predictions as to the impact of these changes on the creation or destruction of employment have contributed to uncertainty with respect to the sustainable realization of decent work.

Employment, which realizes in practice the fundamental right to work, is one of the primary means through which individuals can be integrated into society and contribute to its development. It is the principal means available to workers and society in general to combat poverty with dignity. This General Survey covers instruments of varying nature and different objectives which, nevertheless, come together around a single unifying theme: the promotion of full, productive and freely chosen employment through the adoption of a comprehensive and inclusive national policy on employment and decent work that takes into account all segments of society and the profound changes taking place in the world of work.

In following this unifying theme, the present General Survey addresses various legal aspects of employment. In particular, it examines the importance of the formulation and adoption of a national employment policy as a unifying element, coordinated with other social and economic policies in the country to promote the creation of decent jobs for all and the sustainable development of enterprises in an enabling environment. The formulation of this policy in turn requires the clear definition of concepts, rules and responsibilities in terms of the active participation of the tripartite constituents and the specific groups concerned (for example, workers with disabilities, home workers, workers in the informal economy, migrant workers, young persons, older workers, among others). In this respect, an adequate definition of the employment relationship and its elements is essential, as well as of the parties thereto, and the rights and obligations arising from the relationship. This is particularly important in the context of new forms of work and new contractual arrangements that tend in some cases to shift employment-related responsibilities onto the shoulders of workers, blurring of the lines between dependent work and self-employment. The lack of clarity in such cases may encourage informality. The General Survey also addresses employment from the viewpoint of individuals and their specific situations, including those in the most vulnerable situations. Labour policies should be designed in an inclusive manner and provide for equality of opportunity and treatment without discrimination. To ensure this, it is necessary to have a clear understanding of the specific circumstances of all workers and adapt measures and programmes to address those circumstances, particularly for those who are most likely to be excluded from the formal labour market. The General Survey therefore examines two specific categories of workers in greater detail: homeworkers and workers with disabilities, within the framework of the Home Work Convention, 1996 (No. 177), and the Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159).

The present General Survey is intended for all those who participate, in one way or another, in the adoption and implementation of employment policies and programmes. The Committee hopes that the General Survey will be useful to both Governments and the social partners, including the representatives of specific groups of persons and other interest groups or international organizations. The General Survey is also intended for professionals and academics, as well as for the general public. The Committee hopes that it will serve as a guide for the adoption of inclusive policies and programmes, taking account of the needs of individuals and enterprises (the latter being the engines to create decent work in a rapidly changing world of work. This guidance will contribute to the achievement of the ILO's Decent Work Agenda and the Agenda 2030 Sustainable Development Goals.

▶ Adopting a comprehensive and inclusive national employment policy

Employment as an essential strategic objective. The Employment Policy Convention, 1964 (No. 122), together with the Employment Policy (Supplementary Provisions) Recommendation, 1984 (No. 169), provides substantive guidance for the formulation of national employment policies and programmes that focus on employment promotion, poverty reduction and the improvement of living standards for everyone. In this respect, the national employment policy should reflect a coordinated and coherent vision of national objectives as they relate to employment and develop specific means of achieving these in a coordinated and participatory manner.

Full, productive and freely chosen employment. Despite the rapid changes in the world of work, and their consequences, full, productive and freely chosen employment continues to be an achievable goal. It is also necessary to develop clear institutional and legal frameworks in order to be able to create productive and lasting employment that affords adequate protection to workers, and that also takes into account the requirements of the enterprises. In turn, increased productivity and economic growth should not result in or encourage environmental degradation. Moreover, the links between productivity and poverty reduction must be examined in a context of increasing inequality and persistent informality. In this regard, the Committee welcomes the focus of the ILO Centenary Declaration for the Future of Work, 2019, which seeks to redirect the economy towards human-centred growth and development, while providing the opportunity to create sustainable decent work opportunities, facilitate the formalization of those in informal jobs, bring an end to poverty and improve living standards for all.

Vocational training and skills development and lifelong learning are essential for entering, adjusting to and remaining in a changing labour market. Training and skills policies are closely related to increasing productivity and facilitating the free choice of employment. Moreover, in view of the rapid technological changes that are constantly occurring, workers need to be able to continually learn new skills, improve their qualifications and adapt at the professional level. National employment policies should therefore provide support for workers during the inevitable processes of transition that they will experience throughout their working lives. In this respect, the General Survey emphasizes, as the Committee has done over the years, the need for the coordination of vocational training and skills policies with employment policies.

National employment policies should be comprehensive. National employment policy should be designed, adopted and implemented in coordination with other social and economic policies. Employment and decent work should be key macroeconomic objectives of national policy. It is therefore crucial to ensure the coherence and coordination of employment policy with policies for the promotion of trade, investment and industry. A comprehensive and coherent set of integrated policy interventions will improve the quality and quantity of employment. In this respect the General Survey submits that the national employment policy should be the cornerstone for other policies addressed in the Survey, including the national policy for the review of regulations concerning the employment relationship, the policies on the transition to formality, as well as policies on home work and policies to promote employment for workers with disabilities on the open market, and other employment policies and programmes for disadvantaged groups of workers. These policies should take the gender dimension of employment into account.

A process of adoption, control and follow-up which is effective and flexible. Convention No. 122 is a flexible instrument which leaves governments free to decide upon the measures and programmes to be adopted and the methods to be used for the formulation and application of the national policy. This does not imply ignoring the fact that a well-articulated policy with clear priorities and specific goals, supported by an adequate budgetary allocation and a realistic implementation framework, is more likely to be effective. In order to promote the ownership and commitment of all actors concerned, it is vital that clear political will be expressed at the highest level. Appropriate institutions and control mechanisms also contribute to ensuring the effectiveness and the ongoing review of the measures adopted. This enables all the parties involved to identify successes and challenges in the achievement of policy objectives and to make recommendations for the future as a basis for updating the policy. The existence of adequate data and statistics facilitates the adoption of relevant and informed measures.

Policies must be the outcome of constructive social dialogue. The fundamental importance of social dialogue and tripartism needs to be emphasized in the formulation, application and follow up of employment policies. The policy should also include a broad dissemination programme.

Enterprises are the primary drivers of employment creation. The national employment policy should include demand-related measures through macroeconomic and sectoral policies targeted at employment creation. These measures must contribute to the development of an enabling conducive environment for enterprise initiatives and the development of sustainable enterprises. Microenterprises and small and medium-sized enterprises (MSMEs), including cooperatives, play a fundamental productive role within the framework of a global economy that is increasingly integrated into local, regional and global supply chains. MSMEs, together with cooperatives and other social and solidarity economic units, are an important vehicle to facilitate the labour market inclusion of the most disadvantaged workers. At the same time, the Committee recalls that more decent work deficits are found in MSMEs than in larger enterprises, and often operate in the informal economy. Multinational enterprises are the primary motors of most national and regional economies and also act as agents of change in the application of fundamental labour rights and improvements in working conditions. In turn, they have a direct effect on MSMEs, with which they interact in supply chains.

The national employment policy must be prepared to take advantage of the opportunities created by technological change and attenuate its negative effects. Technological innovations bring new opportunities and are moving the frontiers of human capacity further than had previously been thought possible. However, new challenges have emerged and technology has given rise to new forms of work including its organization. Although the full impact of innovation in the world of work is not yet known, certain aspects are being examined at national level to determine whether the current standards framework continues to be fit for purpose. In this regard, the General Survey examines the guidance provided by Recommendation No. 169, which encourages technological innovation, while emphasizing that technology should contribute to improving working conditions, reducing working time and avoiding job losses.

An employment policy that takes climate change into account. The General Survey also addresses the urgent challenges raised by climate and environmental change and the need to adopt measures for a just transition. Workers and enterprises have a fundamental role to play in this transition, through green jobs, innovation, the adoption of new technologies and production methods, investment and standards action.

▶ Developing a clear definition of the employment relationship

The employment relationship, in all its evolving forms, is the foundation of labour protection. In this regard, the Committee notes that the Centenary Declaration reaffirms “the continued relevance of the employment relationship as a means of providing certainty and legal protection to workers”. The employment relationship gives rise to rights and mutual obligations for the employer and the worker under the terms of national legislation. However, rapid changes in the labour market, particularly due to factors such as globalization, digitalization and other technological innovations, are leading to new forms of work which do not necessarily fit the traditional concept of the employment relationship. In response to the challenges faced by enterprises and workers’ need for flexibility, the concept of the employment relationship has developed over time and has taken diverse forms, giving rise to situations which differ from traditional full-time employment.

A national policy should be adopted to periodically review the regulation of the employment relationship. The Employment Relationship Recommendation, 2006 (No. 198), encourages governments to adopt a policy to review national legislation at appropriate intervals with a view to clarifying and adapting the regulations governing the employment relationship and guaranteeing that workers continue to be provided with adequate protection, while ensuring that regulation takes into account the realities of a changing world of work. Each State is responsible for identifying the appropriate methods for adapting to developments in the national labour market, for identifying situations in which workers are no longer protected and for designing the most appropriate means of dealing with these situations.

The national policy should provide guidance and address the various forms of employment relationship and hidden or ambiguous employment relationships. The national policy should provide those concerned, and particularly employers and workers, with guidance on how to determine the existence of an employment relationship and distinguish between employed and genuinely self-employed workers. This guidance should enable workers to identify their employer, their rights and those responsible for guaranteeing them. The policy should also address situations in which the employment relationship is hidden or unclear, with the consequence that dependent workers are excluded from the rights and benefits to which they are entitled, and should provide for the removal of any incentive to promote such hidden or disguised employment relationships. Nevertheless, the employment relationship may be objectively ambiguous, for example, when the principal factors that characterize the employment relationship are not clearly visible. In this context, new forms of work and changes in the organization of work should also be addressed by the policy. Social dialogue is crucial to guaranteeing appropriate regulation of the employment relationship and new contractual arrangements, such as platform work.

The policy should also ensure effective protection to workers who may be particularly affected by uncertainty with regard to the employment relationship and should recognize that women, alongside certain groups in vulnerable situations, are most affected by ambiguous forms of work and contractual arrangements that differ from the traditional employment relationship.

Recommendation No. 198 sets out elements for the identification of the employment relationship. At the outset, the Recommendation sets out the principle, already established by case law at the national level, of the primacy of the facts, under which the facts relating to the relationship are the determining factor. The Recommendation proposes a series of elements to determine whether or not an employment relationship exists. These include the scope of the means that may be used to determine the existence of an employment relationship, such as the possibility of establishing a legal presumption of an employment relationship when one or more indicators established by law are present. Legislation may also determine that specific types of relationships characterized by ambiguity be classified as employment relationships. Subordination and dependency are given as examples of possible conditions demonstrating

the existence of an employment relationship along with the performance of work and the remuneration of the worker and a series of indicators which contribute to demonstrating the existence of such conditions. These are non-exhaustive enumerations which should be adapted to the circumstances of each case and to national conditions. In turn, developments in the world of work may make some of these conditions and indicators obsolete and lead to the emergence of new elements.

The binary categorization of employed and self-employed workers may not be adequate to accommodate the evolving circumstances of the labour market. The General Survey provides a description of the traditional parties to the employment relationship, namely the employer (who may be an individual or multiple entities) and employed workers. It also addresses employment relationships in which there are multiple parties. In turn, it addresses a trend that has arisen principally in some Member States of the European Union which endeavours to depart from the binary categorization of employed and self-employed workers. This approach seeks to improve the situation of the many workers who are in an intermediary status between the labour relationship of employed workers and self-employed workers and who accordingly do not benefit from adequate protection. At the same time, this intermediate category may, in practice, have a negative effect on the employment relationship and on workers' rights.

The employment relationship may take multiple forms. Recommendation No. 198 does not refer to any specific arrangements for the employment relationship, with the exception of multiparty employment relationships. Nevertheless, the employment relationship may take various forms, ranging from the most traditional type of full-time, indefinite and permanent or ongoing employment with a single employer, to part-time, fixed-term, intermittent, occasional, multiparty and remote relationships, or a combination thereof. These are the various other arrangements covered by the different conceptions of the employment relationship. In practice, in many cases these various forms of relationship involve differences of treatment that amount to unacceptable and even flagrant cases of discrimination. The General Survey examines various arrangements, such as fixed-term or temporary work, part-time work, work for temporary employment agencies, and the related challenges that arise for workers. It also examines arrangements such as on-call work and zero-hours contracts. Moreover, the General Survey briefly examines the elements common to the various arrangements for platform work, their impact on the labour market, and the manner in which they have been addressed by laws and regulations and case law at the national level.

It is necessary to follow labour market developments closely. For this reason, the Recommendation proposes to establish monitoring and review mechanisms based on social dialogue to provide guidance on the adoption and implementation of measures relating to the employment relationship and suggests adaptations to regulations where necessary.

▶ Adopting a comprehensive policy for the transition to formality

Informality exists in all countries. The Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204), does not provide a definition of informality, but rather describes the various aspects of the informal economy. Some 2 billion workers, or 61.2 per cent of the active population at the global level, are in informal work, and eight out of every ten enterprises are in the informal economy. Although this is more common in developing countries, there is also a considerable proportion of hidden self-employment in high-income economies. The high incidence of informality is a significant obstacle to workers' rights. Workers and economic units are increasingly subject to flexible working arrangements, including subcontracting and outsourcing, at the periphery of the enterprise or at lower levels in the production chain. Many of the new forms of work that have arisen are not adequately regulated. This phenomenon has resulted in a reduction in workers' protection and a lack of clarity concerning the status of workers who, as a consequence, are often pushed into informality.

Informality is a multifaceted phenomenon that affects workers and enterprises differently. The informal economy is heterogeneous and may take many distinct forms based on the characteristics, circumstances and needs of the workers and economic units involved, which need to be addressed through varied and specific policies and measures. A legal and institutional framework that creates obstacles to the transition to formality, the lack of appropriate macroeconomic and labour policies, the absence of effective institutions, persistent discrimination and the absence of representation and voice are some of the underlying causes of informality, and are also indicators of governance deficits.

Informality must be addressed without delay and through clear objectives. The Recommendation proposes to address informality on the basis of three objectives: facilitating transitions to formality; promoting enterprises in the formal economy, decent jobs and policy coherence; and preventing informalization. The transition to formality is a process that takes time and requires sustained economic and social development as a result of comprehensive and coordinated measures and policies. It is necessary to take into account that the transaction costs and real costs of formalization are relatively lower than those of informality; that the benefits of formality are greater than those of informality for all those involved; and that formal institutions, systems and procedures are credible, transparent and efficient. Following the practice adopted in many countries, the General Survey proposes the adoption of a step-by-step procedure to facilitate the transition to formality, based on agreement with the social partners.

The need for a coherent and integrated policy and programme framework. The Recommendation enumerates a broad range of coordinated policies that are important for transition, but which should be adapted to each specific case, based on consultations with the social partners as well as representatives of workers and economic units operating in the informal economy. The integration of this policy framework with the national employment policy is necessary to achieve coherence. It is necessary to promote the progressive extension of rights to informal workers and economic units, especially access to social security, including maternity protection, occupational safety and health and minimum wage protections. Local development strategies in urban and rural areas, including agriculture, are also necessary. Human rights and fundamental principles and rights at work, as well as the creation of a favourable environment for growth, employment and enterprise development, are basic elements of this integrated framework that should be implemented at all levels of supply chains. An appropriate legislative and standards framework is also required. Moreover, given the high concentration of women in the informal economy, it is important that the principle of gender equality be reflected in the integrated policy framework.

The integrated framework must also include specific measures for the formalization of micro and small economic units. Micro and small enterprises encounter numerous obstacles to their growth and effective development. The General Survey addresses the variety of measures adopted by governments to facilitate the transition to formality of micro and small enterprises, including regulatory simplification, the reduction of costs, access to public procurement and financial services, entrepreneurship training and social security coverage. These measures are often adopted in the framework of a coherent national employment policy developed in conformity with Convention No. 122.

► Ensuring equality of terms and conditions of work for homeworkers

Home work is the main source of income for a large number of workers throughout the world. Home work is work performed outside the employer's premises. It may take many forms, ranging from work requiring intensive labour, such as skilled craftwork (for example, traditional embroidery) and industrial work, to telework and other information technology services. Changes in the organization of work, promoted by significant innovations in technology and communications, together with increases in outsourcing and subcontracting, have led to forms of home work taking on renewed importance, especially in the context of supply chains and platform work. In this respect, the Convention addresses the role of the "intermediary", as a person, natural or legal, who acts as a link between the supply and demand for home work. The existence of intermediaries is a characteristic of home work in many countries, but give rise to concerns and ambiguities in relation to the distribution of responsibilities. Homeworkers are often in a particularly vulnerable situation in the labour market, due to unstable labour demand, an unclear employment situation in which they often lack sufficient legal protection, a weak negotiating position, isolation and consequent invisibility. Convention No. 177 and the Home Work Recommendation, 1996 (No. 184), therefore call for the development of a national policy on home work which improves the conditions of these workers and promotes equality of treatment.

Home work has a significant gender dimension. The large majority of homeworkers are women. Many have not been able to gain access to a regular job due to their family responsibilities or lack of skills, or have chosen to work from home in light of cultural and social norms. Home work is concentrated in the informal economy, in which women are also prevalent.

The national policy must promote equal treatment between homeworkers and other employed workers, to the extent possible. This involves in particular the right to organize, protection against discrimination in employment and occupation, as well as protection in relation to safety and health, remuneration, social security, access to training, the minimum age for admission to employment and maternity protection.

Remuneration on a piecework basis is often a source of inequality. The fact that homeworkers are paid on a piecework basis, combined with unclear rules relating to hours of work, means that they are often required to work long hours, including at night and on the weekends, in order to be able to earn a basic income. In many cases, they are also forced to cover certain costs, such as social contributions, as well as costs related to the workplace, including electricity, water, tools and materials, which has the effect of reducing their overall income.

The importance of keeping records of workers and providing adequate information. The instruments require the keeping of records containing information on homeworkers, their remuneration, delivery times and other conditions under which the work is performed, as well as addressing the existence of intermediaries and the determination of responsibilities. These practices facilitate monitoring and result in increased transparency with regard to the homeworkers' true conditions of work.

In some cases, telework and platform work may be more modern forms of home work. The Convention considers that permanent, but not occasional telework, constitutes home work. Telework can occur in various economic sectors with different skill requirements. Work through digital platforms that involve home work (crowd work) also has many similarities with home work, such as payment on a piece-work basis, the existence of an intermediary (in this case, the platform) and the lack of clarity concerning the employment status of the workers concerned. To the extent that digital platform work and crowd-work on digital platforms is undertaken at home or on premises other than those used regularly by the employer, and in exchange for remuneration, the Committee considers that such work could fulfil the conditions to be considered as a form of regular home work, and as such could be covered by the provisions of the Convention.

Promoting the access of workers with disabilities to the open labour market

Approximately 15 per cent of the global population, or around 1,000 million adults and children, live with some form of disability, of whom between 2 and 4 per cent have considerable functional difficulties. Moreover, it is forecast that the growing global population living beyond 60 years of age, combined with the rise in chronic illnesses, will result in the number of persons with disabilities continuing to increase.

Persons with disabilities encounter greater challenges to accessing the open labour market. Persons with disabilities have considerably higher poverty rates in all regions of the world. They are faced with discrimination, marginalization and exclusion in many areas, including employment. Moreover, when they succeed in entering the labour market, they confront additional costs, such as transport, which result in lower earnings. Access to rehabilitation services for persons with disabilities is essential to help them escape the cycle of poverty. It is also necessary to create an inclusive and accessible environment, both in public spaces and the workplace. Women with disabilities endure the dual prejudice of discrimination based on their sex and on their disability.

Disability is a human rights issue. Perceptions of disability have changed considerably over the past 50 years, due in large part to the movement led by organizations of persons with disabilities. Disability has come to be considered a human rights issue and it is recognized that persons suffer disabilities arising not only out of functional difficulties, but also external factors deriving from historically negative perceptions and attitudes towards disability. The adoption in 2006 of the United Nations Convention on the Rights of Persons with Disabilities (CRPD) and the Optional Protocol to the United Nations Convention on the Rights of Persons with Disabilities strengthens the international framework for the protection of the rights of persons with disabilities.

Workers with disabilities must be taken into account in the framework of an inclusive national employment policy. Convention No. 159 and the Vocational Rehabilitation and Employment (Disabled Persons) Recommendation, 1983 (No. 168), reflect a commitment to social justice and the achievement of decent work and full, productive and freely chosen employment for all through the promotion of equality for this specific group of workers. Workers with disabilities are entitled to full participation and equality of opportunity and treatment in all areas of life, including social and economic life. They are entitled to access vocational education and training to guarantee equality of opportunity and treatment.

Employment enables persons with disabilities to achieve independence and integration or reintegration into society. The Convention seeks to enable persons with disabilities to secure, retain and advance in employment on the open labour market. It is therefore necessary to protect the full rights of persons with disabilities and to eliminate humiliating and persistent stereotypes, stigma and prejudices that impair their exercise of these rights.

Persons with disabilities are as skilled and productive as workers without disabilities. The negative attitudes of educators, employers and co-workers in relation to the aptitudes and potential of persons with disabilities create barriers to their full participation in education and employment. It is essential to adopt public information measures to overcome prejudices, misinformation and unfavourable attitudes. Quotas and employment incentives have been adopted in many countries for persons with disabilities in both the public and private sectors. In most countries, persons with disabilities have access to the employment services available to other members of the public. Such services must also be accessible for all workers with disabilities, including those living in rural areas and remote communities. The Convention also provides for programmes intended specifically to address the needs of persons with disabilities who are not able to compete to obtain employment on the open labour market.

Guaranteeing accessibility and reasonable adaptations are also forms of equality. Accessibility, which is advocated through the application of universal design principles or assistance measures, seeks to ensure the access of all persons without taking into account the needs of specific individuals. Reasonable adaptations are changes and adaptations that are necessary and adequate, but which do not involve a disproportionate or undue burden, to guarantee that persons with disabilities can enjoy and exercise all human rights and fundamental freedoms, under equal conditions. The adoption of reasonable adaptations, where necessary, including in vocational rehabilitation, is fundamental to promoting diversity and inclusion in the workplace.

Access to technology offers greater opportunities for labour market integration. Digitalization can considerably improve the living and working standards of persons with disabilities. In turn, technology increases accessibility for persons with disabilities. Many people with disabilities also prefer digital work, which offers them a flexible and accessible work environment. Work on digital platforms is attracting an increasing number of persons with disabilities for whom these atypical work arrangements can mean the difference between being unemployed and earning a living. However, in many cases, these working arrangements offer lower remuneration, few or no social benefits and involve greater income insecurity.

▶ Promoting inclusive employment policies

After examining the basic elements of the instruments, the General Survey addresses the principle of equality of opportunity and treatment. This fundamental principle concerns all of the instruments under examination. The overall objective is to develop and implement a national employment policy that is inclusive and guarantees equality of opportunity and treatment in the labour market for everyone.

Measures should be taken to ensure that productivity increases are equitably redistributed. While technological progress has given rise to productivity growth in recent decades, this has not generally resulted in shared prosperity. Everyone must be able to contribute to the development of society in conditions of dignity. When equality of opportunity and treatment is effectively implemented, all members of society can compete on an equal footing. The national employment policy must therefore seek to ensure that every worker has the opportunity to choose their employment freely, obtain the necessary training and enjoy the benefits of such employment on a non-discriminatory basis.

The informal economy undermines equality of opportunity. A coherent formalization strategy must take into account the diversity of characteristics, circumstances and needs of workers, including dependent employees, self-employed workers and economic units in the informal economy, by adopting measures to ensure inclusive development.

The national employment policy should respond to the specific needs of all workers. The national policy should contribute to the inclusion in the paid labour market of all unemployed persons, particularly the long-term unemployed, and those belonging to categories that encounter the greatest difficulties in finding lasting and decent work. In turn, it is necessary to take into account the profound demographic changes taking place in the world. A heterogeneous group of young people are endeavouring without success to enter the world of work, while the proportion of older persons of working age who are unemployed has increased in almost all regions of the world. Migrant workers, domestic workers, indigenous workers, workers in rural areas, and those in the subsistence economy all encounter, in one way or another, obstacles to entering the labour market, which may in some cases constitute discriminatory or unfavourable treatment. These obstacles need to be taken into account to ensure a comprehensive and coherent national employment policy. The national employment policy should also provide for the necessary inclusive measures, such as reasonable accommodation, so that persons with disabilities are able to contribute to building the society in which they live. Moreover, the policy should address, as a priority, the various dimensions of gender equality in the world of work, to eliminate the disadvantages that many women face in the workplace.

A clearly determined employment relationship is key to ensuring equality. A lack of clarity or ambiguity with regard to the existence of employment relationships can deprive workers of the protections to which they are entitled. Some workers are more vulnerable than others in these circumstances, as they create a situation of inequality which in turn pushes them into informality.

Promoting equality of treatment and providing adequate protection. Fundamental principles and rights at work apply to all workers without discrimination, irrespective of their employment status. At the same time, equality involves ensuring that all workers benefit from adequate working conditions and social and labour protection in relation to the realities of the work that they are performing. In turn, it is necessary to take into account that certain contractual arrangements may be used in an inappropriate manner, unrelated to the true nature of the work performed and the remuneration received by the worker, thereby placing the workers concerned in an unfair situation, in many cases excluding them from the protections to which they are entitled.

► Monitoring, compliance and enforcement

The General Survey dedicates a chapter to the crucial issue of monitoring and compliance. Poor enforcement and lack of compliance with the law are significant factors in cases where workers lack protection. Strong political commitment is needed to ensure compliance with the law and provide the necessary support to law enforcement mechanisms, with the involvement of the social partners, where appropriate.

Sound labour administration and inspection systems are crucial for good labour market governance, and particularly the enforcement of labour regulation, both for the protection of workers at the national level and in the context of globalization. Such systems have a specific role to play in addressing the difficulties arising out of new contractual arrangements, the multiple forms of the employment relationship and the particular challenge of informality, with the overall aim of protecting all workers, especially those most vulnerable to exclusion. The Survey examines how governments ensure access to efficient and accessible complaint and appeal procedures including for workers in the informal economy. Furthermore, a broad range of measures have been adopted at the public and private levels for the development of policies and regulatory frameworks to achieve a fairer globalization within coherent and coordinated frameworks.

► Looking to the future

The present General Survey provides an opportunity to examine the close links and common objectives of eight instruments related to employment. The Committee has examined the consequences, in all countries and regions, of the profound changes in the world of work in respect of the new and emerging forms of employment relationships and contractual arrangements. These impacts have given rise to deep reflection, including on the meaning of work and its importance for personal development and for the development of society. This takes on even more relevance in light of constant technological innovations, as well as climate and environmental changes, which will require a paradigm shift for everyone. The Committee considers that all the instruments under examination offer useful guidance for overcoming future of work changes in a productive and inclusive manner.

It is necessary to address this issue within the framework of constructive social dialogue and broad consultation which addresses the impact of change on all sectors of the population and the measures that will need to be taken to ensure decent work for all. At the same time, it is necessary to identify and thoroughly examine mechanisms to ensure that productivity increases are translated into more equitable benefits for everyone.

The essential role of lifelong learning in this context is clear, to allow all workers to actively participate in the labour market and successfully adapt to future transitions.

Enterprises are necessary participants in the inclusion of all workers. The various policies, and particularly employment policy, must contribute to the creation of an enabling environment for their development and sustainability in a context of increasingly integrated markets. Enterprises, large and small, can be a vector for decent work within the framework of local and global supply chains. They are also active participants in the pathway to a just transition to formality.

The ILO has experience and skills in many areas that can contribute through technical co-operation to the work that countries are undertaking at the national level for the effective application of the Conventions and Recommendations under examination. The Committee therefore invites governments to continue to seek support from the Office on the various subjects addressed by the instruments, in accordance with the specific requirements of each case.

The Committee recalls the call for action made in the Centenary Declaration, which stresses that: “It is imperative to act with urgency to seize the opportunities and address the challenges to shape a fair, inclusive and secure future of work with full, productive and freely chosen employment and decent work for all.”