



Governing Body

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Institutional Section

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Report on the status of pending representations submitted under article 24 of the ILO Constitution

Summary: As requested by the Governing Body, this document provides information on the status of pending representations submitted under article 24 of the ILO Constitution.

Author unit: International Labour Standards Department (NORMES).

Related documents: None.

1. At its 334th Session (October–November 2018), the Governing Body approved a series of measures concerning the operation of the procedure for the representations submitted under article 24 of the ILO Constitution and asked the Office to make available an information document on the status of pending representations at each March and November session of the Governing Body.
2. The table below lists the representations submitted under article 24 of the ILO Constitution that are currently pending before the Governing Body.

Country	Convention	Complainant organizations	Representation status
Argentina	Occupational Safety and Health Convention, 1981 (No. 155); Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)	Confederation of Workers of Argentina (CTA Autonomous), Association of State Workers (ATE), Union of Educational Workers (UTE)	At its 340th Session (October–November 2020), the Governing Body decided that the representation was receivable and to set up a tripartite committee to examine it (GB.340/INS/19/4, paragraph 5). In the process of designating members of the ad hoc tripartite committee. The Office informed the complainant and the Government of the possibility of undertaking efforts at conciliation with ILO assistance should it be requested. The parties have jointly accepted conciliation and requested ILO assistance.
Brazil	Labour Inspection Convention, 1947 (No. 81); Collective Bargaining Convention, 1981 (No. 154)	Central Organization of Workers of Brazil, General Confederation of Workers of Brazil, Single Central Organization of Workers, Força Sindical, New Central Union of Workers, General Union of Workers and Confederation of Brazilian Trade Unions	At its 328th Session (October–November 2016), the Governing Body decided that the representation was not receivable in respect of Convention No. 81. It also decided that the representation was receivable in respect of Convention No. 154 and, by virtue of article 3(2) of the Standing Orders, since the representation relates to a Convention dealing with trade union rights, referred it to the Committee on Freedom of Association (CFA) for examination in accordance with articles 24 and 25 of the Constitution (GB.328/INS/18/4, paragraph 5). The case is currently pending before the CFA and a tripartite committee has been designated and has started its examination.
Brazil	Indigenous and Tribal Peoples Convention, 1989 (No. 169)	Union of Rural Workers of Alcântara (STTR) and Union of Family Agriculture Workers of Alcântara (SINTRAF)	At its 337th Session (October–November 2019), the Governing Body decided that the representation was receivable and to set up a tripartite committee to examine it (GB.337/INS/13/5, paragraph 5). In the process of designating members of the ad hoc tripartite committee. The Office informed the complainant and the Government of the possibility of undertaking efforts at conciliation with ILO assistance should it be requested.

Country	Convention	Complainant organizations	Representation status
Chile	Discrimination (Employment and Occupation) Convention, 1958 (No. 111)	Single Central Organization of Chilean Workers (CUT)	At its 334th Session (October–November 2018), the Governing Body decided that the representation was receivable and to set up a tripartite committee to examine it (GB.334/INS/14/2, paragraph 5). The ad hoc tripartite committee was established and held its first meeting during the 336th Session (June 2019) of the Governing Body. At the request of the tripartite committee, the Office informed the complainant and the Government of the possibility of undertaking efforts at conciliation with ILO assistance should it be requested. The parties have jointly accepted conciliation and requested ILO assistance.
Chile	Old-Age Insurance (Industry, etc.) Convention, 1933 (No. 35); Invalidity Insurance (Industry, etc.) Convention, 1933 (No. 37)	National Federation of Municipal Workers of Chile (FENTRAMUCH)	At its 340th Session (October–November 2020) the Governing Body decided that the representation was receivable and to set up an ad hoc tripartite committee to examine it (GB.340/INS/19/1, paragraph 5). In the process of designating members of the ad hoc tripartite committee. The Office informed the complainant and the Government of the possibility of undertaking efforts at conciliation with ILO assistance should it be requested.
Chile	Discrimination (Employment and Occupation) Convention, 1958 (No. 111)	Federation of Associations of Officials of Municipal Education Administration Departments of the Ñuble Region (FEFUDAEM-ÑÚBLE)	At its 341st Session (March 2021), the Governing Body decided that the representation was receivable and to set up an ad hoc tripartite committee to examine it (GB.341/INS/14/4, paragraph 5).
Costa Rica	Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); Right to Organise and Collective Bargaining Convention, 1949 (No. 98); Workers' Representatives Convention, 1971 (No. 135)	Rerum Novarum Confederation of Workers (CTRN), Costa Rican Workers' Movement Confederation (CMTC), Unitary Confederation of Workers (CUT), and Juanito Mora Porras Trade Union Confederation (CSJMP)	At its 328th Session (October–November 2016), the Governing Body decided that the representation was receivable and, by virtue of article 3(2) of the Standing Orders, since the representation related to a Convention dealing with trade union rights, referred it to the Committee on Freedom of Association for examination in accordance with articles 24 and 25 of the Constitution (GB.328/INS/18/3, paragraph 5). The case is currently pending before the CFA.

Country	Convention	Complainant organizations	Representation status
Ecuador	Indigenous and Tribal Peoples Convention, 1989 (No. 169)		At its 341st Session (March 2021), the Governing Body decided that the representation was receivable and to set up an ad hoc tripartite committee to examine it (GB.341/INS/14/2, paragraph 5).
France	Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); Right to Organise and Collective Bargaining Convention, 1949 (No. 98); Termination of Employment Convention, 1982 (No. 158)	General Confederation of Labour-Force Ouvrière (CGT-FO), and General Confederation of Labour (CGT)	At its 329th Session (March 2017), the Governing Body decided the representation was receivable as far as Convention No. 158 is concerned. An ad hoc tripartite committee was established in March 2017 but following Governing Body elections in June 2017, the Government member changed and was not available for a committee meeting in 2018. The tripartite committee has been fully reconstituted and has carried out its examination since the 335th Session of the Governing Body (March 2019). With regard to Conventions Nos 87 and 98, the Governing Body decided that the allegations be referred to the Committee on Freedom of Association for examination in accordance with articles 24 and 25 of the Constitution (GB.329/INS/21/2, paragraph 5). The elements relating to Conventions Nos 87 and 98 are now pending before the CFA and an ad hoc tripartite committee has been designated and has started its examination.
Guinea	Labour Inspection Convention, 1947 (No. 81); Protection of Wages Convention, 1949 (No. 95); Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)		At its 341st Session (March 2021), the Governing Body decided that the representation was receivable and to set up an ad hoc tripartite committee to examine it. (GB.341/INS/14/6)
Indonesia	Discrimination (Employment and Occupation) Convention, 1958 (No. 111)	Indonesian Union of Plantation Workers (SERBUNDO)	At its 337th Session (October–November 2019), the Governing Body decided that the representation was receivable and to set up a tripartite committee to examine it (GB.337/INS/13/4, paragraph 5). An ad hoc tripartite committee has been designated and has started its examination.

Country	Convention	Complainant organizations	Representation status
Mexico	Social Security (Minimum Standards) Convention, 1952 (No. 102)	Workers' Federation of the State of Sonora and nine other unions in the State of Sonora	At its 340th Session (October–November 2020) the Governing Body decided that the representation was receivable and to set up an ad hoc tripartite committee to examine it. (GB.340/INS/19/6, paragraph 5). In the process of designating members of the ad hoc tripartite committee. The parties jointly accepted conciliation and requested ILO assistance.
Peru	Hours of Work (Industry) Convention, 1919 (No. 1)	Federación de Trabajadores Mineros de Shougang Hierro Perú y Anexos (FTMSHPYA)	At its 340th Session (October–November 2020), the Governing Body decided that the representation was receivable and to set up a tripartite committee to examine it (GB.340/INS/19/5, paragraph 5). In the process of designating members of the ad hoc tripartite committee. The Office informed the complainant and the Government of the possibility of undertaking efforts at conciliation with ILO assistance should it be requested.
Peru	Hours of Work (Industry) Convention, 1919 (No. 1)	Santa Luisa de Huanzala Mineworkers' Union	At its 341st Session (March 2021), the Governing Body decided that the representation was receivable and that it would be examined by the tripartite committee set up to examine the representation alleging non-observance by Peru of Convention No. 1 declared receivable in November 2020 (GB.341/INS/14/7, paragraph 6).
Peru	Discrimination (Employment and Occupation) Convention, 1958 (No. 111); Workers with Family Responsibilities Convention, 1981 (No. 156); Safety and Health in Mines Convention, 1995 (No. 176)	National Federation of Mining, Metal, Iron and Steel Workers of Peru (FNTMMSP)	At its 340th Session (October–November 2020), the Governing Body decided that the representation was receivable and to set up an ad hoc tripartite committee to examine it (GB.340/INS/19/7, paragraph 5). In the process of designating members of the ad hoc tripartite committee. The Office informed the complainant and the Government of the possibility of undertaking efforts at conciliation with ILO assistance should it be requested.
Poland	Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); Right to Organise and Collective Bargaining Convention, 1949 (No. 98);		At its 341st Session (March 2021), the Governing Body decided that the representation was receivable with regard to Conventions Nos 87 and 98 and, since the representation related to Conventions dealing with trade union rights, to refer it to the Committee on Freedom of Association for examination in accordance with articles 24 and 25 of the Constitution of the ILO.

Country	Convention	Complainant organizations	Representation status
	Collective Bargaining Convention, 1981 (No. 154) (GB.341/INS/14/5)		
Portugal	Nursing Personnel Convention, 1977 (No. 149)	Portuguese Nurses' Union (SEP)	At its 340th Session (October–November 2020), the Governing Body decided that the representation was receivable and to set up an ad hoc tripartite committee to examine it (GB.340/INS/19/10, paragraph 5). In the process of designating members of the ad hoc tripartite committee. The Office informed the complainant and the Government of the possibility of undertaking efforts at conciliation with ILO assistance should it be requested.
Portugal	Labour Inspection Convention, 1947 (No. 81); Labour Inspection (Agriculture) Convention, 1969 (No. 129); Occupational Safety and Health Convention, 1981 (No. 155)	Union of Labour Inspectors	At its 340th Session, the Governing Body decided that the representation was receivable and to set up a tripartite committee to examine it (GB.340/INS/19/8, paragraph 5). In the process of designating members of the ad hoc tripartite committee. The parties jointly accepted conciliation and requested ILO assistance.
Sri Lanka	Labour Inspection Convention, 1947 (No. 81); Protection of Wages Convention, 1949 (No. 95)	Flight Attendants' Union (FAU)	At its 334th Session (October–November 2018), the Governing Body decided that the representation was receivable and to set up a tripartite committee to examine it (GB.334/INS/14/3, paragraph 5). The Office informed the complainant and the Government of the possibility of undertaking efforts at conciliation with ILO assistance should it be requested. In the process of designating members of the ad hoc tripartite committee. Designation of the Government member of the ad hoc tripartite committee is urgently awaited.
Tunisia	Labour Inspection Convention, 1947 (No. 81)	Union of Labour Inspectors	At its 340th Session (October–November 2020), the Governing Body decided that the representation was receivable and to set up a tripartite committee to examine it (GB.340/INS/19/3, paragraph 5). In the process of designating members of the ad hoc tripartite committee. The Office informed the complainant and the Government of the possibility of undertaking efforts at conciliation with ILO assistance should it be requested.

Country	Convention	Complainant organizations	Representation status
Uruguay	Protection of Wages Convention, 1949 (No. 95); Social Security (Minimum Standards) Convention, 1952 (No. 102);	Single National Union of Doctors of Law, Lawyers, Attorneys and Allied Workers of Uruguay	At its 341th Session (March 2021), the Governing Body decided that the representation was receivable and to set up a tripartite committee to examine it (GB.341/INS/14/3, paragraph 5). In the process of designating members of the ad hoc tripartite committee. The Office informed the complainant and the Government of the possibility of undertaking efforts at conciliation with ILO assistance should it be requested.