

ISBN 92-2-111504-6
ISSN 0074-6681

First published 2000

The designations employed in ILO publications, which are in conformity with United Nations practice, and the presentation of material therein do not imply the expression of any opinion whatsoever on the part of the International Labour Office concerning the legal status of any country, area or territory or of its authorities, or concerning the delimitation of its frontiers. Reference to names of firms and commercial products and processes does not imply their endorsement by the International Labour Office, and any failure to mention a particular firm, commercial product or process is not a sign of disapproval.

ILO publications can be obtained through major booksellers or ILO local offices in many countries, or direct from ILO Publications, International Labour Office, CH-1211 Geneva 22, Switzerland. Catalogues or lists of new publications are available free of charge from the above address.

Contents

Executive summary	VII
Introduction	1
Part I. A dynamic global picture	5
1. Collective representation in the new world of work	7
2. The global picture	25
Part II. Assessing the effectiveness of the assistance provided by the ILO	39
3. Your voice at work and the role of the ILO	41
Part III. Determining priorities for technical cooperation	57
4. Building on the Declaration	59
Annexes	
1. ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up	69
2. Follow-up to the Declaration (flow diagram) Encouraging efforts to respect fundamental principles and rights at work	75
3. Table of ratifications of ILO Conventions Nos. 87 and 98 and annual reports submitted under the Declaration follow-up	77
4. Conventions Nos. 87 and 98	85

Executive summary – *Your voice at work*

Introduction

Your voice at work underscores the crucial role of freedom of association and the effective right to collective bargaining in achieving decent work for all in today's globalizing world. It outlines the challenges and opportunities that accelerated structural and technological change has brought in its wake and examines trends – some of them quite disturbing – in relation to the respect shown for these principles and rights around the globe. The Report regrets that violations are still occurring and stresses how good governance of the labour market based on respect for these principles and rights can contribute to stable economic, social and political development.

After assessing the effectiveness of ILO assistance in this area, *Your voice at work* draws lessons from this experience to enable the ILO and other institutions to incorporate better the exercise of freedom of association in strategies for equity and poverty reduction. The Report points to priorities for technical co-operation aimed at reinforcing these individual and collective principles and rights. These include:

- closing the representational gap for workers and employers;
- encouraging agreed methods of bargaining and cooperation as facilitators and shapers of change;
- reinforcing policies that underpin respect for freedom of association and collective bargaining as part of the package that makes up the 1998 **ILO Declaration on Fundamental Principles and Rights at Work** – an important new promotional tool.

As a result of a growing awareness of the need for a social pillar in the global economy, consensus has emerged around a set of principles and rights at work – the first category of which is freedom of association and the effective recognition of the right to collective bargaining (the remaining three are the elimination of forced labour, child labour and discrimination in employment and occupation). *Your voice at work* is the first in a series of Global Reports which are designed to serve as a basis for assessing the effectiveness of the assistance provided by the Organization and for determining priorities in the form of action plans for technical cooperation. The Global Report is one aspect of reporting under the Follow-up to the ILO

Declaration – the other being the annual review for States that have not yet ratified all the fundamental Conventions. The aim of the Follow-up is to encourage the efforts made by the member States of the Organization to *promote* the fundamental principles and rights in the Declaration, as based on the Constitution of the ILO and reaffirmed at the World Summit for Social Development in Copenhagen and the Ministerial Conference of the World Trade Organization in Singapore.

A dynamic global picture

The globalizing economy – characterized by the opening of world markets, heightened competition, accelerated technological and structural change as well as the cyber-revolution – is having a dramatic impact on work. But the effects are spread unevenly, and the simultaneous inclusion and exclusion of people, regions and economic sectors present some of the greatest challenges. The informal economy is exploding, leaving many without any say in their working conditions. These factors are leading to *a widening representational gap in the world of work*.

Whilst trade union membership remains significant in many large workplaces, it has decreased overall in the last decade. Women in particular often remain deprived of a representational avenue for expressing their voice at work. Given the growing diversity of company interests, employers' organizations are also challenged by globalization. Although the business community has embraced the principles of freedom of association and collective bargaining in the Declaration and in the United Nations-sponsored Global Compact, the contribution that worker participation and strong labour market institutions might make towards increasing productivity and added value is not always fully appreciated.

Attaining the ILO's goal of decent work for all will only be possible if people can have a say in how this goal is to be achieved and have the right to build institutions that represent their interests; hence the call for greater "*representational security*" – the exercise of "voice at work" supported by well-functioning institutions – as a basis for sustainable growth. *Representational security facilitates local responses to a globalized economy; in turn, the collective institutions that grant representational security are contingent upon respect for freedom of association.*

These principles and rights – and above all respect for them – are good for labour, since they constitute the cornerstone of representational security in the formal and informal economies. They are good for business, as they unlock the door to sound human resources policy and open up the high road to competing in the global market. And they are good for governments, because they pave the way for collective action that can aid economic growth and poverty eradication. Having a voice at work helps fill information gaps and lays the foundation for trust and cooperation in the management of change – a vital function of social dialogue at the national, sectoral and firm levels. Civil society groups also depend upon freedom of association and recognition of the legitimacy of collective action to carry out their own work effectively.

Yet the value of this category of principles and rights at work is not always as clearly understood as the struggle against the worst forms of child labour. Alarming, freedom of association and the effective right to collective bargaining are not being universally respected or extended to everyone. Yet these principles and rights can help usher in positive change in an insecure, globalized world.

Your voice at work draws upon information from the ILO's long-established machinery for handling complaints relating to freedom of association and monitoring ratified fundamental Conventions, as well as upon the new information available from reporting under the promotional Declaration follow-up; and the picture it paints is often disturbing. Intimidation, threats and sometimes even mur-

der still await many workers who attempt to organize in a number of countries around the world. The Report identifies where these and other serious problems persist in spite of the universal resolve to relegate such action to the past.

The Report stresses the crucial link between an overall guarantee of civil liberties and respect for trade union rights. And while the number of state-monopoly trade unions has declined in recent years in the wake of democratization on all continents, they still exist in several countries.

Also troubling is the number of workers excluded from the mantle of freedom of association and collective representation in many countries. In much of the world, agricultural, domestic and migrant workers simply cannot exercise these basic rights. In the public service, collective bargaining and sometimes freedom of association remain out of reach for many. *Your voice at work* notes with concern the situation of workers in export processing zones (EPZs), which sometimes attempt to attract foreign investment by precluding the exercise of these rights. At the same time, fortunately, the Report records the many recent instances of progress in respect for freedom of association.

Collective bargaining is the expression in practice of freedom of association in the world of work. Once again, however, substantial restrictions on the exercise of collective bargaining exist in developing and developed countries. *Your voice at work* points out the importance of governmental support for – rather than interference in – collective bargaining, together with the institutional infrastructure required to make it work. It highlights some positive practical steps governments have taken to strengthen collective bargaining and institutions for the prevention and resolution of disputes.

Assessing the effectiveness of the assistance provided by the ILO

The ILO has had considerable success in helping countries achieve respect for these principles and rights at work in countries that have demonstrated the political will to embrace them. In the ILO's experience, this show of will begins with increased respect for civil liberties and human rights. Assistance from the ILO has ranged from advising ministries and parliaments on labour law, to strengthening the capacity of governments to implement and monitor that law, to heightening the ability of governments and employers' and workers' organizations to participate in social dialogue and collective bargaining. This tripartite involvement, often involving consultations with civil society, gives the ILO a distinct advantage in supporting democratic change.

Using work carried out during the past decade in Indonesia, South Africa, Poland and Costa Rica as examples, *Your voice at work* illustrates how the ILO, working with partners, has contributed considerably towards ensuring that respect for freedom of association and the effective right to collective bargaining formed an integral part of the progress achieved by these countries. The lessons learned suggest the positive synergy between national political will and the provision of ILO technical expertise and support across a broad range of circumstances and economic parameters. Where that political will has not yet emerged, the ILO can marshal political pressure through its tripartite bodies and constituents to help bring about positive change over time.

Determining priorities for technical cooperation

Your voice at work charts several paths forward for future ILO action. The Declaration is a tool that places responsibility on the Organization, and on its constituents, to support ILO member States' attempts to translate fundamental principles and rights at work into practice through technical cooperation activi-

ties. The first steps in this direction have already been taken. In addition, advocacy, peer pressure and ever stronger encouragement for change can have a real impact on state behaviour.

The Report has identified the importance of involving a range of actors in achieving respect for freedom of association and collective bargaining. It has revealed some important knowledge gaps in identifying best practices in the implementation of these fundamental principles and rights for all women and men. Greater investigation is needed to identify the link between their respect in a variety of contexts and improved economic performance, equitable development and poverty reduction, as well as their gender dimensions. And, clearly, advocacy efforts for this category of principles and rights need to be intensified.

Your voice at work concludes with indications of possible priorities for technical cooperation to support the promotion of respect for freedom of association and the effective right to collective bargaining. The Report points to three inter-related priorities:

- *ensuring that all workers can form and join a trade union of their choice without fear of intimidation or reprisal, and that employers are free to form and join independent associations;*
- *encouraging an open and constructive attitude by private business and public employers to the freely chosen representation of workers and the development of agreed methods of bargaining and complementary forms of cooperation concerning terms and conditions of work;*
- *promoting the recognition by public authorities that the good governance of the labour market, based on respect for fundamental principles and rights at work, makes a major contribution to stable economic, political and social development in the context of international economic integration, the expansion of democracy and the fight against poverty.*

Respect for these principles and rights at work provides a critical social dimension to the global economy and its governance. The ILO Declaration offers a fresh, promotional approach for achieving this on a universal basis.

* * *

The first in a series of Global Reports under the follow-up to the Declaration, *Your voice at work* contains annexes that set out:

- the text of the ILO Declaration on Fundamental Principles and Rights at Work;
- a diagram illustrating the follow-up mechanism;
- the status of ratification for the fundamental ILO Conventions on freedom of association and collective bargaining (Nos. 87 and 98) and the rate of reporting by non-ratifying governments under the Declaration follow-up; and
- the substantive provisions of Conventions Nos. 87 and 98.

The Report will be followed by other Global Reports on the elimination of all forms of forced or compulsory labour (2001), the abolition of child labour (2002), and the elimination of discrimination in employment and occupation (2003) – the three other categories covered by the ILO Declaration on Fundamental Principles and Rights at Work.

For more information see:

Declaration website: <http://www.ilo.org/declaration/>

Your voice at work: <http://www.ilo.org/voice@work>

Introduction

1. The benefits of globalization as it is currently unfolding are not reaching enough people. Insecurity and the fear of either failing to rise on the social scale or sliding down it breed discontent. People are concerned that governments, business and international organizations do not really hear their voice. Banding together in organizations has always been a way for people to enhance their security, whether at their workplace or within their community or nation. Freedom of association is essential for this and the right to collective bargaining makes freedom of association effective in the world of work.

Enhancing people's security

2. As a result of a growing awareness of the need for a social pillar in the global economy, consensus has emerged in the international community around a set of fundamental principles and rights at work. These are: freedom of association and the effective recognition of the right to collective bargaining; and the elimination of forced labour, child labour and discrimination in employment and occupation. All member States of the International Labour Organization have committed themselves to respect, promote and realize these principles in the *Declaration on Fundamental Principles and Rights at Work and its Follow-up*.¹ The overall purpose of the follow-up to the Declaration is to encourage the efforts made by the member States of the Organization to promote the fundamental principles and rights enshrined in the Constitution of the ILO and the Declaration of Philadelphia and reaffirmed at the World Summit for Social Development in Copenhagen and the Ministerial Conference of the World Trade Organization

Fundamental rights in a changing world

预览已结束，完整报告链接和二维码如下：

https://www.yunbaogao.cn/report/index/report?reportId=5_22732

