



CIRCULAR GEN No. 4 (2013)

To all PSI affiliates

File Reference: RP/SV/CHM

Contact Name: [Sandra.Vermuyten@world-psi.org](mailto:Sandra.Vermuyten@world-psi.org)

29 April 2013

**INTERNATIONAL LABOUR CONFERENCE (ILC)  
Geneva, Switzerland, 4-20 June 2013**

Dear Colleagues,

I am pleased to provide you with additional information on this year's International Labour Conference (ILC). The 102<sup>nd</sup> Session of the International Labour Conference will open on Wednesday 5 June 2013. It will be held in Geneva, Switzerland at the Palais des Nations and International Labour Organization (ILO) headquarters, and will end on Thursday 20<sup>th</sup> June 2013.

**Please note that Thursday 4 June will be devoted to preparatory meetings requiring the attendance of the tripartite members of national delegations to the Conference (Meetings of the Workers' Group at 10:00 and 15:00).**

You can access the ILC 2013 Conference Guide and all ILC reports by visiting the ILO-ILC website: [www.ilo.org/ilc](http://www.ilo.org/ilc)

**1. Protocol ILC**

**Please contact PSI's Equality and Rights Officer, Sandra Vermuyten at [rights@world-psi.org](mailto:rights@world-psi.org), to confirm that you will be part of your national delegation. Our success depends on our cooperation. Public sector workers need to be visible and to work in coordinated solidarity at this session of the ILC.**

**2. Committee on the Application of Conventions and Recommendations (CAS):**

At the International Labour Conference in June 2012, the employers' group blocked the work of the Committee on the Application of Standards—claiming that the experts do not have the authority to interpret conventions and refused to discuss any cases linked to the right to strike. This strategy challenges the existence of the ILO supervisory system. Negotiations continued into 2013 to resolve this deadlock, without any certain outcome. For the time being, there is a verbal commitment from the employers' spokesperson to agree to a list of cases. The Report on the Application of International Labour Standards ([www.ilo.org/ilc](http://www.ilo.org/ilc)) provides a detailed overview of this conflict in the introduction. There is a wide array of legal arguments that maintain the authority of the Committee of Experts. However, this is now a political issue targeting the right to strike and the mandate of the ILO itself. PSI strongly advises you to contact your government to advocate for the ILO's supervisory mechanisms, whether or not you attend the ILC.

CAS is a standing committee of the ILC, which meets every year to examine a list of 25 countries in terms of their application of core and/or ratified Conventions. PSI has lobbied actively for the inclusion of its priority

cases to be considered and achieved results. Please communicate your interest to meet with government delegations as soon as possible, by contacting [rights@world-psi.org](mailto:rights@world-psi.org). We also look forward to coordinating presentations at the CAS by PSI affiliates.

### **3. ILO General Survey: Collective bargaining in the public service – A way forward**

This General Survey report is the first to be conducted on the:

- Labour Relations (Public Service) Convention 151 (1978)
- Collective Bargaining Convention 154 (1981)
- Labour Relations (Public Service) Recommendation 159 (1978)
- Collective Bargaining Recommendation 163 (1981)

The main focus of the ILO General Survey is on collective bargaining rights in the public administration. It also covers a number of other subjects, including consultation, the civil and political rights of public sector employees, the facilities to be granted to trade union representatives, protection against acts of discrimination and interference, and dispute settlement mechanisms. However, Convention No. 154 applies not only to the public administration, but also to the whole of the public and private sectors. This explains that while the Survey focuses on the public administration for the subjects mentioned, it also refers more generally, and in less detail, to the situation in respect of law and practice in the private sector.

The report reflects the current situation well. Trade unions have raised the issue that substantial categories of public sector workers are denied the rights and advantages laid down in these conventions, or are subject to restrictions of varying degrees of severity. Unions claim an absence of formal mechanisms for collective bargaining in the public service, the use of sub-contracts to deny collective bargaining rights, and slow or ineffective dispute mechanisms. The report draws attention to the increasingly precarious situation of public sector workers.

The three main concerns relating to Conventions 151 and 154 are: (1) the slowness of administrative and judicial procedures in cases of anti-union discrimination or interference in trade union matters and the lack of sufficiently dissuasive sanctions; in some cases, protection against acts of anti-union discrimination or interference only partially covers such acts; (2) certain problems that can give rise to a denial of the right to collective bargaining to all public servants and, in particular, the requirement for trade unions to represent an excessively high proportion of workers in order to be recognized or to engage in collective bargaining; (3) some countries exclude certain subjects from collective bargaining, restrict the right of the parties to determine the level of bargaining or prohibit collective bargaining for specific categories of workers or by federations and confederations.

The report will be presented at the CAS and trade unions will be able to make comments on the General Survey report. **This discussion will serve as the basis for a Global Dialogue Forum on the impact of the financial crisis on collective bargaining in the public sector that will take place in 2014.**

The report clearly indicates the interest of a number of countries in the ratification of these conventions that we should act upon. Together with you, PSI will continue to campaign for the full implementation of Convention 151 and fight against existing restrictions. In terms of future cooperation with the ILO, it is important that PSI affiliates push for the inclusion of public sector social dialogue in Decent Work Country Programmes.

### **4. Other Items placed on the 2013 agenda by the Governing Body of the ILO:**

- Employment and social protection in the new demographic context (general discussion)
- Sustainable development, decent work and green jobs (general discussion)

We recommend reading these interesting reports. In relation to the discussion on green jobs, we also suggest visiting: [www.sustainlabour.org](http://www.sustainlabour.org) for more information on the relevant trade union issues here.

#### 5. PSI side meetings to attend during ILC:

- **ILC orientation meeting for all PSI Delegates (closed meeting ) > 5 June, 13:00–14:30, ILO (Room to be confirmed)**
- **PSI parallel event: Public Finance Control and Anti-Corruption Strategies forum > 13 June, 13:00–14:30, Palais des Nations (Room to be confirmed)**

The solutions to the problems of corruption involve recognition of the value of civil and public services and the workers who provide these vital services. Taking effective measures against tax fraud and evasion by those who are the perpetrators of large scale corruption would provide societies with thousands of billions stolen from citizens. Privatisation systematically creates opportunities and incentives for corruption and policy capture, supported by donors and development banks. In addition, the commercial capture of the state through 'legal' corruption via political donations, influence trading, lobbying and infiltration of public institutions, undermines the power of democratic decision-making. It corrupts public policy decisions and public resource allocation. The effectiveness of combined actions against corruption depends on strengthening democratic and community organisations within every country, and developing strong cooperation between unions and the public. These themes integrate with PSI's other work at the ILC to promote the value of quality public services and the importance of providing labour and trade union rights to the public sector workers who deliver them.

#### 6. PSI campaign "Your Future in Public Hands"

On 1 May 2013, PSI launches the campaign "Your Future in Public Hands." Public services are under attack and action is needed to ensure that in the future quality public services will be available to young and old, generating social justice and equality for all. Posters, leaflets, t-shirts, badges will be produced for the ILC and graphic materials will be available from the PSI website at [www.world-psi.org](http://www.world-psi.org). **Joint PSI and affiliated union actions will be organized during the ILC.**

- **Please follow the PSI website [www.world-psi.org](http://www.world-psi.org) and the PSI Facebook page for updates <https://www.facebook.com/pages/Public-Services-International/56171560717?ref=hl>**
- **In Spanish, join [www.facebook.com/groups/171795502973420/?fref=ts](http://www.facebook.com/groups/171795502973420/?fref=ts)**

#### 7. Reporting on CAS for 2014 (Deadline 30 August)

Follow this link: <http://www.ilo.org/dyn/normlex/en/f?p=1000:11002:6346812981527268::NO> and click on the name of your country.

Governments should work with workers' and employers' organisations in preparing these comments. If your country has ratified ILO Convention 144 on Tripartite Consultations, they are in fact obligated to consult with representative organisations of workers and employers on the reports. Otherwise, Article 23(2) of the ILO Constitution provides that member states must provide to representative organisations copies of information and reports submitted to the ILO. This may be done prior to the finalisation of the report, where the government should invite comments which should be taken into account, or at the same time the government sends its report to the ILO. We look forward to assisting you with these reporting obligations by 30 August 2013, and will post additional information about this on the PSI website by end of May 2013. We look forward to working with you to increase our impact.

## **8. ILO Manual on collective bargaining and dispute resolution in the public service**

We want to make use of this opportunity to draw your attention once more to this excellent ILO Manual that seeks to provide examples on how different countries have developed successful mechanisms to prevent and resolve disputes in labour relations in the public service. It showcases effective ways to develop collective bargaining systems and provides approaches and formulas for dispute resolution. We look forward to promote this manual in all PSI regions.

*It is now available in 9 languages:*

[http://www.ilo.org/sector/Resources/training-materials/WCMS\\_180600/lang--en/index.htm](http://www.ilo.org/sector/Resources/training-materials/WCMS_180600/lang--en/index.htm)

*It is complemented by a training tool (for now only in English):*

<http://www.ilo.org/public/libdoc/ilo/2012/471218.pdf>

**We look forward to working with you and prepare for this important ILC 2013 meeting. Please inform us of your participation now!**

*In solidarity,*



Rosa Pavanelli  
General Secretary