



COLLECTIVE AGREEMENTS: INCLUSIVE LABOUR PROTECTION

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THE ILO AND COLLECTIVE BARGAINING



International Conventions and supervisory system

Data collection, research and comparative analysis

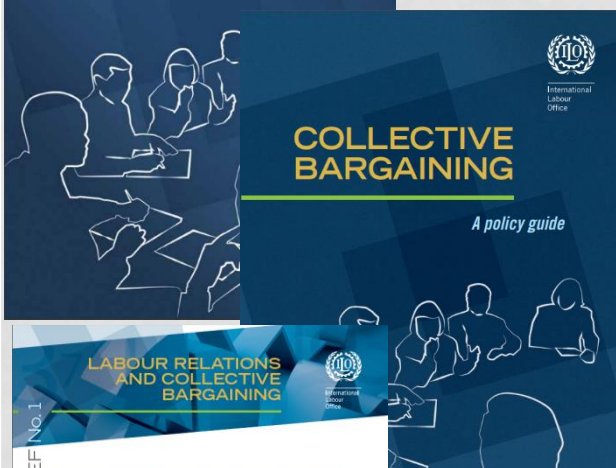
Technical assistance and technical cooperation

Capacity building

Partnerships



Collective Bargaining Convention, 1981 (No. 154)
Collective Bargaining Recommendation, 1981 (No. 163)



COLLECTIVE BARGAINING

A policy guide



LABOUR RELATIONS AND COLLECTIVE BARGAINING

ISSUE BRIEF No. 1

TRENDS IN COLLECTIVE BARGAINING COVERAGE: STABILITY, EROSION OR DECLINE?

Collective bargaining over wages and other working conditions between unions and employers has declined in democratic societies. The coverage and impact of this institution have also declined. This issue brief examines differences in collective bargaining coverage for 20 countries in the 1990s and 2000s. It also examines the impact of public policy and institutional factors on employer-union relations. It concludes that public policy and institutional factors have a significant impact on collective bargaining coverage. It also examines the impact of public policy and institutional factors on collective bargaining coverage. It also examines the impact of public policy and institutional factors on collective bargaining coverage.

FACTSHEET No. 2

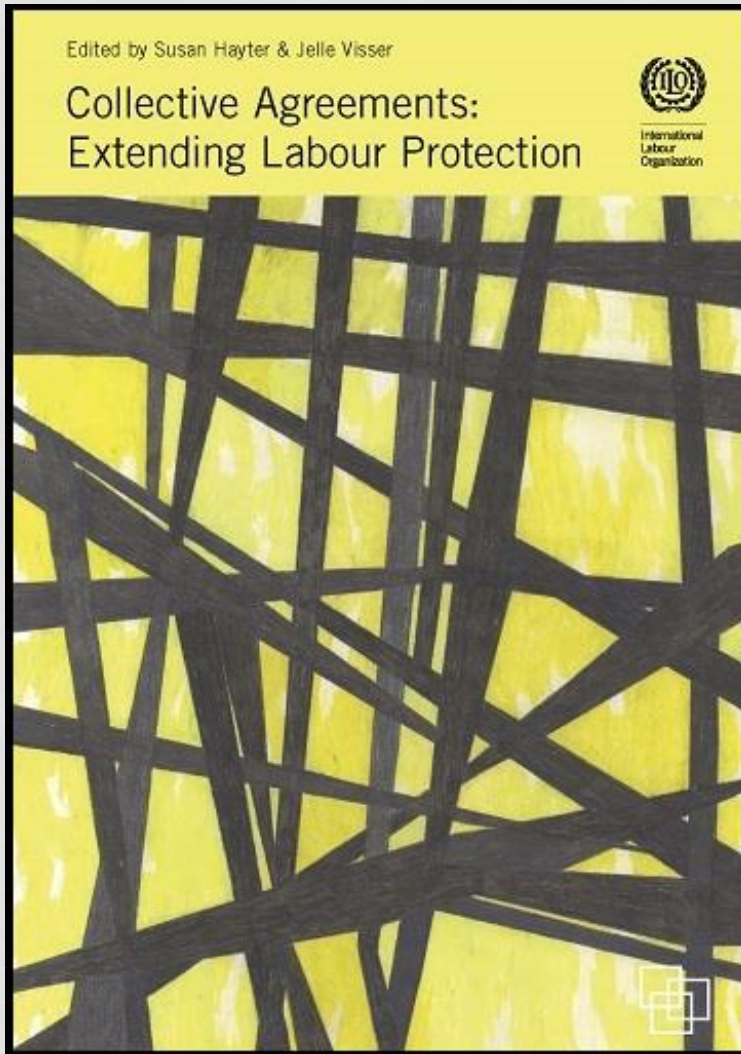
REPRESENTATIVITY AND RECOGNITION FOR COLLECTIVE BARGAINING

Collective bargaining is a process of negotiation between independent unions and employers (or employer organizations) to determine terms and conditions of employment, typically wages and working time, and relations between the parties. The outcome is a collective agreement, signed by the parties to the negotiation. It affords labour protection to workers, regulates the relations of stability to employers, and provides public authorities with a form of regulation which is determined by their circumstances, at the same time respecting compliance with minimum standards. Measures appropriate to national conditions to encourage and promote the establishment of machinery for collective agreements, with a view to the conclusion of such agreements. The Collective Bargaining Convention, 1949 (No. 98) and the accompanying Recommendation, 1951 (No. 135) consider, when appropriate to national conditions, that measures should be taken to encourage the application of all or a part of the provisions of the Convention and Recommendation. The Right to Organize and Collective Bargaining Convention, 1949 (No. 98) is one of the most important instruments of the ILO. It guarantees collective bargaining as a voluntary process between independent and autonomous parties. Article 4 calls on public authorities to take:

Representativity for purposes other than collective bargaining

In some cases, criteria for representativity also exist for purposes other than collective bargaining. These may include acting on behalf of individual workers, for example in disciplinary or grievance procedures, or participation in processes of de- or re-structuring of industry, regional or national level. Generally speaking, the representativity criteria for purposes other than collective bargaining will consider only representativity and recognition for bargaining purposes.

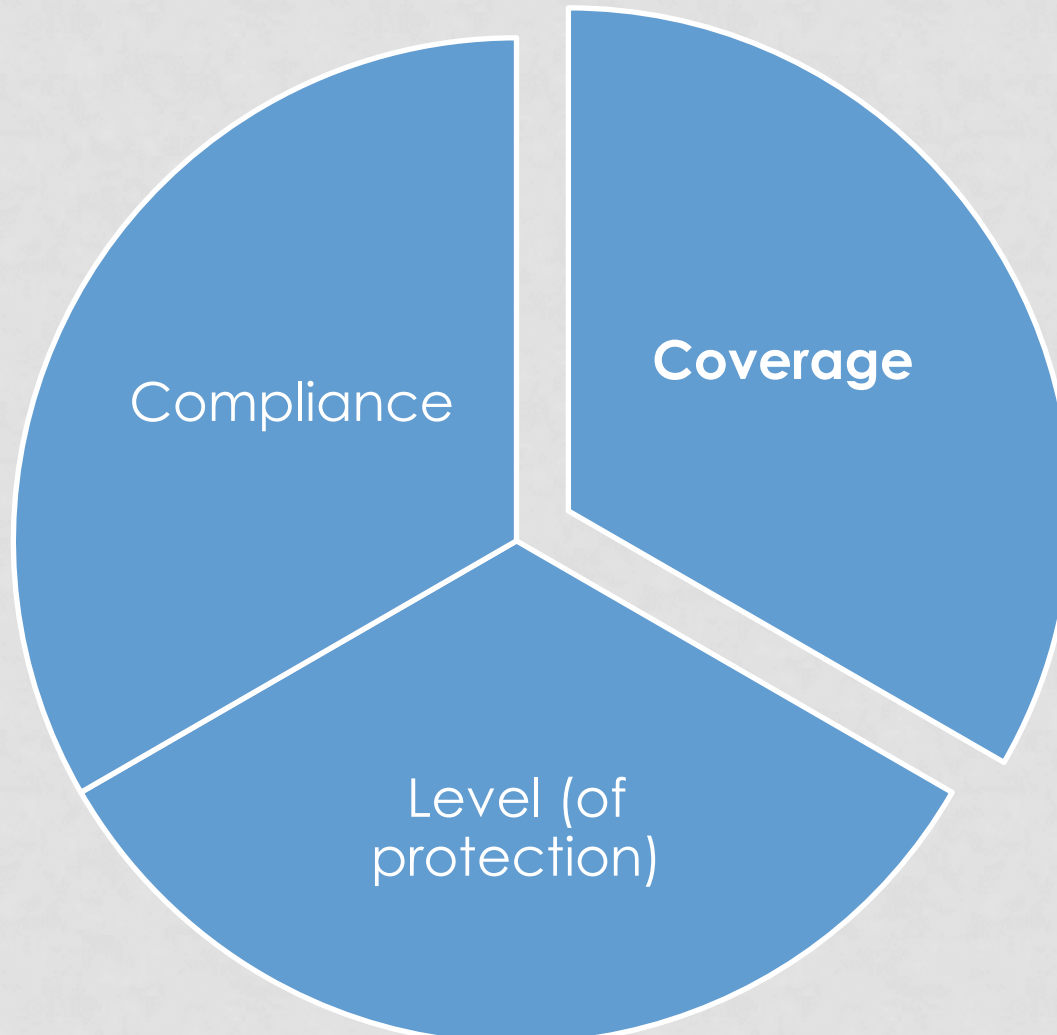
COLLECTIVE AGREEMENTS



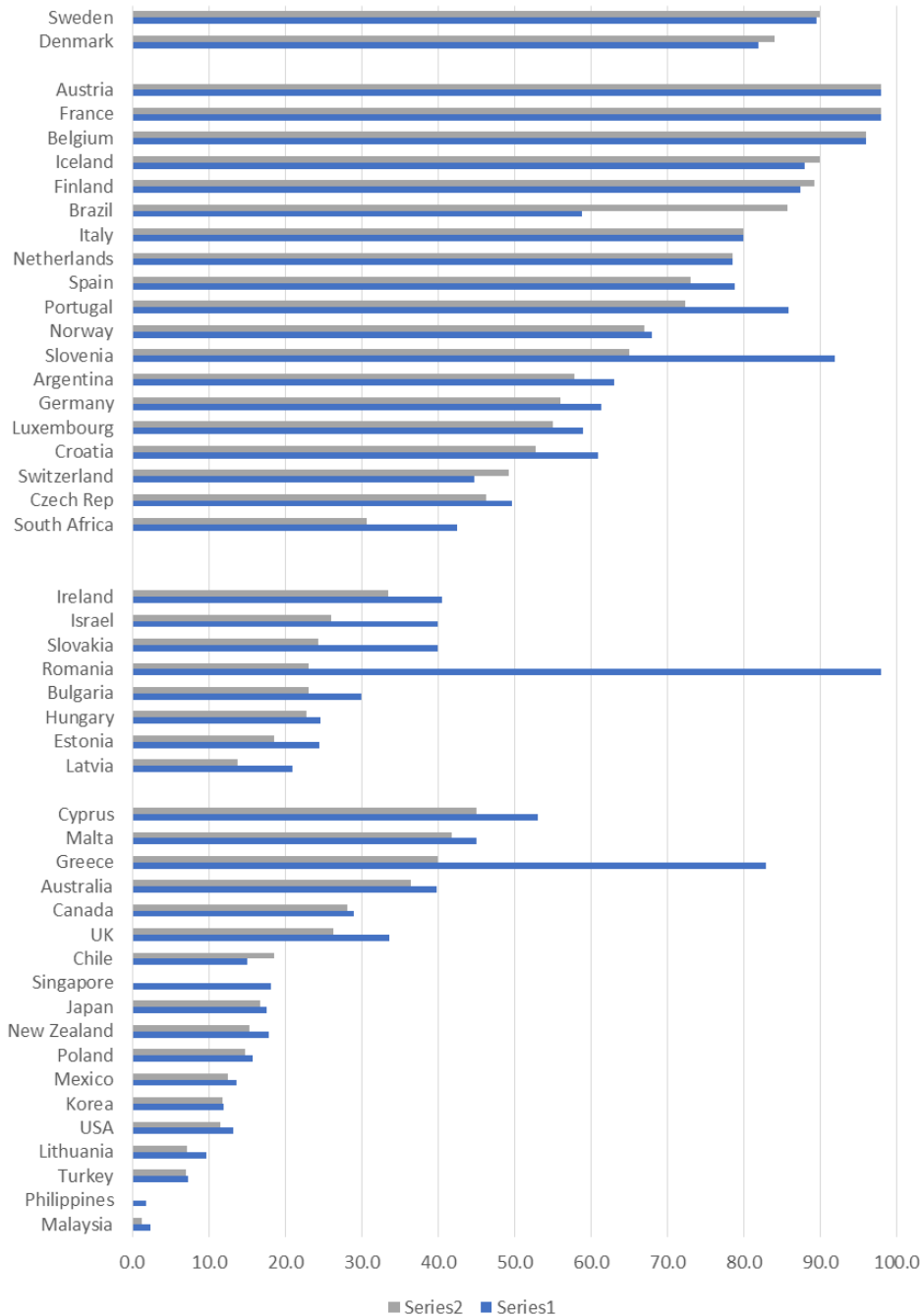
Collective Agreements Recommendation, 1951 (No.91):

- Giving effects to collective agreements
- Extension of collective agreements
- Disputes arising from interpretation of collective agreements

TOWARDS INCLUSIVE AND EFFECTIVE LABOUR MARKET INSTITUTIONS



COLLECTIVE AGREEMENTS WHAT DELIVERS INCLUSIVE COVERAGE?

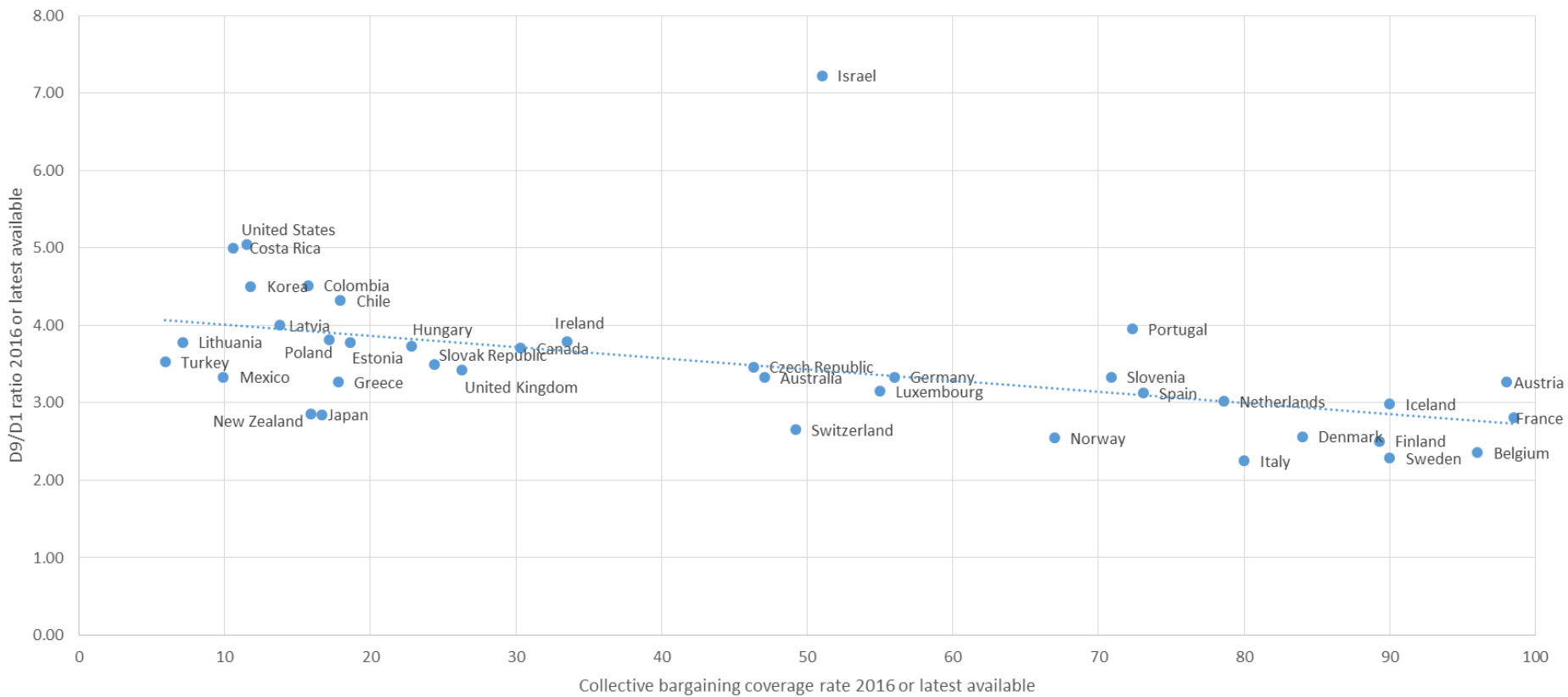


- Multi-employer bargaining structures
- Well organized social partners
- Extension of collective agreements

WHY DO WE SEEK INCLUSIVE COVERAGE?



D9/D1 ratio and collective bargaining coverage (2016 or latest available)



THE COLLECTIVE AGREEMENTS RECOMMENDATION NO.91 POLICY-BASED EXTENSION



IV. Extension of Collective Agreements

The extension of a collective agreement subject to the following, among other, conditions:

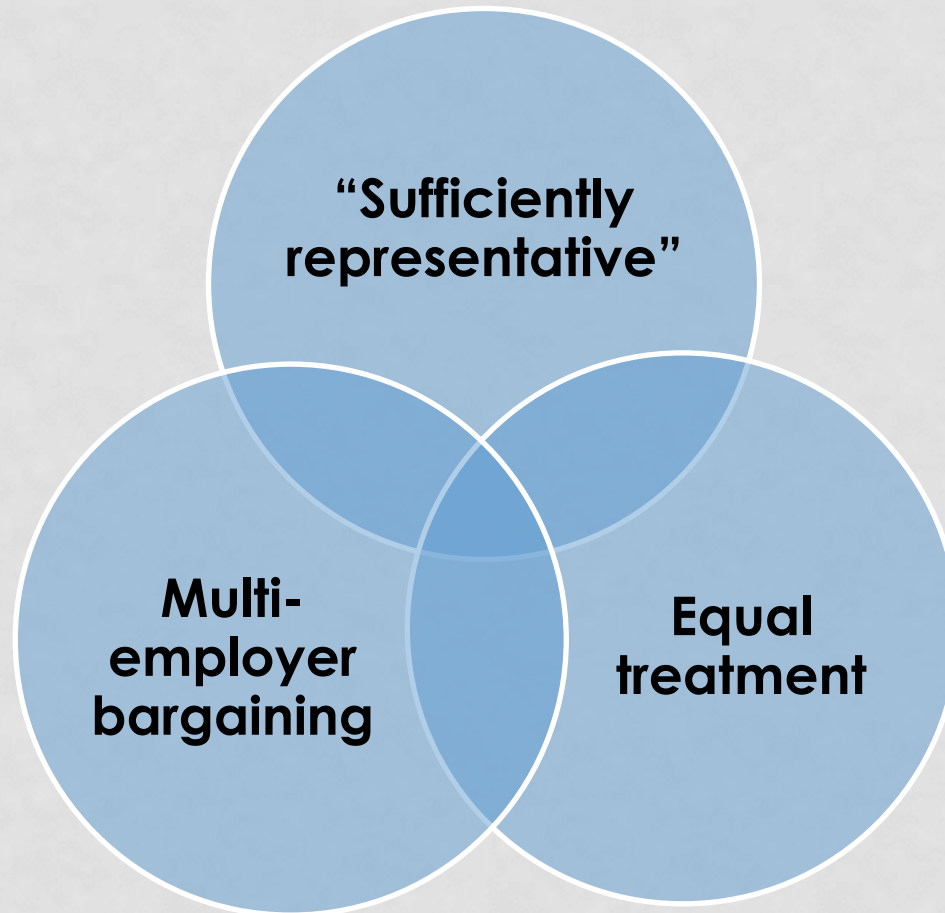
- (a) that the collective agreement already covers a number of the employers and workers concerned which is, in the opinion of the competent authority, **sufficiently representative**;
- (b) that, as a general rule, the **request for extension of the agreement** shall be made by one or more organisations of workers or employers who are parties to the agreement;
- (c) that, prior to the extension of the agreement, the employers and workers to whom the agreement would be made applicable by its extension should be given an **opportunity to submit their observations**.

EXTENSION REGIMES

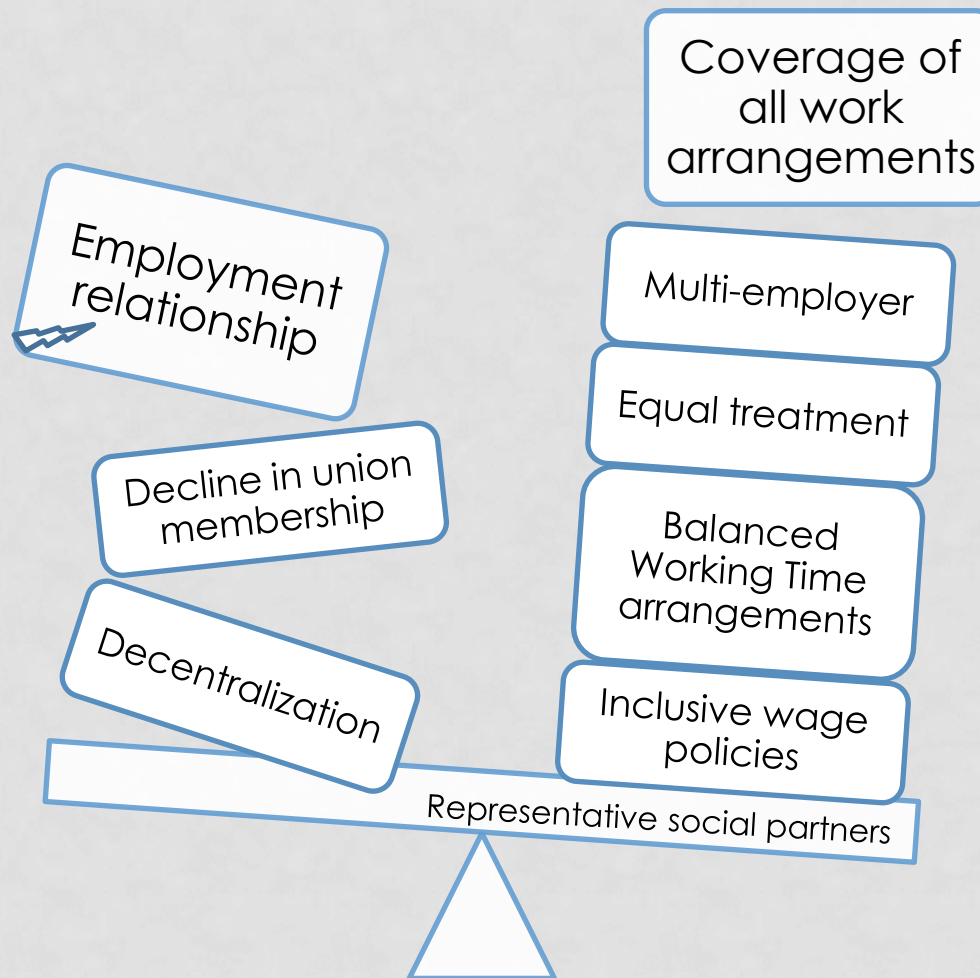


Regime	Semi Automatic	Supportive	Restrictive
Countries	Austria, Finland, France, Iceland, Spain	Belgium , Croatia, Germany, Italy, Netherlands, Portugal, Slovenia, Switzerland	Bulgaria, Czech Rep., Estonia, Hungary, Ireland, Norway, Romania, Slovakia
Pubic interest criteria	None	<ul style="list-style-type: none"> • Deemed to be in the public interest • Respond to a public emergency • Social protection 	None Competitiveness

HOW CAN POLICY-BASED EXTENSION SUPPORT INCLUSIVE LABOUR PROTECTION?



WHAT FUTURE FOR COLLECTIVE AGREEMENTS?



THANK YOU!



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