



Conference on World Day for Decent Work

A brief compilation of the topics discussed during the conference and the main headlines.

Fundamental labour rights in the Baltic Region - An overview

Dr.iur. Artūrs Kučs

The Baltic countries have developed a lot in the last years. Even though the countries developments have a lot in common and there are many issues in common between the countries, they have chosen to address these issues in individual ways. During this presentation dr. jur. Kučs brings up some of the basic judicial differences and some issues solved in the Latvian labour courts.

In the Baltic countries the international labour laws are seen as a part of national legislation, either as a tool of interpretation with regards to domestic legislation or a material source of law. Social rights on the labour market are fairly new concepts within the context of the constitutions in all the Baltic countries.

- Decent work in the Baltics
 - o Estonian Constitution on labour rights
 - Free choice of work
 - National government responsible for oversight of working conditions
 - Freedom of association covers all unions and federations for both employers and employees
 - Right to strike
 - Resolution process with regards to labour disputes
 - o Latvian Constitution on labour rights
 - Free choice of work
 - Minimum wage
 - Weekly holidays and paid annual leave
 - Collective labour agreements
 - Right to strike
 - o Lithuania Constitution on labour rights
 - Freedom to choose work
 - Healthy work conditions
 - Fair pay and social security
 - Right to rest and leisure
 - Annual paid leave
 - Limited working hours
 - Freedom of association in trade unions
- Labour unions and right to strike (Latvia)
 - o The right to strike is a constitutional right, but not an absolute one. In situations where common welfare is at risk the right to strike can justifiably be temporarily restricted.

ILO International Labour Standards

Kari Tapiola, Special Advisor of the ILO Director-General

In his presentation Mr. Tapiola touches on the topic of how the ILO International Labour Standards are ratified and implemented into the Baltic Sea area. The main common denominator for the whole Baltic Sea area is that there are very few complaints done. At the same time the countries have traditionally been good at ratifying conventions and reporting on them, even though this trend has been declining lately.

The legislation is there, but the implementation of them is lacking, not only due to the politicians and legislators, but thanks to everyone involved. To maintain a high level of implementation requires commitment from all involved parties. When it comes to representation the expectations are always higher on the workers. Mr. Tapiola also reminded us about the Workers' Rights Convention.

ITUC Fundamental labour rights and International Labour Standards

Sharan Burrow, General Secretary of ITUC

In her presentation Ms. Burrow goes into the issues of how we can work together to improve the situation, not only for us in the Nordics and Baltics, but also for the rest of the world. As it is today, only 3,9 billion people are in some form of employment. About 60 % of those are in formal work. To advance the situation of those in informal work or no work at all we need to find ways to get them into formal work to ensure secure living conditions for them and their families.

Ms. Burrow raises the issue of not only the Future of work, but the Future of business. In a world where the world of business changes, we also need to look into what the possible consequences of this is to workers and the workers' movement. Using FIFA as an example of how pressure of other organisations can be used to improve workers' rights that are not directly under their domain. The challenges are not only in Asia, Africa and South America, but even the Nordic countries have their own. One of those being the raising populism. Beyond these topics we need to work with issues of equality and secure workplaces from violence and threats, secure pensions and issues related to the changing world such as climate change, digitalisation and the vast amount of displaced people around the world.

TUAC Inclusive Growth and Decent Work

Pierre Habbard, General Secretary, TUAC

The economic recovery has come with not a lot of decency at work. At a time when money has been cheap for companies there has been little of it going into the pockets of workers and the common good and a lot of it is going into the same few pockets. Based on research for those children that today are at the bottom of the income ladder, it will take them at least five generations to reach average income and even then, only through pure luck. The middle class is shrinking and even though the goal has been to decrease the debt level of individuals, there has been no change made in this area. The debt level of an average household today is 140 % of their income.

The other side of the development of the labour market is the increasing automation that threatens many jobs. The differences here are big, both nationally and internationally. Automation also means more control for employers over their employees. Along with digitalisation that creates a whole new world of job opportunities where there are new challenges, not least the amount of work being directed to individual business practitioners through a wide variety of digital platforms. We need to remember that digitalisation in itself does not mean an increase in productivity. You can read Mr. Habbard's full speech on his blog:

Labour Rights and Labour Market Regulation

Katarina Ploka, parliamentary secretary of the ministry of welfare

In her greetings to the conference Ms. Ploka raises a couple key points that are central with regards to Decent Work from a Latvian point of view. Firstly, one of the most important being the respect for both legislation and the EU. Secondly, in the national context she raises the importance of a national regulatory body to oversee the Labour market as a whole. Thirdly, Ms. Ploka raises the issue of collective agreement, and its importance to a decent Labour market, but reminds us that it takes time to develop a collective bargaining system. The fourth key issue are the Nordic companies setting up businesses in the Baltics, and the need to develop cooperation with regard to decent working conditions. And last but not least the issue of gender equality, as something that needs to be addressed in the context of Decent Work.

Who tools to Decent Work

Kirstine Drew, Senior Policy Advisor, TUAC

In her presentation Ms. Drew focuses on two topics, the OECD MNE Guidelines and Due Diligence. The topics of both the Guidelines and their application, and Due Diligence seen as something bigger than just a financial question these tools can be used to challenge the way companies do business in a multinational setting.

OECD MNE Guidelines

The MNE Guidelines cover all levels of employees within any process provided by a company, from direct employment to subcontractors. The main chapters to focus on from a labour union perspective are chapters 4 and 5 of the Guidelines. The OECD has also created a guide book on these Guidelines for labour unions. Within the framework of the Guidelines there are National Contact points (NCPs), who work with implementation and negotiation between parties in cases of conflicts. There are a variety of models on how these NCPs are constructed and in some cases the labour market organizations are involved, in others they are not.

Although the amount of registered cases the NCPs in the Nordic-Baltic setting seems somewhat small, it is notable that the NCPs also deal with many cases that are never registered, as the parties are willing to negotiate without need for registration. The Guidelines can be used in a sense to motivate/challenge employers to sit down and together work on working conditions within the company. The Guidelines can also be looked at as a positive sign from an investor's point of view, where being part of such a process shows that employees are well taken care of.

There are some differences between the conflict processes handled within the framework of the ILO and the OECD. Whereas the ILO deal with labour conflicts regarding specific countries the OECD deals with conflicts on an employer/company level. These processes can sometimes fall parallel to each other but are not mutually inclusive or exclusive.

Due Diligence

Due Diligence is about companies' respect for human rights and knowing how they do it. It a process of awareness towards human rights and being able to prove that they are adhered to, and in that preventing crimes against those rights. The question is also if those rights are broken, what happens then? Responsible Business Conduct (RBC) Due Diligence consists of several elements, such as:

- The risk for society

- Preventive measures
- Prioritising
- Meaningful consultation and
- Internationally recognised standards.

With this in mind, these two tools create a means for parties involved in the labour market to come together to create and secure a safe and healthy working environment around the world.

Developing Social Dialogue on Sectoral and Company level

Anu Hietala, General Secretary, Nordic Transport Workers' Federation

In her presentation Ms. Hietala uses the aviation industry as an example to show how divided and multifaceted the industry has become, and how difficult creating social dialogue can become in such a split-up business structure. The first and foremost question that arises is “who is the actual employer?” Looking at organizational structures very few staff actually work for the company whose name is on the airplane but are bought in from subcontractors from around the world. This means that even though employers are organised for social dialogue, the employers are not, and hence social dialogue in the business of aviation does not work.

Inese Stepina, LDDK / Employers' Confederation of Latvia

The presentation of Ms. Stepina raises issues relevant for the Latvian labour market. One of her main concerns is the lack of competent employees, partly due to the emigration to nearby countries with a higher level of salaries. For the advancement of the situation there needs to be some development done not only within the educational system, but also in creating a positive work environment that supports longer careers. There needs to be more resources put into internal mobility within the Latvian setting to secure a healthy labour market in the whole country, and steps need to be taken to prevent the grey economy. The goal in Latvia is to reach a situation where five collective agreements cover the country's labour market, and productivity is raised to add competitiveness. For this to happen automatization need to be increased.

Bilateral success stories for trade unions in the region

Inga Ruginiene, President of LPSK

International bilateral cooperation is easy, states Ms. Ruginiene, it is the national bilateral cooperation that is the challenge. Within the Lithuanian framework there is a national agreement of cooperation, but no collective agreement, even though there are some discussions on a national collective agreement on the public sector, this does not apply to the private sector.

Within the Framework of minimum wage and tax revision, there has been a small win when it comes to minimum wage, but the big concern is that the situation looks better statistically than it actually is due to the changes in the taxation that combines taxes paid by the employer with the taxes paid by employees and thus makes the situation look better than it really is. On education there has been a bit of a win when some money that previously has been directed to administration for distribution is now funnelled straight to teachers' salaries.

Labour organizations have been recognised as the only party to have the right to negotiate collective agreements for the employee side. Today most collective agreements are restricted to organizations, instead of a whole industry or on a national level. The situation is often that bargaining for collective agreements with multinational organizations is easy in the beginning, but as soon as the leadership is

transferred to local agents, collective agreement becomes a problem in the same way it is with local businesses. In Lithuania a Labour dispute committee is open for complaints from any private employee without the cost of lawyers and judicial processes.

Structures to ensure fair conditions for mobile workers

Marco Cilento, Senior Advisor, ETUC

Mobility and the reasons behind it are many, and often stated as much by necessity as pure choice. Mr. Cilento raises the issues of the various groups need for different levels of security and support. Young people are more mobile than the older population, and mobile workers are often more educated than those not mobile. Mobile workers are often also over qualified for the job than domestic workers. The labour market consists of three levels; the national, free workers, and third country nationals. Other mobile workers are those positioned in a foreign country and those who travel for work.

On the fair conditions of work, Mr. Cilento names a few challenges that need to be addressed. One being the level of salaries in Europe, that during the financial crash decreased, but have not recovered since. Another being the challenges related to equality and maintaining a healthy labour market. The third challenge raised is the issue of matching skills, making sure the population has the right skills for the labour market as well as matching people with the right skills for the right jobs. Employees also need to be made more aware, and shared information is a win-win situation or all. And last but not least there needs to be work done on capacity building for collective bargaining.