

Background and definitions

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International standards: Freedom of association (FoA), Collective Bargaining (CB) and worker representation (WP)

Where do the core labour standards come from?

The Ethical Trade Norway's Declaration of Principles is built on international labour standards. The standards are also woven into codes of conduct, what companies audit against and in other, manage and monitor workers' rights in global supply chains.

The basic standards are derived from the International Labour Organization (ILO) providing a floor of both rights and protections for workers. They are treaties and legal instruments drawn up by the ILO's tripartite constituents of governments, employers and workers.

What are the fundamental international labour standards?

The ILO's Governing Body has identified eight conventions as "fundamental" - these principles are also covered in the ILO's Declaration on Fundamental Principles and Rights at Work (1998).

The eight fundamental Conventions are:

1. Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)
2. Right to Organise and Collective Bargaining Convention, 1949 (No. 98)
3. Forced Labour Convention, 1930 (No. 29)
4. Abolition of Forced Labour Convention, 1957 (No. 105)
5. Minimum Age Convention, 1973 (No. 138)
6. Worst Forms of Child Labour Convention, 1999 (No. 182)
7. Equal Remuneration Convention, 1951 (No. 100)
8. Discrimination (Employment and Occupation) Convention, 1958 (No. 111)

How do the conventions transpose into national regulation?

1. Global (Governments ratify)
2. Sector or Development initiatives (principles and standards)
3. National legislation or labour regulation
4. Company activity

The conventions are formulated and then agreed to by international actors (governments, business and trade union representatives at the ILO) – while they afford worker protections, they also aim to improve workers' terms and conditions of employment on a global scale. They are also there to ensure the world at work remains focused on improving human life and dignity.

International Labour standards are primarily tools for governments which, in consultation with employers and workers, then transpose and implement into national law and policy. For many states this process begins with a decision to consider ratifying an ILO convention.

However, the fundamental conventions apply whether an individual member country has ratified them or not.

The core of the Ethical Trade Norway's Declaration of Principles

Freedom of association is integral to the Ethical Trade Norway's Declaration of Principles, enabling social dialogue, collective bargaining and other legitimate worker representation mechanisms. It encompasses raising awareness of workers' rights, opportunities for workers to voice their concerns in the workplace, and the way in which disputes and grievances are handled on site.

Furthermore, when FOA and CB are in place this offers an effective way to identify and address other worker rights such as forced labour, safe working environments and equality..

Clause two in Ethical Trade Norway's Declaration of Principles:

2. Freedom of Association and the Right to Collective Bargaining (ILO Conventions Nos. 87, 98, 135 and 154)

2.1. Workers, without distinction, shall have the right to join or form trade unions of their own choosing and to bargain collectively. The employer shall not interfere with or obstruct, the formation of unions or collective bargaining.

2.2 Workers' representatives shall not be discriminated and shall have access to carry out their representative functions in the workplace.

2.3 Where the right to freedom of association and/or collective bargaining is restricted under law, the employer shall facilitate, and not hinder, the development of alternative forms of independent and free workers representation and negotiations.

Universal legal rights and protections

The ILO conventions surrounding freedom of association and collective bargaining (No. 87 and No. 98) conventions enshrine the right for all categories of workers, regardless of their gender, to form and join organisations of their own choosing. It is critical to ensure that women, who often represent the majority of workers engaged in less secure forms of work, such as temporary, seasonal, contract, part-time, migrant, self-employment and home-working, have access to these rights.

Structures for worker representation

What is a trade union?

A trade union is an organisation of workers that comes together to achieve common goals, represent those workers and protect members' rights. This may include safeguarding the integrity of their trade, improving workplace safety standards or

attaining better wages, benefits and labour conditions through collective bargaining with an employer.

While legal requirements vary from country to country, where trade unions are legally permitted, there is likely to be a process of recognition and formal registration of unions with the local authorities.

Union members form committees and elect leaders with a mandate to discuss the issues that matter to the membership. This may include the negotiation of wages, company rules, complaint procedures, rules governing the hiring, dismissal and promotion of workers, benefits and workplace safety and policies. It can also include productivity, quality and work planning.

Trade unions traditionally have a constitution that details how their bargaining unit (or may be called a workplace union) is governed, along with their affiliation to a sector or industry federation, or a national centre or confederation that represents workers' interests within the sector or nationally.

Infographic giving an overview of how trade unions work and how they are structured globally. Plus links to further information. https://www.ethicaltrade.org/sites/default/files/shared_resources/Trade%20Unions%20poster.pdf

Trade union members protection

No employee should be prejudiced in employment due to past or present trade union membership or legitimate trade union activities. Protection against acts of anti-union discrimination should cover: hiring, dismissal, and discriminatory measures during employment such as transfers, downgrading, reduced access to wage enhancements (e.g. bonuses or overtime) and other biased or discriminatory acts.

All practices involving the blacklisting of trade union officials or members constitute a threat to the free exercise of trade union rights. Governments are obliged to take stringent measures to combat such practices by laying down explicit remedies and dissuasive sanctions against acts of anti-union discrimination

Trade union representatives

Workplace representatives are elected at the workplace by members of a union. The Union Executive Committee in dialogue with the employer will determine the number of representatives, this will be agreed and be part of the collective bargaining agreement.

Representation is an important part of the union's role and will in most instances be written into the Union Constitution, stating to whom representatives are accountable, for example, a Branch Secretary, Treasurer or the Chair of the Executive Committee.

Negotiating an annual or bi-annual collective bargaining agreement on behalf of workers is often the tip of the iceberg for elected representatives. Their many other important day-to-day activities may include:

- Dealing with issues in the workplace ranging from sexual harassment to safety, pay or overtime discrepancies.
- Knowing the relevant occupational health and safety, environmental and gender equality laws, and monitoring implementation at the workplace.
- Representing members in collective or individual disputes, for example, if a member is threatened with dismissal or if managers want to make changes to the workplace that has an impact on workers without consulting the union or workers.
- Monitoring dispute procedures so they are implemented correctly. This could be following up compensation claims, monitoring the use of overtime or investigating accidents.
- Being accessible to members, listening to their concerns, answering their questions and keeping members informed of progress on negotiations or grievances.
- Educating the workforce on rights, responsibilities, protections, health and safety, equal opportunities and changes to working practices.
- Conducting formal and informal meetings to involve members in decision-making; preparing and giving reports and speaking in public on fundamental workplace issues.

Legitimate versus “yellow” unions

A yellow union, a workplace collective group or association sponsored, controlled and often financed by the supplier’s company or its managers, may appear to be structured to represent workers, but is not based on employees’ free choice. These may also be called ‘white unions’, ‘pocket unions’ or ‘paper unions’.

Although yellow unions usually take the form of associations within a single company, national unions in some countries may also work with employers to hinder or block the efforts of genuinely representative worker organisations. An employer may sign a collective agreement with one of these ‘non-aggressive’ unions without the workforce’s knowledge or consent.

Such ‘sweetheart agreements’ or ‘protection contracts’ generally involve the employer paying fees to the union and agreeing a minimum legal level of wages and working conditions, in return for the union guaranteeing not to intervene in the company’s affairs. The fees usually take the form of compulsory deductions from workers’ pay as ‘union dues’, without any consultation with workers.

Supplier deals with such sponsored and controlled unions prevent genuine unions from representing the rights and interests of the workforce effectively. ILO Conventions outlaw such arrangements and stipulate that the ability to freely choose a union is a fundamental worker’s right and not a matter for employers.

Management communications tools such as worker satisfaction surveys and suggestion boxes are no substitute for direct dialogue between workers and management.

Management-appointed ‘worker representatives’ are not an indicator or guarantee that workers are free to raise collective concerns and have no role in ensuring

freedom of association. Unless workers can freely choose their own spokespeople, the process lacks credibility.

Trade union membership

Trade unions represent the ideal model and structure for worker representation; independent unions have legal protection, access to resources and the support of wider trade union networks and are free from employers' influence. They are also the only genuine and measurable expression of the human right of freedom of association.

Where freedom of association is restricted and where trade unions are restricted through law or resources, the best available form of independent worker representation should be pursued. However, the longer term aim should be to help promote the conditions that will allow for normal union activity.

Companies should be aware that any alternative to trade unions requires a greater commitment to compensate for the lack of union status – for example, greater use of leverage to offset:

- Lack of legal protection
- Greater provision of capacity building support, such as access to information and training
- The lack of union networks and strict requirements for the employer to respect the rights of representatives to speak and act freely and equally in representing the workforce.

Alternate forms of representation

Recognising that there are situations where unions face significant challenges to carry out legitimate activity – this should not be used as a reason to establish alternative forms of representation that frustrate or interfere with union access or engagement in the future.

On the contrary, steps should be taken to help build social dialogue, develop worker and employer industrial relations skills, support engagement with unions and build the relations that will enable full representation. This not only helps workers access their rights but reduces the risk of disruption.

Workplace cooperation forums or committees

The ILO guidelines for worker participation or cooperation forums and committees are mainly found in its Recommendations – listed with links in the recommended steps in this document. While they can promote effective consultative and cooperative practices between employers, workers and trade unions, they are not a substitute for collective bargaining.

A critical difference between a workplace committee and a trade union is that committees have little or no decision-making powers in negotiations with employers and are not supported by the resources and guidance available from a trade union.

Trade unions seek to negotiate and agree resolutions on workplace and employment issues on an equal standing with employers. Committees can therefore make proposals or recommendations to managers on behalf of workers but may not be able to influence the outcome.

The role of social dialogue

The main goal of social dialogue itself is to promote consensus-building and democratic involvement among key stakeholders in the world of work. It provides a positive and constructive pathway to resolve workplace issues, or bring together diverse parties to commence dialogue and find solutions to challenges.

Social dialogue in the workplace is about establishing formal or informal processes that enable workers and employers to negotiate or consult collectively on issues concerning their rights and responsibilities and resolve conflicts peacefully and effectively. It enables workers and managers to “skill up” to be able to overcome barriers of communication and skills required to enable effective mature industrial relations.

Social dialogue processes can be informal or institutionalised, and often it is a combination of the two. It can take place at the national, regional or at enterprise level. It can be inter-professional, sectoral or a combination of these.

Social dialogue is enshrined in the International Labour Organization’s (ILO) Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)¹.

Social dialogue in a workplace is dependent on respect for the fundamental rights of freedom of association and collective bargaining, independent workers' and employers' organisations and the political will and commitment to engage in social dialogue on the part of all parties.

Collective bargaining

The ILO’s Collective Bargaining Convention, 1981 (No. 154) defines collective bargaining (CB) as, “all negotiations which take place between an employer, a group of employers or one or more employers’ organisations, on the one hand, and one or more workers’ organisations.” It typically only takes place where there is provision under law for trade union activity.

According to Convention No. 154, the term “collective bargaining” covers negotiations related to:

- Determining working conditions and terms of employment; and/or
- Regulating relations between employers and workers; and/or
- Regulating relations between employers or their organisations and a workers’ organisation or workers’ organisations.

In unionised workplaces, trade unions act as the formal representatives of workers for the purposes of collective bargaining. In the absence of formal unions, workers’ interests may be raised by elected worker representatives.

Scope of collective bargaining

The scope of collective bargaining – whereby worker representatives or trade unions formally negotiate improved conditions of employment with employers, on behalf of workers – includes all matters related to an employee’s pay, labour conditions and employment, such as wages, benefits and allowances, working time, annual leave, training, equal opportunities and trade union facilities.

Collective bargaining builds on freedom of association and is typically the practical focus of worker representation efforts. It is a fundamental workplace right, rooted in the ILO Constitution and reaffirmed in the ILO Declaration on Fundamental Principles and Rights at Work.

The formal process of dialogue between workers and managers:

- Enables workers to articulate and negotiate their terms and conditions of employment through their trade union
- Is a key means through which employers and worker representatives, ideally trade unions, can establish fair wages and working conditions
- Provides the basis for sound labour relations and early resolution of disputes.

Collective bargaining builds on freedom of association and is typically the practical focus of worker representation efforts. It is a fundamental workplace right, rooted in the ILO Constitution and reaffirmed in the ILO Declaration on Fundamental Principles and Rights at Work.

Collective bargaining agreements

Collective bargaining agreements may or should also address the rights and responsibilities of the supplier and elected worker representatives involved, in order to help achieve harmonious, productive industries and workplaces. Enhancing the inclusiveness of collective bargaining and collective agreements is a key means of reducing inequality and extending labour protection.

At the global level, international framework agreements (IFAs) – also referred to as global framework agreements (GFAs) represent the chief mechanism through which to manage trade union relationships.

Brands and retailers may enter directly into agreements with trade unions to facilitate worker engagement in the due diligence process and through grievance procedures.

Examples of direct agreements with trade unions include freedom of association protocols, global framework agreements (GFAs) and company agreements:

- IFAs/GFAs are agreements negotiated at a global level between a company and a global union federation. They serve to uphold workers’ rights across a company’s operations and supply chain by implementing standards on trade union rights, health, safety and environmental practices and quality of work principles, regardless of the standards existing in a country.
- Freedom of association protocol agreements establish a joint understanding and commitment between trade unions and companies regarding strategies to

promote freedom of association as part of improving industrial relations within a given context. They may be established locally between a single company, supplier and trade union, or at a regional or sector-wide level between a group of companies, suppliers and trade unions.

Beyond the efforts of individual companies, global sector agreements between a group of companies and trade unions may also be established to address specific-sector risks through collaborative initiatives.

Workplace representatives should be protected under national law from unfair acts or dismissals.

ILO Convention 135

Benefits of negotiation

The process of joint decision-making inherent to collective bargaining is distinct from other forms of governance such as government regulation, individual contracts and/or the unilateral decisions of employers. However, the value of good faith negotiations between trade unions and employers should not be underestimated. In the workplace, they can foster a commitment to help workers improve their skills, improve pay and conditions and provide greater employment security, which in turn boosts productivity and reduces the costs related to high staff turnover. Bargaining in good faith also means that each party should make every effort to avoid any unjustified delays in reaching agreements.

Employers should share relevant financial information about the company's economic position, in order to allow workers to engage in negotiations effectively. Agreements should be binding and implemented at a minimum throughout the term of the agreement. Failure to implement collective agreements undermines the principle of good faith.

A critical difference between a committee and a trade union is that committees have little or no decision-making powers in negotiations with managers, whereas trade unions seek to negotiate and agree resolutions on an equal standing on behalf of their members.

Agreements, protocols and research tools

Wage Indicator Foundation: database of collective agreements from 54 countries. Also includes sample agreements and country models.

Indonesian Protocol: A sector agreement on Freedom of Association.

IUF Global Union: database of Global Framework Agreements with multinational companies.

IndustriALL Global Framework agreements with multinational companies.

Country collective bargaining references

International centre for trade union rights (ICTUR) FOA and CB map (ICTUR is an international NGO that brings together a global network of expertise on international

law, trade union rights, human rights, and industrial relations): [Interactive decent work map](#)

Additional ILO resources: [Collective bargaining and a fair society](#)

Women, discrimination and worker representation

In emerging economies, women are typically the most vulnerable workers. Entrenched social and cultural perceptions of gender roles can result in discriminatory attitudes, with women often lacking access to education and training. And with a lower awareness of their rights and less support in their community, women often take on low-skilled, low paid work, with fewer or less workplace protections. For example:

- Globally, women represent less than 40% of employees, yet they represent 57% of those working on a part-time basis.
- Women are typically paid less for equal work. In developing countries, this has created a gender wage gap equivalent to US\$2 trillion in women's earnings, or the value of India's entire economy.
- Women are also more vulnerable to harassment and violence in the workplace. The ILO estimates that 35% of women globally have experienced direct violence at the workplace. Of these, between 40 and 50% were subjected to unwanted sexual advances, physical contact or other forms of sexual harassment.

Workplace discrimination

Similarly, when seeking to enable workers to associate freely and engage in collective bargaining, it is important to consider how best to ensure that women and men have equal opportunities to voice their concerns, particularly about sectors and types of work with large numbers of women workers. It is also important to establish who represents women workers and how their concerns are raised.

Women workers face barriers in participating in worker representation or taking on leadership positions. These include

- Gender stereotypes that cast men as leader and cultural bias that discourages women from aspiring to leadership positions or supporting women leaders.
- Limited opportunities to access with public spaces, travel or participate in social interactions, particularly men. This inhibits women's ability to attend meetings regularly and take prominent leadership roles.
- Domestic responsibilities make it particularly challenging to find the time, energy and alternative caring arrangements to engage in local worker representative work.
- Lack of awareness about the benefits of participation.
- Promoting the rights and protections of women workers in your supply chain helps to empower women to participate fully in their workplace and community

Gender equality, decent work and the sustainable development goals

In the context of decent work, gender equality can be defined as men and women having access to equal opportunities, being treated and paid equally, and benefitting equally from safe and healthy work environments. In particular, men and women should have equal opportunities to associate freely and engage in collective bargaining, develop their skills and progress in their careers, and enjoy a work-home balance. Women workers should also benefit from policies designed to protect pregnant women and new mothers.

Enabling women's representation in the workplace

Companies seeking to make progress on their ambitions and goals on diversity and gender equality in the workplace should help to ensure that freedom of association and collective bargaining activities are designed to include and support women. This can include the following:

- Reviewing supplier company policies and collective bargaining initiatives to understand how the supplier helps women to engage with their elected representatives or trades union. For example, you could identify whether the policies state a clear position on women's equality and the role of trade unions in advancing gender-sensitive solutions to work-related issues.
- Supporting women who begin organising and forge links with the trade union movement by raising awareness of the benefits of becoming union members.
- Promoting an inclusive environment through policy, codes of conduct, business relationships, awareness-raising and education initiatives, whereby women are free to:
 - Raise concerns without fear of reprisal
 - Gather freely to discuss collective concerns and ideas
 - Develop and participate their own programmes
 - Negotiate for pay, labour conditions and terms of employment and meet their needs.
- Investing in capacity-building programmes at worker, supervisor and management level, in order to help women advance in the workplace and voice their concerns to union representatives.
- Building the awareness and capacity of suppliers on the role of elected worker representatives - both men and women - to better understand and address gender issues in the workplace. For example:
 - Equal pay for equal work and pay that reflects the worker's role, experience and skill level
 - Maternity leave and workplace considerations for pregnant women (e.g. offering convenient shifts and avoiding tasks or situations that could be detrimental to her health, such as heavy lifting or long periods of standing).
 - "Return to work" policies and workplace arrangements - either after pregnancy or for women returning to work after a longer absence
 - Development and promotion opportunities for women
 - Sufficient provisions for health concerns, such as work-related issues relating to fertility, menstruation (including the provision of sanitary hygiene disposal facilities), menopause, breast cancer or hysterectomy.

- Policies to prevent sexual harassment and violence against women in the workplace
- Efforts to help women balance their domestic responsibilities with work.
- Encourage women-only spaces such as a women's committee within a mixed gender trade union, or a gender committee in the workplace, so that women can discuss the issues that matter most to them.

Training

Where there is a trade union or an independently elected worker representation group that is able to undertake training on workplace gender-related issues, this union or group can play a role in communicating with workers, educating the workforce and solving issues on the ground. They will also be able to collect information on recurring problems affecting women, such as sexual harassment or chemical safety. As elected representatives, they could help to design confidential surveys on workers health and safety concerns, and raise awareness of new initiatives and campaigns.

JETI's Social Dialogue Programme in Bangladesh holds pre-election awareness raising for women followed by additional women representative training.

Gender occupational safety and health

In the workplace, personal protective equipment and machinery are typically designed and sized for men. Gender Occupational Safety and Health (GOSH) is an approach to workplace health and safety that considers both male and female workers' needs. Elected representatives or the workplace trade union can help to educate the workforce on this approach, promoting and advancing gender-specific initiatives. This could include:

- Establishing whether there is a trade union or elected representative health and safety consultative structure in the workplace that covers all worker needs including part-time, contracted and temporary workers.
 - Is there a Sexual Harassment Complaints Committee?
 - If there is, are women's concerns regularly identified and discussed at this consultative forum?
 - Understanding whether health, safety and wellbeing risk assessments take account of the worker's gender and associated implications (e.g. are women workers engaged in heavy lifting)?
 - Assessing work stations, equipment and personal protective equipment through a gender lens.
 - Including women's wellbeing as a key topic for consultative forums, with elected representatives raising awareness of the importance of and negotiating with managers for new or improved facilities for pregnant women and new mothers (and their children).
 - Checking whether risks of violence assessed, including concerns about women working alone on or off site, or late into the evening, and whether they access to safe parking or transport home.
 - Asking the supplier whether they recognise that domestic violence affects workers' wellbeing in the workplace, and should be treated with sensitivity as a workplace health and safety issue?

Definitions

Convention on Freedom of Association and Protection of the Right to Organise, 1948 (No.87)

Workers and employers, without distinction whatsoever, shall have the right to establish and, subject only to the rules of the organisation concerned, to join organisations of their own choosing without previous authorisation.

Right to Organise and Collective Bargaining Convention, 1949 (No. 98)

Workers shall enjoy adequate protection against acts of anti-union discrimination in respect of their employment. Such protection shall apply more particularly in respect of acts calculated to:

- make the employment of a worker subject to the condition that he shall not join a union or shall relinquish trade union membership;
- cause the dismissal of or otherwise prejudice a worker by reason of union membership or because of participation in union activities outside working hours or, with the consent of the employer, within working hours.

Workers' and employers' organisations shall enjoy adequate protection against the acts of interference by each other or each other's agents or members in their establishment, functioning or administration.

In particular, acts which are designed to promote the establishment of workers' organisations under the domination of employers or employers' organisations, or to support workers' organisations by financial or other means, with the object of placing such organisations under the control of employers or employers' organisations, shall be deemed to constitute acts of interference within the meaning of this Article.

Workers' Representatives Convention, 1971 (No. 135)

Convention concerning Protection and Facilities for worker representation. The convention outlines the protection of workers' representatives or union membership and defines who a representative is and their role:

- elected representatives, namely, representatives who are freely elected by the workers of the undertaking in accordance with provisions of national laws or regulations or of collective agreements and whose functions do not include activities which are recognised as the exclusive prerogative of trade unions in the country concerned.
- trade union representatives, namely, representatives designated or elected by trade unions or by members of such unions; or
- elected representatives, namely, representatives who are freely elected by the workers of the undertaking in accordance with provisions of national laws or regulations or of collective agreements and whose functions do not include activities which are recognised as the exclusive prerogative of trade unions in the country concerned.

ILO Declaration on Fundamental Principles and Rights at Work (1998)

In 1998, the ILO adopted the recognizing that all member states, even if they have not ratified the relevant conventions, have an obligation to give effect to rights guaranteed in eight fundamental conventions.

The ILO Declaration on Social Justice for a Fair Globalization of 2008 & the Global Job Pact of 2009

The declaration is the ILO's mandate to promote social justice using all the means available to it, including the promotion of international labour standards. The Declaration institutionalizes the Decent Work concept developed by the ILO since 1999. Decent work involves opportunities for work that are productive and deliver a fair income, security in the workplace and social protection for families, better prospects for personal development and social integration, freedom for people to express their concerns, organise and participate in the decisions that affect their lives and equality of opportunity and treatment for all women and men.

Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)

The ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (the MNE Declaration) provides guidance to MNE's, governments, employers' and workers' organizations in relation to employment, training, working conditions and life, and industrial relations. The declaration was updated in January 2017 and now includes in addition to an interpretation procedure a dispute resolution mechanism.

Consultation (Industrial and National Levels) Recommendation, 1960 (No.113)

The government is expected to promote effective consultation and cooperation; The processes for cooperation must be without discrimination against trade unions or any other persons; Consultation and cooperation does not act against or detract from Freedom of Association or the rights of trade unions to bargain collectively for workers; The Objective of consultation is to promote mutual understanding and good relations to improve conditions of work and living standards for worker's families and there should be laws to protect these rights,

Universal Declaration of Human Rights (1948) Article 20 (1)

Everyone has the right to freedom of peaceful assembly, association and the right to join a trade union.

International Covenant on Civil and Political Rights (1966) (ICCPR) Article 22

Provides that the right to freedom of association and includes the right to form and join trade unions.

Cooperation at the Level of the Undertaking Recommendation, 1952 (No.94)

The employer shall promote consultation and cooperation on matters of mutual concern that are not within the scope of collective bargaining for terms and conditions of employment; Cooperation can be established by voluntary agreements between workers and employers and the government can enact laws to promote the establishment of committees.

International Covenant on Economic, Social and Cultural Rights (1966) (ICESCR)

Article 8

Obliges state parties to ensure the right of everyone to form trade unions and join the trade union of his (or her) choice, subject only to the rules of the organization concerned, for the promotion and protection of his economic and social. It also provides for the right to establish national federations or confederations and the right of the latter to form or join international trade-union organizations and the right to strike.

The Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (OP-ICESCR)

This is an international treaty that allows victims of violation of economic, social and cultural rights, to present complaints at the international level. When people cannot access justice in the courts of their country for violations of economic, social and cultural rights (ESCR), they can bring a complaint to the UN Committee on Economic, Social and Cultural Rights (CESCR). The Optional Protocol includes three procedures:

- A complaints procedure
- An inquiries procedure
- An inter-State complaints procedure

The UN Guiding Principles on Business and Human Rights

The UN Guiding Principles on Business and Human Rights, applicable to all states and business enterprises, require states to protect human rights and fundamental freedoms against actions of non-state actors, including corporations. Companies are obliged to respect people by avoiding infringing on the human rights of others and addressing adverse human rights impacts they are involved in.

UN Global Compact

Principle 3: Businesses should uphold freedom of association and the effective recognition of the right to collective bargaining;

The OECD Guidelines for Multinational Enterprises

Chapter 5 on employment and industrial relations has 7 stipulations outlining organizational behaviour towards workers, one of which that that enterprises should respect the right of workers to join and establish trade unions and the right to collective bargaining;

Decent work and the Sustainable Development Goals

Goal eight of the 2030 Agenda calls for the promotion of sustained, inclusive and sustainable economic growth, full and productive employment and decent work. Key aspects of decent work are embedded in the targets of the other 16 goals of the SDG's. During the UN General Assembly in September 2015, decent work and the four pillars of the Decent Work Agenda became integral elements of the new 2030 Agenda for Sustainable Development.

Just transition and environmental sustainability

The concept of a Just Transition builds on the Decent Work principles and viewed through an environmental sustainability lens. The narrative addresses the impact of climate change on workers in view of extreme weather patterns, migration, natural disasters and technological interventions.

Useful resources

- [ILO web portal for Freedom of Association](#)
- [The benefits of international labour standards](#)
- [ILO web portal for the SDGs and Decent Work](#)
- [Ergon Associates report on Freedom of Association and development](#)
- [Working for the economy: The economic case for trade unions \(Greenwich Universi...](#)
- [Achieving Decent Work and Inclusive Growth: The Business Case for Social Dialog...](#)
- [Advantages of labour organisations for small businesses](#)
- [Hazards “The Union effect”](#)
- [Tripartism and the scope of harmonious industrial relations \(Bangladesh\).](#)