

**RAPPORTEUR'S REPORT**

**TRACK4: RAISING THE FLOOR FOR RIGHTS AT  
WORK IN A GLOBALIZING ECONOMY**

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## OVERVIEW OF RESEARCH CONDUCTED IN TRACK 4

*Raising the Floor for Rights at Work in a Globalizing Economy* is the theme for Track 4. The overwhelming response for call of papers toward this theme of the 16<sup>th</sup> World Congress of the International Labour and Employment Relations (ILERA) (hereinafter referred to as the Congress) is in itself evidence that the subject of rights at work is at the core of labour and employment relations. It is on record that coordinators of Track 4 had a hard time allocating time slots to papers for the limited available time for presentations. They tried to solicit time slots in other tracks' schedules. However, according to the organizers, this was not feasible. The only option was to assign several papers to poster sessions instead of presentations. Considering the high quality of the 43 papers<sup>1</sup> that were considered it was not an easy task to prioritize authors<sup>2</sup> in order of who should present during plenary, groups and poster sessions in order to fit into the programme. Thanks to the hotel management, more rooms were identified and allocated to the Congress to allow for all papers to be presented! All completed papers will be published online and will be available to members. As Rapporteur for Track 4 my duty was to provide a summary of the papers in line with the theme. I also seized the opportunity to highlight areas fit for this theme but which were not adequately covered and I made suggestions that in future Congresses these areas should be given more prominence.

The five tracks for the Congress were as follows: (1) *Trans-national Movement of Labour and Growing Diversity in the Workforce*; (2) *Labour and Social Movements Responding to Globalization*; (3) *Emerging Orders of Production and Skill Development in a Global Economy*; (4) *Raising the Floor for Rights at Work in a Globalizing Economy* and (5) *Income and Employment through the Life Course*. Track 4 (this Track) sought new research on ways to raise the floor on working conditions for workers in the worst jobs. Papers in this Track considered the following questions:

- (i) Are there theoretical models that can reconcile the benefits of free flow of capital with improved working conditions? For instance, rather than analyzing trade primarily in terms of microeconomic models of the theory of the firm and consumer behavior, can macroeconomic models of aggregate demand provide new insights?
- (ii) Given countries' interest in sovereignty and domestic economic development, is there a role for public policy, and if so, what is that role?
- (iii) Whether private initiatives are effective? And
- (iv) If there is room for hybrid approaches that attempt to use public and private initiatives in conjunction with each other?

In order to respond adequately to the above questions, seven themes were identified as follows:

1. Models of labor standards, trade, and economic growth
2. Gaps in core labor standards – evidence from key firms, industries, regions and countries
3. Innovations in legislation aimed at improving labor standards

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<sup>1</sup> Index 1 is list of papers submitted in Track 4

<sup>2</sup> Index 2 is list of authors selected to present in Track 4

4. Corporate codes of conduct
5. Public policy responses to labor standards in low-wage industries and occupations
6. Compliance with and enforcement of labor standards
7. Labor conditions of workers in informal work such as domestic work, micro enterprises, home-based work, etc.

In coming up with the themes, the academic committee assumed that:

“The current trend in globalization was fuelled by large-scale deregulation in the movement of capital. Labor on the other hand, remains far less mobile. This asymmetry has led to greater inequality and inequity in most labor markets. Indeed, less developed countries may use this asymmetry to encourage investment on the grounds that the jobs and wealth created will improve the standard of living of workers in that country. Yet, labor conditions have not improved for most workers and there is some evidence that these conditions have actually declined for many. These phenomena suggest that the benefits of a model of international trade based on principles of neoclassical economics with its emphasis on price and cost minimization and comparative advantage have not yet been diffused to workers. For globalization to be sustainable, more workers must benefit from these changes in the global economy, and such benefits must be realized within a reasonable period of time”.

Based on the themes, research was conducted in many parts of the world<sup>3</sup> and several papers were written and submitted to the academic committee of the Congress. Of these papers, 43 were selected for possible presentation. Below is a summary of what emerged from those papers.

Countries that contributed to Track 4



<sup>3</sup> Index 3 is list of Countries where research pertaining to Track 4 was conducted and results shared through this Congress

## RIGHTS AT WORK

### Background

Before we can consider conducting research on raising the floor for rights at work in a globalizing world, we must begin by understanding what is meant by rights at work? The starting point is the recognition that every individual has a right to a job. Therefore the state and all concerned parties in the labour market must recognize this right as a human right requiring full effect in practice (Tajgman, 2012). However, according to the International Labour Organization's (ILO) decent work agenda, it is not just a job that must be protected, it must be decent work. In order for the work to be decent a number of basic factors must be satisfied.

Decent work entails opportunities for women and men to obtain decent and productive work, in conditions of freedom, equity, security and human dignity<sup>4</sup>. This translates to; opportunities for work that is productive; delivers fair income; security in the workplace; social protection for families; better prospects for personal development; social integration; freedom for people to express their concerns; organize and participate in decisions that affect their lives; equality of opportunity and treatment for all women and men ([www.ilo.org/global](http://www.ilo.org/global)). These attributes sum up what is referred to as rights at work. Since these are minimum human rights standards in the workplace, under no circumstance should any person or organs of the state try to compromise their application. In view of this all research papers submitted for presentation in this Track at this Congress agree that rights at work, being human rights cannot be taken away as is the case in Fiji or suspended as was the case in Poland or wished away as was the case with many other countries, as doing so would be a breach of fundamental human rights. There are also strong arguments on effects of neoliberalisation especially on vulnerable employees.

We are reminded in the papers presented that the pursuit for decent work applies to both developed and developing economies. It is thus a global issue. For instance, one study reveals that there is a growing divide between workers with and without decent jobs even in many advanced G20 economies where a significant and often growing share of workforce is employed in precarious work (Trebilcock, 2012). We also learn of the ambitious strategic goal of the EU aspiring to becoming the most competitive and dynamic knowledge based economy in the world capable of sustainable economic growth with more and better jobs and greater social cohesion (Puig, 2012).

Rights at work as human rights have long been articulated in international instruments dealing with human rights. For instance the Universal Declaration of Human Rights provides in Article 43 that:

- (1) everyone has a right... to just and favourable conditions of work...;
- (2) everyone without any discrimination, has the right to equal pay for equal work (of equal or comparable value);
- (3) everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection; and
- (4) everyone has the right to form and join trade unions for the protection of his interests.

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<sup>4</sup> ILO, Decent Work Agenda; Report of the Director-General, International Labour Conference, 87<sup>th</sup> Session (1999)

In order to give more impetus to the rights at work, especially in relation to right to organize for furtherance of labour rights, the International Covenant on Civil and Political Rights guarantees in Article 22 that everyone has the right to freedom of association with others, including the right to form and join trade unions.

Further, the International Covenant on Economic and Cultural Rights adds its weight to recognizing labour rights by providing in Article 7 that: State parties to the present Covenant recognize the right of everyone to the enjoyment of just and favourable conditions of work, which ensure, in particular:

- (a) remuneration which provides all workers, as a minimum, with:
  - (i) fair wages and equal remuneration for work of equal value without distinction of any kind, in particular women being guaranteed conditions of work not inferior to those enjoyed by men, with equal pay for equal work;
  - (ii) a decent living for themselves and their families in accordance with the provisions of the present Covenant;
- (b) safe and healthy working conditions;
- (c) equal opportunity for everyone to be promoted in his employment to an appropriate higher level, subject to no considerations other than those of seniority and competence; and
- (d) rest, leisure and reasonable limitation of working hours and periodic holidays with pay, as well as remuneration for public holidays.

The right to form and join trade union of ones choice is covered in Article 8 of this Covenant. In order to stress the importance of rights at work, both the United Nations (UN) and some states recognize labour law as being in the public realm and not just a matter of private law. The UN has a specialized agency, the ILO whose mandate is to work in the field of labour and employment having authority over all ILO member states. Similarly countries like Malawi and South Africa have incorporated the right to fair labour practices in their Constitutions as a protected right under the bill of rights. Most states have incorporated protection of labour rights in labour legislation.

There are also specific instruments that cover rights at work of special groups of workers including women who are protected by the Convention on the Elimination of Discrimination against Women (CEDAW). Article 11 is more instructive and it provides as follows:

State parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular

- (i) the right to the same employment opportunities, including the application of the same criteria for selection in matters of employment;
- (ii) (ii) the right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training;

- (iii) (iii) the right to equal remuneration including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;
- (iv) (iv) the right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave; and
- (v) (v) the right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.

Several regional instruments including the African Charter on Human and People's Rights also make provisions for rights at work. These provisions have been incorporated in varying degrees in most national Constitutions and labour statutes as will be observed from the various papers presented in this Track.

The question as to whether these provisions are applied in practice to achieve the intended purpose is answered below from the various case studies. Suffice to say that in general, rights at work as provided in both international and national instruments provide a form of guidance and regulation in managing the labour market. It is the degree of compliance by both duty bearers and rights holders that vary from one state to another. In this Track we are exposed to extreme cases of total disregard for international and national labour rights standards (Fiji) to full compliance in a manner that even trade unions have been rendered redundant (case of Australia).

As will be shown below, the agenda for globalization of social justice that include rights at work is not only dependent on regulation or for that matter de-regulation. In fact there is a call for modernization of the labour market. For instance, it is suggested that collective bargaining (CB) as a means of upholding labour standards might be on the decline (Wright, Brown, 2012) or that where it is still active, its existence is dependent on political authority in power and that any changes in government may send collective bargaining CB crumbling (Todd, 2012; Stuart, 2012). Governments must modernize policies on labour and employment, education, training and management of the economy.

Correspondingly, trade unions should modernize their operations, collective bargaining must take new modern forms, university curriculum must be modernized to meet current and emerging demands of the labour market and businesses and management must start the process of modernizing their way of thinking in order to cope with economic changes and globalization. The global financial crisis was a wake up call for players in the labour market to start thinking of doing business that increase productivity and cushion businesses from external shocks without compromising basic labour rights. This also calls for greater cohesion among players not only in labour and employment but other fields that impact on labour including the economy, environment, community and society, gender, youth, disability, fight against corruption and international human rights.

The concept of Corporate Social Responsibility (CSR) seems to represent all these. For instance, in plenary we shall hear of the emerging important role of CSR as a means of strengthening collective labour market protections for low-wage workers as a substitute for collective

bargaining (CB) and the use of CSR to improve greater cooperation between governments, businesses, academic institutions, trade unions and civil society organizations in self regulating the labour market through means other than CB. We shall also learn of why CSR should be used to extend to, and promote employees' welfare and investment in human capital rather than just focusing on external consumers and trade competitiveness due to neoliberalism. It is opined that a firm's social responsibility towards its employees is an important component of its overall social responsibility (Gomez, Verma, 2012; Puig, 2012). It is observed that however the concept of CSR is more advanced in developed economies than in developing economies. This Congress therefore provides a great opportunity for the rest of the world to learn of the positive developments that have been achieved through CSR<sup>5</sup>.

## RAISING THE FLOOR FOR RIGHTS AT WORK- WHO IS A WORKER?

Raising the floor for rights at work as indicated above is about achieving sustainable globalization for all people regardless of geographical positioning of business or labour. Many workers across the globe must within a reasonable period of time benefit from changes that are being experienced in the global economy. However the question that is posed and which has been comprehensively but not exhaustively answered through research is who are these workers who need to be integrated into global enjoyment of economic benefits through employment? Related to this question, is; who are the actors responsible for making this goal achievable? How do they do it? Can they do it better, what are the best practices? In cases of areas that have not been covered, can this Congress note the gaps and find means of addressing them? For instance, rights of same sex workers, migrant workers, domestic workers, sex workers and the elderly are some areas that have not received much response in this Congress although it is common knowledge that some of these workers need protection in some countries.

Areas that have received much attention include the right to equality and non discrimination in matters of gender, age, disability, ethnicity, political affiliation; sex; and the right to organize and the freedom of association as a means of promoting, protecting and enforcing rights at work. These broad rights have further been desegregated by specific issues of concern for public debate. Notable among these issues are debates on equal pay for work of equal or of comparable value, sexual harassment, participation of vulnerable groups in decision making that affect their livelihood and participation in trade unions as a means of achieving equality between vulnerable workers and management. In subsequent chapters we will consider summary of findings relating to: Who are workers requiring protection and who are the actors responsible for raising the floor rights at work. The final part will highlight best practices and recommendations on the way forward toward globalization of social justice.

### Gender<sup>6</sup>

Gender received the most response in call for papers for Track 4. At least seven papers were dedicated to gender and the different dimensions that gender roles play in the workplace. It was observed by the UNDP in 1997 (Parker et al, 2012) that 'no society treats its women as well as

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This answers the question whether there is room for hybrid approaches that attempt to use public and private initiatives in conjunction with each other?

<sup>6</sup> Special symposiums have been dedicated to tackling gender issues at this Congress

its men' still holds water. Despite this it is provided that deepening inequality in wage or other areas of development has the potential to cause dislocation and conflict in the wider society. Research on gender has shown that most states still have a long way to go to create a work environment that is fair to both women and men. The trend is that the more under developed the economy the worse its womenfolk are treated in the workplace and vice versa. This has especially been validated by joint research conducted in New Zealand and Fiji, two economies, one developed and the other developing. Wage gap between men and women was wider in Fiji than in New Zealand. It is further presented that political stability is a major factor that influences economic development and narrows gender pay gap. Similarly, it was found in research conducted in Philippines that wage gap was wider between women and men. In Fiji, for instance, women perform 52 per cent of the total work but they earn only 27 per cent.

The Director of ILO Bureau for Gender Equality, Ms Jane Hodges<sup>7</sup> presents that the ILO through its Committee of Experts on the Application of Conventions and Recommendations (CEACR) has been very active and busy supervising compliance with Convention 100 concerning equal remuneration. The paper highlights some important decisions on equal pay and provides suggestions on how ILO can be better utilized by women to fulfill their rights at work in this area.

There is consensus that despite relatively conducive legal framework in most states, women rarely bring labour cases to court for adjudication. This is true of case studies considered by the ILO, Malawi and Fiji. Several factors contribute to this state, one of which is lack of women's empowerment economically to bear legal costs and another factor is related to culture which promotes women's subordination to men hence discouraging women to rise and speak up for their rights. However there is evidence that in cases where courts are accessible, women may encounter challenges of enforcement where the courts and other officials in the legal system like lawyers and prosecutors are not conversant with gender sensitive handling of labour cases. It is further observed that appointments to the bench which favour more men than women can hinder women's access to labour justice. This is true of nations which hold strong gender stereotypes that women are wives, mothers and care-takers whose place is in the home.

### *Culture*

In cases of gender discrimination, many states that have submitted on the subject have identified cultural practices as one major contributor to women's discrimination. Malawi, Nigeria and Fiji agree that the state has allowed some harmful cultural practices to flourish to the detriment of women empowerment. Culture is used as an object of subordination where women are regarded as inferior to men. This perpetuates sexual harassment which in turn affects women's participation in and enjoyment of benefits of globalization.

Yet in none of the studies report that states have put in place mechanisms that recognize these social burdens on women and ensure that despite their roles of nurturing, working women should not be left behind in career advancement. To this effect it has been argued by Malawi that due to the biological burden of women and expectations of culture that women are nurturer, women lose out on job and employment security because after graduation women tend to join the

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<sup>7</sup> In her paper: Gender issues in 21<sup>st</sup> century industrial relations- the case for pay equity and ILO Convention No. 100 presented at this Congress

workforce later than men, women lose out on training during the period that they are on maternity leave or attending to family needs, women lose out on out of office work experience because they are expected to be closer to home to take care of family needs and women are likely to refuse to go on promotional transfer in order to avoid being separated from their family.

Women experience more broken careers than men. As such in times of economic crisis or technological changes, it is women who are more likely to be retrenched than men. This is because new technologies and reorganization of work have increased participation of new types of workers especially skilled workers who have replaced semi-skilled or unskilled workers to which women are in the majority. Women's traditional roles have in fact been used by states to reduce impact of economic crisis by laying off women to create room for men. It has been presented that during economic crisis, 'constructs of women as primarily wives, mothers, and care takers of families are operationalized to take the pressure off the job market'. For instance as a response to the global economic crisis, Fiji reduced retirement age from 60 to 55 and enacted a policy that made it mandatory for young people to take care of their elderly parents. This meant that women taking on the burden of taking care of the elderly and the incapacitated over and above their biological burden of reproduction and nurturing.

Gender discrimination frustrates women's participation in employment, (Sikwese, 2012) 'reduces their productivity, diverts resources and has an overall negative impact on women's empowerment and therefore the wider society of which they are part' (Parker et al, 2012). Cultural practices that discriminate against women must be reviewed at national level to allow women to participate fully in economic activity. Leadership skills should be disseminated to women so that more women can take up leadership roles and be drivers of change. There is need for safety nets to cushion women against social injustices perpetuated on basis of gender roles and biological responsibilities, for instance women's involvement in unpaid home work.

Political will is crucial to attain gender equality in the workplace. Philippines are a good example of a state where women have gained empowered almost equal to men. This according to research is due to public policy that put in place mechanisms that promoted gender equality. More women in leadership positions including in trade unions will ensure that women's issues are given priority when formulating labour market policies and decisions. Development policies must incorporate gender and provide for the right to equal participation in the political, economic, social, cultural, civil or any other field. Affirmative action through legislation has been used in South Africa for instance, to eliminate historical labour market inequities<sup>8</sup>.

ILO Report on Committee of Gender Equality 2009 advocates for greater use of social dialogue and tripartism as 'key policy tools to advance gender equality at work. 'Women as drivers of change'; is another agenda that should be sustained to bring equality between women and men. Leadership roles at national, political and workplace level have a positive effect on changing people's perceptions about women roles.

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<sup>8</sup> Employment Equity Act

Education for the girl-child has a direct bearing on women's socio- economic empowerment. With the exception of Philippines, generally due to inadequate education, women are concentrated in junior positions and traditional female jobs like nursing. As a result women are under-represented in decision making positions making it difficult for their concerns to be considered. Illiteracy is a major cause of gender inequities in the workplace. Due to poor or lack of education, more women are concentrated in precarious jobs earning less than their male counterparts and being exposed to unsafe work conditions with poor terms and conditions of employment. Career mentoring of young women has been found to encourage more young women to obtain tertiary education and compete with men in professional jobs. Despite this, and the fact that women workers have better observed human capital endowments, women are still paid lower wages than men and do not receive same promotion opportunities like men (Cabegin, 2012 and Parker et al, 2012)). The only explanation is the prevalence of discrimination on basis of sex perpetuated by cultural norms around women's household and family roles (Parker et al, 2012).

## HIV AIDS

It is also noted that HIV/ AIDS has affected more women than men due to poverty and harmful cultural practices in some parts of the world like Africa. HIV/ AIDS is still an issue in the world of work. Since its discovery in the 1980's acquired immunodeficiency syndrome (AIDS) pandemic has continued to intensify and expand to affect all nations throughout the world (N'daba and Hodges- Aeberhard, 1998). The UNAIDS-WHO AIDS Epidemic Update reported that as at 1996, an estimated 3.5 million men and women were living with HIV and that more 26 million people had already died from illnesses related to HIV. In terms of labour, statistics show that HIV/AIDS is more prevalent in the most productive age group of 15-49. Some of the challenges associated with HIV/AIDS in the world work affecting rights at work is the stigma and discrimination against those perceived to be infected or who are actually infected and affected.

Individuals have been denied employment on basis of testing positive for HIV; others have been denied scholarships for training opportunities, for instance, a policy of USAID that required that individuals under their sponsorship be tested for HIV before they can be offered a scholarship to study in the USA. An HIV positive result was instant disqualification even where the individual had not developed AIDS and the period of study was less than 24 months<sup>9</sup>. This is also practiced in aid agencies for Belgium, Germany, India and China among others. There is need for research to determine what these aid agencies aim to achieve by this discrimination in view that HIV tests are not required for any person visiting for other purposes. There is need to translate globalization of the economy to globalization of social justice. Especially because nationals and companies of these countries are free to invest in recipient countries without a reciprocal HIV test?

A related issue concerns Anti Retroviral drugs (ARV's) that are provided free of charge or subsidized by government. There is an out cry from HIV/AIDS activists that some side effects of ARV's include physical deformities. These deformities may be in the form of development of a hump, protruding stomach, shrinking of legs, arms and facial features. Persons living with AIDS

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<sup>9</sup> Testimonies are available in Malawi to support this assertion but the author did not get authority to make them public

showing these signs have been discriminated against during recruitment processes and in enjoyment of other employment benefits<sup>10</sup>. Poor economies are failing to provide alternative lines of ARV's to counter the side effects.

Some employees have been denied promotion and other benefits due to their HIV status. Hence calling on member states, employer's and employee's organizations, Civil Society Organizations, national social dialogue institutions, international bodies to set up efforts to create conducive working environment for persons affected and infected by HIV/AIDS. The ILO for instance, set the ball rolling way back in 2001 by publishing the ILO Code of Practice on HIV/AIDS and the World of Work (HIV/AIDS Code) to guide government, social partners and stakeholders on handling and managing HIV/AIDS in the workplace. The HIV/AIDS Code has proved to be a useful tool to guide national HIV/AIDS workplace policies and judges to consider HIV/AIDS as a human rights issue. The next step that the ILO took was to introduce the topic of HIV/AIDS at the 98<sup>th</sup> Session (2009) of the International Labour Conference for possible adoption of an international labour standard on HIV/AIDS (Hodges, 2007). Based on this initiative ILERA should find space in its future programmes to highlight the need for HIV/AIDS research along the theme of this Track. HIV/AIDS is real, it cannot be ignored and turning a blind eye will not achieve sustainable globalization of rights at work.

### Ethnicity

In some countries it was observed that apart from culture affecting women adversely, ethnic and clan considerations also played a part in further marginalizing women. In New Zealand for instance, it is shown that young educated Pacific and Maori women are treated less favourably than their white counterparts. The basis of the disparate treatment is considered to be ethnic origins. No independent research was dedicated to various forms of work related discrimination based on ethnicity. Discrimination on basis of ones origins and nepotism are common forms of discrimination in the workplace. It is an area that needs further research and highlighting. As noted elsewhere in this paper, globalization is not sustainable if certain groups of the society are excluded from participating in, and enjoying its benefits.

### Disability

The case of India (Kothiyal, Kumar, 2012) and the plight of workers with disability is rich with insight and lessons on this subject. The authors acknowledge that although only one private enterprise was used in the study, it presents adequate representation of the situation on the ground, not only in India but in most other developing economies. The research examined one enterprise which has won several national awards for being a model equal opportunity employer. This is because between 60-80 per cent of its workforce is comprised of persons with disabilities. The enterprise has used media to publicize its benevolence toward otherwise helpless members of the society. Businesses make representations under the umbrella of CSR while other enterprises use diversity management (DM). The subsequent public recognition gives the business a competitive edge over other businesses. According to the research, media publicity ensures that the business attracts "potential consumers"; enabling it make "legitimate demands on the state to tax less, regulate less and provide ever greater subsidies and incentives"; and to help the enterprise "curtail costs" thereby gain cost advantage. The problem with this approach is

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<sup>10</sup> Media reports (Malawi)

that it moves away from raising rights at work of persons with disabilities toward self serving of business. Persons with disabilities are employed to serve businesses' economic interests and in total disregard of the persons they parade to be serving. For instance, firstly, when it comes to creating reasonable accommodation for these workers, the interest of the employer is on ensuring that the employee will access the facility and do what he/she is told to do. There is no consultation with the employee.

Reasonable accommodation as was noted concentrated on physical structures when according to the authors, it should be more than that. Secondly, training opportunities are limited to ensuring that the employee would perform what is required of him/her and does not extend to career advancement. Thirdly, it was found that because of their state, they are made to feel grateful to be in a job at all and therefore fail to articulate their concerns for better working conditions. As a result they are paid low wages in some cases between US30-80 per month for long hours and even longer week. Because they owe the job to their benevolent employer, employees with disabilities are loyal and would not leave for jobs with better terms and conditions. Another reason for not leaving is lack of skills hence they have no employment security. Further, they feel indispensable because they are usually employed in positions which able bodied persons shun, just like migrant workers being placed in jobs which locals would normally not consider.

In the name of trade liberalization, businesses are finding means and ways of cutting costs and gaining competitiveness. In some instances by relocating production and business functions to lower wage income countries (Wright, Brown, 2012), or by employing vulnerable groups like women as presented in the study in Fiji or like in this study, by employing persons with disability. Similarly with effort to compete for business, enterprises take advantage of tax incentives, like operating in tax free zones, characterized by poor working conditions but populated by vulnerable employees. The moment the tax incentive is withdrawn or expires these businesses close shop leading to mass dismissals.

It is suggested that reasonable accommodation should be made in terms of targets, deadlines and office timings. This will ensure that employees with disabilities work under less stressful conditions physically and mentally. Such accommodation will take into consideration the needs of the employees after genuine consultation with them. Further private enterprises must engage in sustainable corporate social responsibility or diversity management in their recruitment processes that are rights based. The paper subtly calls upon media houses to assess and analyze the motive behind some public stunts, so that they don't cause more harm than good to the intended beneficiaries of rights at work. For instance, portraying employees with disabilities as victims or heroes both have adverse repercussions on how the individuals perceive themselves and the subsequent treatment that they accept as normal.

Finally the authors argue that vulnerable employees continue to suffer under trade liberalization. Private companies are obsessed with maximizing profits at the expense of upholding and maintaining labour standards for all employees. They take advantage of vulnerable employees to cut costs and use exploitative means of averting the law and gaining competitive advantage. This is an area that needs further attention and research at international level. It is especially pertinent that research be conducted to verify the motive for employing persons with disabilities and other vulnerable groups such as women.

## Migrant workers

One of the effects of globalization is proliferation of migrant labour. This calls for cross-border coordination of workers' interests. However the Global Report on Equality at Work 2011 raised the issue of higher risk discrimination against migrant workers (Trebilcock, 2012). Papers in this Track have cited the problem here and there but there is no fully fledged research that tackled the problems that migrant workers face either as a result of global financial crisis or as a result of discriminatory laws and policies in receiving countries. There is need for greater coverage of this area through research. One area for research is to investigate the case of treatment of migrant workers. One question that needs serious consideration relates to which laws should have precedent between a claim for abuse of migrant workers and a state's claim against an individual over his/her migration status. Migrant workers are intimidated from reporting abuse for fear of being deported. They continue to work in appalling conditions that are characterized by poor safety mechanisms hazards to health and below minimum terms and conditions of employment. They are trapped in the job feeling grateful to have a job at all because these are jobs under which conditions the nationals would not accept. Further, would initiatives regarding regulation of minimum wage prevent underpayment and wage dumping of migrant workers (the case of Germany, Sweden, Norway and Denmark)? For women's lobby groups and civil society organizations it is worthy investigating whether with globalization, there is a significant increase in women migrant workers?<sup>11</sup> If that is the case whether issues of migrant workers should take a gendered approach to afford specialized handling of the issue taking into consideration peculiar nature of women workers? The special symposiums on migrant and cross border labour may tackle some of these questions.

## Domestic workers

It is observed that although women dominate domestic work, they are unorganized consequently they have no say in matters affecting their welfare. In many countries domestic workers are covered by minimum wage however because of fragmentation and informality of domestic work, most are paid below minimum wage and work long hours because there is no supervision and inspection. In India 90 percent of the work force is in the informal sector. Most of the workers earn less than a dollar a day. The majority of the informal sector workers are domestic workers. They are not adequately protected by law due to difficulties in regulating the informal sector in general. ILO recognizing the rising domestic work industry, at its 100<sup>th</sup> session adopted Convention on Domestic Workers. So far so many state parties have ratified it. It is hoped that the ratification will raise the status of domestic workers at national level. This is achievable because as shown in South Africa, for example, domestic workers receive special state protection that extends to social security.

## Young People

Youth unemployment is one of the effects of global economic crisis. This Track had a deficit on research on rights of young people in employment or seeking employment and how various actors can respond to the problem of youth employment. Puig, 2012, has provided initiatives through corporate social responsibility aimed at empowering the youth to be more marketable<sup>12</sup>.

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<sup>11</sup> Rio World Conference ibid presenter estimated that 49 per cent of today's migrant workers constitute women

<sup>12</sup> This is discussed below under role of the academia in raising the floor for rights at work

The research is in tandem with, and to an extent responds to ILO's Report on youth employment crisis where in chapter 1 it discusses; 'new emerging challenges, such as educated unemployment and the increasing "detachment" of youth from labour markets"<sup>13</sup>.

ILERA could also take the lead as this author had reported in 2006 after the 14<sup>th</sup> World Congress of the International Industrial Relations Association (IIRA) in Lima, Peru, that due to changes in industrial relations paradigm there is need for IIRA now ILERA, to empower and encourage young women and men (to take up significant roles at Congresses) as they hold the future of ILERA and industrial relations in general (IIRA Bulletin, No 73). There is need for more research in this area.

### Developing economies<sup>14</sup>

Although the issue of universal application of rights at work is still a concern in both developing and developed economies, research conducted shows that the former are experiencing severe cases of rights abuses. This is because there are more workers in the informal economy in developing economies than there are in developed economies. According to research most South African countries and parts of Asia including India has over 90 per cent of workers in the informal economy. The informal labour market is characterized by lack of or poor structures of employee participation in decision making and social dialogue, lack of or poor regulatory systems because of fragmentation and lack of state supervision and inspection. As a result of lack of these basic safeguards, more workers in developing economies are engaged in precarious work. They work under poor and unsafe conditions, they are not unionized, they have no capacity to bargain on equal footing with employers, they are paid low wages in some cases wages are below poverty line, (India, Malawi and other countries are some examples) they have no security of tenure, they have no retirement benefits or any form of social security, they have no proper hours of work and no holidays or overtime. They have no access to training or career advancement.

In terms of collective bargaining which has featured prominently in this track, it is argued that less developed economies whose labour is concentrated in the informal economy must look to alternative means of organizing workers for purposes of promoting labour standards. It is opined that collective bargaining as a process and institution is expensive and requires expertise in order to be effective. The informal economy lacks both. The suggested method for dealing with this economy is setting of minimum wages and using civil society organizations as watchdogs to monitor compliance especially so in supply chains.

A further challenge that developing economies is still grappling with concerns social security. In their paper Informality, Employment and Social Security: Some critical perspectives for/ from developing countries (Olivier, Masabo Kalula) they have drawn attention to poor coverage of social security schemes to the informal economy accounting for 90 per cent of the active population. It is suggested in the paper that developing economies can adopt methods of ensuring that some form of security reaches out to this group of employees. It calls for modernization of

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<sup>13</sup> 101<sup>st</sup> Session of the International Labour Conference (ILC) (June 2012) where the ILO delegations debated ILC Report V entitled: *"The youth employment crisis-time for action"*, ([www.ilo.org/ilc/ILSessions/101stSession/Reports](http://www.ilo.org/ilc/ILSessions/101stSession/Reports))

<sup>14</sup> Special symposiums at this Congress have been dedicated toward issues relating to developing economies.

approaches of dealing with international standard setting, implementation and enforcement. The new approaches include, “the attempt to accommodate the specific context of informal and self employed workers within the traditional social insurance framework by way of specialized arrangements; and the extension of social assistance/ protection interventions; tailor made solutions; and wide- ranging complementary and innovative approaches aimed at extending its application, potentially also of social security, to cover the workers in the informal sector particular those in a dependency relationship, where it is naturally difficult to determine the employment relationship”; (Olivier, Masabo Kalula, 2012). For instance, the Malawi Government passed Pension Act 2011 as a mandatory form of insurance to cover all employees. Employers have a legal obligation to contribute to the employees’ pension and the employee must also make a contribution which is deducted every month from his/her wages. This is one of the labour law reforms in Malawi responding to the problem social security. Previously pension scheme was not mandatory in the private sector and where applicable it usually only covered middle and senior management officers. The only form of social security was provided in the form of free health services in public hospitals where one would be lucky to receive a tablet of aspirin.

## ACHIEVEING DECENT WORK- ACTORS AND THEIR ROLES

The best actor to raise rights at work is the individual worker himself/ herself. This can be achieved in several ways, namely, education, training and vigilance. There is a common legal adage that says, ‘the law comes to the aid of the vigilante and not to those who slumber’. However for purposes of this analysis, the assumption is that we are dealing with a vigilant worker but who depends on other factors beyond his/her control in order to achieve fulfillment of rights at work. Research has highlighted several actors including, the state, social partners, civil society organizations, academia, media, consumers and the role of international bodies. These bodies play different roles some of which are assigned by law, others by public policy while others act as watchdogs specializing in exposing violation of rights at work and ensuring that employers comply with minimum international standards. In this Track, the role of the state is highlighted because it is said that every economy is as productive, efficient and developed as its workforce (Chilumpha, 2007).

### (1) The State

The role of the state is central to the development of the economy and the maintenance of socio-economic systems (Lucio and Stuart, 2012). It formulates policies that affect conduct and direction of the economy both in public and private sector. There is ample research in this Track tackling state role in raising rights at work. Of particular mention is the role of the state to make laws and regulations to guide conduct of labour market players, to appoint officers to enforce the law and its role to join international bodies as a commitment to adherence with international standards. States have also formed blocks that regulate conduct at regional level for instance tax free zones and other similar bodies. States have also entered agreements with unions, businesses and academic institutions to collaborate on advancing rights at work. The conduct of the state can enhance opportunities for decent work but can also diminish such opportunities. The state is responsible for creation of conducive environment for the economy to flourish, creation of enabling environment that attract entrepreneurship, local and foreign investments, development of policies that encourage investment in human capital and respect for human rights. There is need for a combination of political will, good legislative frame work and an effective

institutional framework in order to improve worker's welfare. Bad governance, bad laws and ineffective institutions tend to perpetuate violation of rights at work.

#### *National level governance (Policy)*

The starting point for state role is in its capacity as an employer. The state as one of the major employers in any economy must treat its workers with respect and dignity so that the private sector can also follow suit. It is argued that the state must lead as a model employer. It must set standards and benchmarks which private employers must emulate. The British government is best practice in forging and sustaining employer and employee partnerships in the public sector. It is argued that 'good employment relations characterized by the principles and practices of partnership are more likely to be associated with workplace environments with higher levels of union involvement and capacity and workplace development', for instance, government funding of initiatives that support greater trade union activities, presence and social dialogue in the public service, (Stuart, 2012). However as with most government led initiatives, their success and sustainability is highly dependent on the political party in power. Even incorporating the policies into law does not help continuity as new government has capacity to repeal the law and replace it with its own contrary ideologies (New Zealand in 1991 and then new government in 2000) or the new government may appoint to judicial office, officers that are sympathetic to contrary policies and reverse prior decisions that were in favour of promotion of workers' rights (e.g. administration of George W. Bush: Bodah, Schneider, 2012).

Other government policies that promote job creation include establishment of tax free zones to enhance investment and allow more people to get employment. Provision of social security that extends to vulnerable groups of workers; reliable energy, communication systems, good doing business environment and skilled workforce are some areas that a state must guarantee in order to contribute to raising the floor for rights at work. These may not be an issue to developed economies but they are challenges that contribute to poverty in developing economies. For instance, social security scheme coverage in Sub Saharan Africa and South Asia extends to a mere 5-10 per cent of the active population while in developed economies it is available to more than 90 per cent of the population (Olivier, Masabo, Kalula, 2012) Government may also be used to promote and protect rights of vulnerable groups by policies on equal opportunity employer. Private companies are rewarded with government business if they satisfy criteria on employing and promoting to decision-making position employees who have a history of discrimination like women and persons with disabilities. Special symposiums at this Congress have been dedicated toward issues relating to role of governance.

#### *Regulation*

In all industrialized nations, the legal regulation of the workplace involves some combination of statutes, administrative rules, and case law (Bodah, Schneider, 2012 quoting Blanpain, 2010). The state is responsible for regulating labour standards at all levels. In this role the state through its legislative powers is responsible for developing and enacting laws that promote, protect and enforce workers' rights. Most research in this Track agree that states have in place some form of legislation to regulate conduct on the labour market. Regulation can be in the form of hard law or soft law. Hard law referring to legislation and other forms of mandatory instruments while soft law is mostly aimed at directing conduct, it is not mandatory. The debate as to whether labour

market requires hard law or soft law is still on going. Some researchers argue that employment relationships work better with less state regulation (neoliberalisation of the economy), for instance in areas of collective bargaining. While others argue that state regulation is the only way that certain categories of employees can enjoy their rights at work. This is especially so for the protection of vulnerable workers who have no bargaining power to fight for better conditions. The middle theory argues for flexibility or a balance that does not completely take away the state's supervisory role but recognizes the need for public and private partnerships.

Regulation on mandatory minimum wage is an example of state role in regulating the labour market which has a positive impact on reducing wage inequities. Provision of right to organize and freedom of association in national legislation has enhanced collective bargaining and social dialogue thereby ensuring harmonious dispute resolution at enterprise level.

Soft regulation on the other hand has been employed in situations where it may prove difficult to monitor and enforce hard regulation. This form of regulation has proved ideal in supply chains where it is sometimes difficult to trace the main employer for purposes of regulation. For instance in their paper on sustainable sourcing, Wright and Brown discuss that private regulation, labeling and standards instruments allow multinational firms headquartered in developed economies to oversee labour practices of their suppliers based in developing countries. These codes deal with issues of human rights e.g. living wage or decent wage and benefits, health and safety and child labour. The supply in developing economy may lose business if found to have violated conditions of the code. The major motive for lead companies is to safeguard their brand image by ensuring that their suppliers are operating within international labour standards.

Challenges associated with soft regulation includes the fact that because it is voluntary it is not easy to enforce. Further parties to such codes are more willing to comply with minimum standards rather than set best practices. Parties may lose interest in the code once their interests are served.

#### *Adjudication*

It is said that good legislative framework without effective enforcement machinery is as good as having no law in the first place. The state is responsible for the establishment of enforcement mechanisms including institutions for adjudication. The role of courts is varied in most papers presented. Courts are mandated to interpret legislation and enforce it. Some employees require the intervention of courts much more than others. However access to courts is a major hindrance to access justice for many employees. Generally for low paid workers, access to courts has been hampered by cost, procedures etc. In some cases no cases were reported on gender discrimination due to such problems. Lack of training of judges, lawyers, prosecutors, in rights based approach to labour disputes is another challenge to access courts. Appointments to judicial office based on political, ethnic or gender considerations have not helped matters as that creates bias. Lack of effective remedies is another area that needs to be considered to further rights at work.

#### *Alternative Dispute Resolution*

Alternative dispute resolution (ADR) in the form of conciliation, mediation and arbitration aims at resolving labour disputes without resorting to courts. It is cheaper and more expedient than courts; it is not as confrontational or adversarial. It promotes communication and social dialogue. Most systems have ADR in their regulations as a mode of settling labour disputes. It is recommended in the case of China that ADR should only be used in disputes of interest and not disputes of right. The rationale is that based on China, settling disputes of right using mediation lacks the force of the law that disputes of right deserve. In particular to their research, Taylor and Li, 2012, put up a strong case against mediating disputes involving violations of health and safety.

## (2) Social Partners

### *Relevant Ministries*

The concept of labour tripartism emanates from the composition of the ILO. In governments, ministries or departments of labour represent the state in the labour social partnership. The role of labour ministry is to provide guidance and act as a link between the employers' organizations and employees organizations.

### *Employer's organizations/ Management*

Employers' organizations are an integral part of social dialogue. Their voice matters as much as that of government and trade unions in regulating the conduct of the labour market and welfare of employees. As an investor, the employer has an upper hand in labour policies. However as much as they have this advantage, employers operate within the framework that is set by international standards where raising rights at work is concerned. Special symposiums at this Congress have been dedicated toward several issues affecting role of employers.

### *Employees' organizations/ Trade Unions*

Research in this track has presented two opposing findings on the role of trade unions. On one end, in some Latin American countries, for example, Argentina, Brazil and Uruguay trade unions have responded well to changes in the global economy. Their role is felt in increased number of collective bargaining and increasing role and relevance of social dialogue institutions. The political and economic status in these countries is stable and enabling for trade unions to flourish. On the other hand in some parts of the western world for instance, USA and UK, reports indicate decline of collective bargaining, reduced role of trade unions and diminished influence of trade unions (Gonzalez and Borroni, 2012). In general, trade unions play an important role in regulating the labour market especially in ensuring observance of rights at work for vulnerable employees. Special symposiums at this Congress have been dedicated toward several issues affecting trade unions.

## (3) Academia

According to Puig, 2012, members of the academia have an important role to play in raising the floor for rights at work especially concerning youth employment. University curriculum should be formulated in such a way that gives room for students to have a feel of the labour market by actually working in organizations dealing with the areas of study. The study in Spain is very

illustrative on this point. Youth unemployment is major concern in many economies. Global financial crisis made the situation worse as the shrinking labour market could not absorb the ever increasing number of graduates fresh from college. However placing students on attachment enhanced their chances of getting employment because of the experience gained during internship programmes. The study however warns that internship programmes should not be abused and used for personal gain by either the student or the employing organization. It is therefore important that the college must constantly monitor the student while the employer must supervise the work and ensure that only that work which is relevant to the academic pursuit of the student is offered and undertaken within a prescribed time. This research provides best practice of utilizing students while at the same time reducing youth unemployment. It is also a good example of corporate social responsibility where the company extends its services to academic institutions for promotion of academic endeavors. It is also a good example of collaboration between academic institutions and industry whereby curriculum is developed to suit industry demands.

#### (4) Civil Society Organizations

The role of civil society organizations (CSO) has gained momentum on the labour market especially on raising rights at work. These organizations are taking on the role of trade unions which is dwindling in some parts. CSO's have an advantage over trade unions because they do not require to under go rigorous procedures that are required to register as trade union. They do not encounter the same resistance in some employment settings as trade unions do. They are generally trusted and have the confidence of the general public. They are considered to be independent, impartial, to have integrity. CSOs have been held to counter negative impact of outsourcing and supply chain pressures on labour standards. They act as watch dogs and whistle blowers alerting those in authority and consumers of bad practices. CSOs may take up monitoring, auditing and investigation of labour standards abuses especially in areas where trade unions or government lack capacity or mandate to carry out such activities. They analyze their findings and come with independent assessments. Their assessments may influence policy change because they enjoy the trust and confidence of the general public.

#### (5) Consumers

The capacity of workers to negotiate over their conditions of employment is often contingent not only on their relationships with their employer, but also on the commercial clients of their employers. Consumer loyalty is guaranteed for employers who engage in sustainable social responsibility. A reliable consumer base may cushion an enterprise against loss of business during times of economic crisis. The result is security of jobs for employees and a likelihood of better conditions of employment. Bad labour practices may dent an enterprises brand image and diminish customer loyalty. There is need for further research to understand the relationship between sustainable sourcing as a mechanism for regulating labour standards at the national level because at its centre lies consumers.

#### (6) Media

Role of media in raising the floor for rights at work has been pointed out in some research papers. Freedom of the press is a major asset for media practitioners. It is therefore one of the state roles to ensure freedom of the press. Media censorship compromises the right of people to make informed decisions. Information is crucial for people to make informed decisions. Modes

of communication include freedom of association at enterprise level. However it is through the media that wider dissemination concerning socio-economic developments is achieved. Media has acted as whistleblowers drawing attention to bad practices. Many enterprises guard their brands jealously. Media helps to keep them on guard and as a result workers rights are protected.

Media also plays the role of filling in labour market information gaps in many economies. Developing economies in particular lack consistent and reliable labour market statistics. Therefore without media, human resource and management strategies and action are not subjected to public and social scrutiny. The media is however cautioned to be more sensitive to language used and portrayal of certain categories of employees. Their media assessment should discern the motive behind some publicity as it is shown that in some instances media has been misleading thereby causing more harm than good to worker's rights.

### (7) International bodies

Apart from national mechanisms, the international community has crucial role to play in raising rights at work in national economies. International bodies have helped create conducive working environment in otherwise difficult states which had previously not cared about the plight of workers. It continues to supervise, advise and point out weak areas for states to take action. The ILO in particular has developed international standards that are particularly relevant vulnerable groups in the informal economy and those who are traditionally marginalized. The ILO decent Work Agenda, is a working tool through which most states and social partners can develop national policies to raise the floor for rights at work. Some instruments developed by the ILO that support realisation of decent work in the informal economy are; Home Work Convention 177 of 1986, Job Creation in Small and Medium sized Enterprises Recommendation 189 of 1989 and Part- Time Work Convention 175 of 1994. In the area of social security which as noted above is still a major challenge in realisation of rights at work in the developing economy, ILO Convention 102 of 1952 concerning Social Security (Minimum Standards) is relevant although research reveals that ratification of this Convention is very poor, only 47 states and its implementation is also weak. This is a challenge for the ILO to find ways of selling this Convention and ensuring its compliance. The gap of social security coverage between developed and developing economies is just too huge to be ignored.

In relation to gender, the ILO has developed a number of Conventions including Convention 100 concerning Equal Remuneration and Convention 111 concerning Discrimination (Employment and Occupation). Further the ILO through the Gender Bureau published the Report of the Committee of Gender Equality 2009 on the need for social dialogue and tripartism as key policy tools to advance gender equality at work, as well as on increased women's participation in leadership roles in social partner organizations. These are initiatives aimed at promoting women's rights at work to enhance their capacity. CEDAW is a specialized UN body that oversees women's issues and concerns around the globe.

### *Other International Players*

International Framework Agreements (IFA's) have featured highly in this Track. A major achievement of one of the IFA's is the provision that allows trade unions and employers to enter into dialogue. It is suggested that cohesion among local unions would enhance effectiveness of

### *IFA*

International Framework Agreements (IFAs) ‘constitute a significant attempt for the global governance of labour. IFA’s are negotiated documents between global union federations and multinational companies that stipulate compliance with core labour rights and whose application extends to company operations worldwide’ (Niforou, 2012).

### *OECD*

The Organization for Co-operation and Development (OECD) advocates ‘for better policies for better lives’, (Trebilcock, 2012). ‘The OECD methodology of measuring employment protection remains one of the most referred to by comparative researchers. The sources of regulation used are labour laws. OECD indicators measure strictness of employment protection’ (Muller, 2012).

### *ITUC*

The International Trade Union Confederation (ITUC) ITUC’s primary mission is the promotion and defence of worker’s rights and interests through international cooperation between trade unions, global campaigning and advocacy within the major global institutions. The main areas of activity are:

- (a) trade union and human rights
- (b) economy, society and the workplace
- (c) equality and non discrimination and
- (d) international solidarity

## OTHER AREAS CONSIDERED IN THIS TRACK

### *Severance Pay*

It is argued that severance pay as job security is considered by some employers as a hidden cost. The longer an employee works the higher the severance pay. Hence an employer becomes unwilling to terminate the employment contract for fear of paying out severance pay. On the other hand the employee may be stuck in the same job that is not satisfactory for fear of losing severance pay. This trend encourages job security but undermines security of employment. It is recommended that employers try funded severance pay system in order to allow employees to adjust labour inflow and outflow more easily. This system also gives employees a greater freedom and flexibility to change jobs (Turkey).

### *Work Stress as an Occupational Hazard*

Research in Philippines reveals that occupational factors play a significant role in influencing the health of supervisors especially in manufacturing industry. Supervisors are stressed by work overload, keeping abreast of developments in their field of expertise, multi-skilling and emerging organizational strategies. Although IT facilitates supervisors’ work, it is felt that IT has the effect of intensifying tasks and thereby creating more stress. This is because new technologies and reorganization of work increase participation of new types of workers who replace semi-skilled workers thereby increasing workload of skilled workers, mostly in supervisory positions.

## Conclusion

This summary has tried to raise pertinent issues relating to raising the floor for rights at work. The general consensus is that there is need to modernize labour policies by among others expanding the scope of employees needing protection, introducing new actors to complement or substitute existing ones, developing new approaches to doing things and being innovative and moving with the times of technology, environmental changes and of course globalization. The modern labour regime should have a combination of both regulation and de-regulation depending on the above factors and how easy it is to supervise, monitor, implement and enforce non compliance of labour standards. The new labour should focus inward and outward by taking into consideration welfare of employees, businesses, environment and the general public. The state as a regulator must modernize and formulate 'new ways of state intervention in the more global and marketized environment through new forms of regulation and governance based approaches' (Lucio and Stuart, 2012).

The good practice shared by British labour party modernization theory focused on three dimensions namely; (1) promotion of labour-employer partnerships for mutual gains, (2) facilitation of workplace change and (3) modernization of trade unions. Puig 2012 adds more areas of modernization that include modernization of policies on education and training. Calls have also been made for modernization of role of trade union and collective bargaining. On the other hand research on gender and other vulnerable groups, calls for gender mainstreaming in government and corporate governance. Such that as stakeholders are considering modernizing the labour market, they should not lose sight of the need to incorporate gender, youth, disability, migration and other minority rights. This approach is inevitable as there can be no true economic globalization without a human rights based approach that takes into consideration equality of opportunities and social justice for all.

The role of the state through public policy in improving rights at work cannot be overemphasized. Good practices have shown that a stable political system, with visionary policies has the capacity to stimulate economic growth that in turn enhance job creation and better labour standards. It is shown that there is a relationship between good governance and management of wage gap, collective dismissals and general appreciation of human rights. Leadership at political and industry level including trade unions and civil society organizations plays a crucial role of raising rights at work. In this regard, we have been told of how Philippines for example, made excellent strides in narrowing gender discrimination during the reign of President Arroyo and we have also been informed of how trade unions, collective bargaining and general protection of rights of employees and especially vulnerable groups have improved when labour party in England, Australia and New Zealand and democratic party in USA have been in power. In terms of trade unions we are cautioned on the need to have leaders who are selfless because selfish leaders who maintain extravagant lifestyles at the expense of their constituents have tendency to demoralize and dilute trade union roles. Similarly, women as drivers of change must be supported to occupy leadership roles as it is believed that leaders are not born but made.

International bodies and instruments continue to play critical role in promoting labour standards at national level. This is more so due to globalization of the economy. We live in a global village and all people must receive equal protection regardless of where they work or where they come

from. It is opined that there can be no sustainable development without equity for all. This can better be achieved by global bodies and blocks working in partnership with governments, businesses, employees, academic institutions and civil society organizations among others. In this regard the combined efforts of the ILO, CEDAW, OECD, IFA and others in promoting and enforcing rights at work are commendable and the relationships must be nurtured and improved.

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4. What are the Moral Obligations and Responsibilities of Business\_ An Empirical study of Public Beliefs about the role of Private Firms in Sweden
5. An Analysis Of Public And Private Initiatives To Protect The Labour Rights Of Farm Workers: Comparative Perspectives From South Africa
6. Enforcement Of Labor Standards In Multinational Companies In Spain: The Role Of Public Policies, Social Dialogue And CSR (Corporate Social Responsibility)
7. Prospects of European sectoral bargaining: Necessary and sufficient conditions for the functioning of supranational interest coordination.
8. The decline of collective bargaining in Britain, and the prospects for its resurrection
9. Who bears the brunt of an economic contraction\_: gender wage gap in Philippine manufacturing and service industries
10. Multinational Corporations in a negotiated economy - the Danish case.
11. Individual Employment Rights Litigation in the U.S.: A Labor and Employment Relations Analysis
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13. Contract Labour And The Right To Freedom Of Association In The Oil And Gas Industry In Nigeria
14. Regulating Employment: Between Universality and Selectivity
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16. Workers Rights and Labour Legislation: Reviving Collective Bargaining in Australia
17. Impacts of opposition in a post merger integration
18. Reflections On Prospects And Problems Of Globalization On Nigerian Women Workers' Interest In Trade Union.
19. Corporate Social Responsibility and Worker Protection: Two Sides of the Same Coin
20. Labour clauses within the Free Trade Agreements (FTAs) as opportunities to raise international labour standards
21. The Organizational Foundations of Social Partnership
22. Gender Issues in 21st century industrial relations-the case for pay equity and ILO Convention No.
23. The Use of Enforceable Undertakings as a Strategic Labour Law Compliance Strategy
24. Evaluating The Role Of Culture On Sexual Harassment: The Case Of Nigerian Organizations
25. An Insight into the Labour Conditions of Indian Domestic Workers: An Empirical Study
26. Employing Disability or Persons with Disabilities\_ Critical Reflections from India
27. Employment Relations in Emerging Economies without Formal Industrial Relations Systems: The Case of the United Arab Emirates
28. Severance Pay Fund as a Flexicurity Policy
29. Work Intensification in a Globalized Labour Market: The Case of Filipino Manufacturing Workers
30. The state, public policy and the ongoing renewal of HRM and Worker Rights
31. Slowing down Social Europe\_ The role of coalitions and decision-making arenas
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33. International Framework Agreements: enforcement of compliance and policy implications
34. Informality, Employment and Social Protection: Some critical perspectives for/from developing countries

35. Globalization and the Emerging forms of Employee Rights in Transformation Economies: The Contextual Issues
36. Muzzling the Watch Dog\_ A comparison of collective regulation and working women in New Zealand, Fiji and Australia
37. Causes of employment reductions after corporate takeovers
38. The regional wage floors as public policies to raise labour standards in Brazil
39. The Effectiveness of Co-Determination Laws in Cooperative and Adversarial Employment Relations: When does Regulation Bite
40. Labor Market Governance In The Philippines: A Case Of Collaborative Or Competitive Governance
41. Workers deserve better - a comparative analysis of the legal protection from age discrimination given to workers in the US and the UK/EU.
42. Political Bias in Labor Adjudication\_ Comparing the German Federal Labor Court and U.S. National Labor Relations Board
43. Work and employment relations in a globalized World: The emerging texture of cross-border labour regulation (Ludger Pries/Martin Seeliger)
44. Social dialogue, industrial relations and revitalization in Argentina after 2003
45. Transition from Soviet to Liberal Labour Law: Labour Standards in
46. Decent Work Agenda for Women: Right to Equality and Non Discrimination
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48. Soft regulation and the modernization of employment relations under the British Labour Government (1997-2010)
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*Index 3: Track 4 Country List*

1. Argentina
2. Austria
3. Australia
4. Brazil
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10. Georgia
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13. Hong Kong
14. India
15. Israel
16. Malawi
17. Nepal
18. New Zealand

19. Nigeria
20. Norway
21. Philippines
22. Poland
23. South Africa
24. Spain
25. Sweden
26. Switzerland
27. Turkey
28. United Kingdom
29. United States of America