

ILO Terminology

ARBITRATION

A non-court procedure for resolving disputes using one or more neutral third parties - called the arbitrator or arbitration panel. Arbitration uses rules of evidence and procedure that are less formal than those followed in trial courts, which usually leads to a faster, less-expensive resolution.

BALI PROCESS

Initiated by the governments of Australia and Indonesia, the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime is a multilateral initiative launched in 2002 aimed at combating people smuggling, trafficking and related transnational crime in the Middle East, Asia, and Pacific regions.

CHILD LABOUR

Child Labour is an unacceptable form of child work. It is work that exposes children to harm or exploitation. Child labour can be divided into three categories: work done by a child who is younger than the minimum age for that kind of work; hazardous work that poses a risk to the physical, mental or moral well being of a child; and the unconditional worst forms of child labour. The ILO is working to eliminate child labour in all three categories. The worst forms are outlined in a special Convention, and include slavery, trafficking, debt bondage and forced labour, forced recruitment for armed conflict; prostitution, pornography and illicit activities.

COLLECTIVE BARGAINING

Collective bargaining means workers' organizations and employers' organizations negotiating terms and conditions of employment, regulating relations between workers and employers or their organizations. The right to collective bargaining goes hand in hand with freedom of association. When workers and employers and their representatives have these meetings, they can discuss issues such as salary, health and safety, general working conditions and any other issue of mutual concern. The collective bargaining process can involve sharing information and concerns, consultation, assessing working conditions and discussing the terms under which employers and employees work together.

COMMITTEE ON FREEDOM OF ASSOCIATION

The Committee of Freedom of Association is the tripartite committee of the ILO's Governing Body responsible for the examination of complaints alleging violation of the principles of freedom of association.

CONCILIATION

There is no single definition of conciliation and the role of a conciliator may vary according to the context in which they are working. The process is similar to mediation, although conciliators are often seen as being more interventionist. Conciliators may contribute their own views and opinions during the conciliation process and often the options for settlement will be restricted by legislative requirements.

CONSTITUENTS

Constituents of the ILO are representative organizations of employers and workers, and governments of member states.

CONVENTIONS

A Convention is a legal agreement between a member State of the ILO and the ILO itself. Conventions must first be adopted by the International Labour Conference, with government, employer and worker representatives from all the ILO's member states. Countries that 'ratify' or sign up to conventions are required to make sure that national laws respect the content of that Convention. The ILO currently has 185 conventions, all of which protect social justice in the world of work.

CONVENTIONS RELATING TO THE FOUR DECLARATION PRINCIPLES AND RIGHTS

The ILO's Governing Body has identified eight Conventions as fundamental to the rights of human being at work, irrespective of the level of development of individual member States. These rights are a precondition for all the others in that they provide a necessary framework from which to strive freely for the improvement of individual and collective conditions at work. They include the following conventions:

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

CORE LABOUR STANDARDS

See 'International Labour Standards'.

DEBT BONDAGE

Debt bondage is a form of forced labour and is a violation of basic human rights. Debt bondage or bonded labour occurs when a person's labour is demanded in return for a loan. Victims of debt bondage are often tricked into working for little or no money, making it very difficult to ever repay the debt. Some victims of bonded labour are trapped

in a system of indebtedness, sometimes for their whole lives. Sometimes whole families are affected, and in some cases, children have inherited their parents' debts.

DECENT WORK

The goal of the ILO is not just the creation of jobs, but the creation of jobs of acceptable quality. The quantity of employment cannot be divorced from its quality. The need today is to devise social and economic systems, which ensure basic security and employment while remaining capable of adaptation to rapidly changing circumstances in a highly competitive global market. Decent work means productive work in which rights are protected, which generates an adequate income, with adequate social protection. It also means sufficient work, in the sense that all should have full access to income-earning opportunities.

DECLARATION ON FUNDAMENTAL PRINCIPLES AND RIGHTS AT WORK

Adopted in 1998, the ILO Declaration on Fundamental Principles and Rights at Work is an expression of commitment by governments, employers' and workers' organizations to uphold basic human values - values that are vital to our social and economic lives. They include protecting the right to freedom of association and collective bargaining as well as eliminating forced labour, child labour and discrimination at the workplace. The Declaration emphasizes that all member states have an obligation to respect the fundamental principles involved, whether or not they have ratified the relevant conventions.

DIRECTOR GENERAL

The Director-General is the person appointed by the ILO's Governing Body responsible for the efficient conduct of the International Labour Office and for such other duties as may be assigned to him or her.

DISCRIMINATION

Discrimination occurs when people are treated differently or unfairly. Discrimination at work involves practices that have the effect of placing certain individuals and social groups in a position of subordination or disadvantage relative to other individuals or groups. Distinctions of this kind can be made on a variety of grounds, including sex/gender, race colour, political opinion, social origin and/or national extraction.

EMPLOYMENT

The term employment means work or service performed for wages under a contract of hire, which creates the employer and employee relationship. It may be either an expressed or implied contract.

FORCED LABOUR

Forced or compulsory labour is any work or service that is taken from people under the menace of any penalty and which they have not voluntarily offered to do. People can be pushed into forced labour by threats, physical violence or sexual abuse. Sometimes victims' movements are restricted, and sometimes they are caught in debt bondage. Forced and compulsory labour can take many forms.

FREEDOM OF ASSOCIATION

Freedom of association is a right that all workers and employers have - the freedom to form and join groups of their own choosing with elected representation - to promote and defend their interests concerning work. The main way to express Freedom of Association is through collective bargaining. This basic human right goes together with freedom of expression and is the basis of democratic representation and governance. People should be able to exercise their right to influence matters that directly concern them. In other words, everyone's voice needs to be heard and taken into account.

GENDER

Gender refers to social differences and relationships between men and women which are learned, changeable over time, and vary within and between societies and cultures. The primary goal of the ILO today is to promote Decent Work for all women and men. This is productive work performed in conditions of freedom, equity, security and human dignity, to which women and men have access on equal terms.

GLOBALIZATION

Globalization is the changing of our world into one where our economic, social, and political relations are becoming more and more intertwined and international. In a way, it refers to the fact that our world is becoming a smaller place. Advances in information and communications technology mean that we can contact people on the other side of the world more easily, and receive international news the same moment that it is happening. On the trade side, more and more trade is occurring on an international level. For example, a shoe with a German brand name that is sold in the United States might be made in China. Globalization has benefits, but there are concerns that these are not reaching people equally.

GOVERNING BODY

The Governing Body, which comprises of 28 government members, 14 Employers and 14 Worker members, is the executive Council of the ILO, which meets 3 times a year in Geneva. It takes decision on actions to give effect to ILO policy, elects the Director General of the ILO and prepares the draft programme and budget which it then submits to the International labour conference, for adoption. Ten of the Government seats are permanently held by States of chief industrial importance (Brazil, China, France, Germany, India, Italy, Japan, Russian Federation, UK and US). The Government delegates

at the Conference elect representatives of other member countries every three years, taking into account geographical distribution. The employers and workers elect their own representatives in separate electoral colleges.

INFORMAL ECONOMY

The informal economy refers to informal jobs and production units not covered by regulation. These units and jobs are unprotected, unrecognized and unorganized thereby leaving workers in this sector of the economy vulnerable and insecure.

INTERNATIONAL LABOUR CONFERENCE

The International Labour Conference is the annual meeting of the tripartite delegations (governments, workers' and employers') of member states of the International Labour Organization.

INTERNATIONAL LABOUR STANDARDS

The ILO's standards take the form of international labour Conventions and Recommendations. The ILO's Conventions are international treaties, subject to ratification by ILO member States. Its Recommendations are non-binding instruments - dealing with the same subjects as Conventions - which set out guidelines which can orient national policy and action. Both forms are intended to have a concrete impact on working conditions and practices in every country of the world. The setting of international labour standards is a unique legislative process, which involves governments, as well as employers' and workers' representatives of ILO member states.

INTERNATIONAL LABOUR ORGANIZATION

Founded in 1919, by the treaty of Versailles, the International Labour Organization is a specialized agency of the UN which seeks the promotion of social justice and internationally recognized human and labour rights. The ILO formulates international labour standards in the form of Conventions and Recommendations setting minimum standards of basic labour rights: freedom of association, the right to organize, collective bargaining, abolition of forced labour, equality of opportunity and treatment, and other standards regulating conditions across the entire spectrum of work related issues. It provides technical assistance primarily in the fields of:

- Vocational training and vocational rehabilitation
- Employment policy
- Labour administration
- Labour law and industrial relations
- Working conditions
- Management development
- Cooperatives
- Social security
- Labour statistics and occupational safety and health

It promotes the development of independent employers' and workers' organizations

and provides training and advisory services to those organizations. Within the UN system, the ILO has a unique tripartite structure with workers and employers participating as equal partners with governments in the work of its governing organs. The International Labour Office in Geneva is the secretariat of the Organization.

KAMAIYA SYSTEM

The Kamaiya system is commonly known as an agriculturally based bonded labour system in the western lowlands of Nepal. Low wages, caste discrimination, unequal access to resources and education, and unequal distribution of land force Kamaiya to take loans to satisfy their daily needs. In order to pay off the debts, the entire family is usually forced to work for the landlord for little or no additional income under compulsion of the annual Kamaiya contract - this can tie families into bondage for generations. The debt is passed on from father to son, and many women marry into bondage, finding themselves trapped just as their husbands are.

MEDIATION

A dispute resolution method designed to help warring parties resolve their own dispute without going to court. In mediation, a neutral third party (the mediator) meets with the opposing sides to help them find a mutually satisfactory solution. The mediator has no power to impose a solution. No formal rules of evidence or procedure control mediation; the mediator and the parties usually agree on their own informal ways to proceed.

MIGRATION

Migration is the movement of persons from one country or locality to another. Labour migration is a key feature of globalization. The number of countries employing foreign labour has more than doubled in the recent years. More and more governments are recognizing the need to establish, modernize, and improve their laws, policies, practices and administrative structures for ensuring orderly migration. This has to be done in full awareness of the need to go beyond measures of control, to ensuring respect for human rights, and enhancing cooperation between origin and destination countries through bilateral treaties or regional agreements.

PALERMO PROTOCOL

The United Nations Convention Against Transnational Organized Crime and its two supplementary Protocols were signed by 120 states of 148 present in Palermo, Italy in December 2000. According to the Palermo Protocol, trafficking in persons includes cases where victims are threatened, deceived or coerced into working as prostitutes or unpaid workers. The Trafficking Protocol recognizes the need for a combined approach that integrates effective prevention of trafficking with the prosecution of traffickers and the protection of human rights and assistance to victims of trafficking.

PROTOCOL

A protocol is an instrument or treaty amending, or supplemental to, another treaty.

RATIFICATION

Ratification means to confirm or accept a contract through some formal means, such as a signature. For example, ILO member States can choose to ratify ILO Conventions. Once a country has ratified a Convention, it is legally bound to respect the conditions and details of that convention. At the same time, the ILO has a responsibility to work with countries that have ratified particular Conventions to ensure that the principles can be respected.

RECOMMENDATION

A recommendation is an instrument not open to ratification but which lays down general or technical guidelines to be applied at the national level. They often provide detailed guidelines to supplement principles set out in Conventions, or they may provide guidance on subjects which are not covered by Conventions.

RESOLUTION

A resolution is a formal expression of an opinion on a particular subject adopted by the International Labour Conference.

SMUGGLING

Smuggling is the illegal transport across state, national or international boundaries of goods or persons liable to customs or to prohibition. The smuggling of people across national borders has become a lucrative extra-legal activity. (It is useful to distinguish between trafficking in persons and people smuggling. A person who is trafficked is kept under the control of the traffickers, whereas a migrant smuggler simply facilitates clandestine entry into a country.)

SOCIAL PARTNERS

Social partner is the term used to refer to employers' and workers' organizations engaged in dialogue, or partnership, with governments to determine social and labour policies.

SOCIAL PROTECTION

People who lack social protection suffer from a broader social exclusion, particularly with regard to access to education and training, to credit or employment. To reduce exclusion in a lasting manner, the ILO is working towards addressing its causes and symptoms.

SOCIAL DIALOGUE

Social dialogue is defined by the ILO to include all types of negotiation, consultation or simply exchange of information between, or among, representatives of governments, employers and workers, on issues of common interest relating to economic and social policy. While the definition and concept of social dialogue varies from country to country and from region to region, the overriding principles of freedom of association and the right to collective bargaining remain the same.

TECHNICAL COOPERATION PROJECTS

ILO technical co-operation projects are a series of practical activities (including technical advice, training or organizational support), which take place in co-operation with government, workers and employers organizations. Since the early 1950s, the ILO has been providing technical cooperation (now \$130 million annually) to countries on all continents and at all stages of development. The ILO maintains a network of area and regional offices worldwide, which provide on-going interaction at the local level.

TRAFFICKING

Trafficking in people involves moving people from one place to another - so that they can be exploited. Trafficking often involves criminal gangs, who may make profits by selling people into jobs with unfavorable conditions, including sexual exploitation and criminal activities. Traffickers often tell people false stories about good jobs and work opportunities. When they arrive, they may be forced into exploitative or illegal work. Women and children are especially vulnerable to trafficking.

TRIPARTITE STRUCTURE

A tripartite structure involves three groups, or parties. The ILO has a tripartite structure, involving governments, employer and worker organizations. National-level tripartite activities also involve these three parties in the country concerned. The employers' and workers' organizations are often referred to as social partners - because they represent important parts of society that are essential to the world of work.

UNDEREMPLOYMENT

Underemployment is a situation in which a worker is employed, but not in the desired capacity, whether in terms of compensation, hours, or level of skill and experience. While not technically unemployed, the underemployed are often competing for available jobs, which match their capacity.

WORLD OF WORK

The world of work involves all of us. It is an essential part of everyday adult life and the world of work refers to the conditions, the quality and the social structures which relate in some way to employment. But at the same time, the world of work relates to more than just employment. It also implies the balancing of responsibilities of work and family and community life. Even if we do not yet work, our lives are affected by the world of

work. For example, the health of a child's parents may depend on the health and safety measures which are in place at their workplace. The pensions they will have when they retire depend on social security or insurance systems, which may be privately or publicly organized. A child's schooling may be paid for by his or her parents' employers and a family's lifestyle will depend to some extent on how well parents are paid for the work they do. Exercising rights at work can influence all these factors positively and constructively.