

Acuerdos Bilaterales

Clasificación: 15-2008

Fecha de Ingreso: 5 de febrero de 2008

Nombre de Acuerdo: Amendment number one to the Grant Agreement dated November 1, 2006 between the General Secretariat of the Organization of American States and Her Majesty the Queen in right of Canada for the Project Second phase of the Inter-American Network for Labor Administration (RIAL)

Materia:

Partes: SG/OEA & Minister of Labour of Canada

Referencia: Canada

Fecha de Firma: 11 de junio de 2007

Fecha de Inicio:

Fecha de Terminación:

Lugar de Firma:

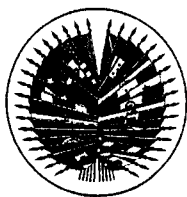
Unidad Encargada:

Persona Encargada:

Original:

Claves:

Cierre del proceso:



Organización de los Estados Americanos
Organização dos Estados Americanos
Organisation des États américains
Organization of American States

Date: 6/20/2006⁷
Code: SEDI/DDSE/163

To: Louis Ferrand, Legal Advisor to the Secretary General
From: Francisco Pilotti, Director, Department of Social Development and Employment
Subject: Amendment Number One to the Grant Agreement dated November 1, 2006 between the GS/OAS and Canada, represented by the Labour Program of Human Resources and Social Development Canada

For your records, attached please find the original Amendment Number One to the Grant Agreement dated November 1, 2006 between the GS/OAS and Canada, represented by the Labour Program of Human Resources and Social Development Canada. The amendment was signed by this Department on June 11, 2007 after receiving the valuable support from your Office.

*Recebido 09/20/07
pilotti*



June 18, 2007

Francisco Pilotti
Director, Department of Social Development and Employment
OAS General Secretariat Building
1889 F Street, N.W. GSB-781
Washington, D.C. 20006

Dear Mr Pilotti:

Please find enclosed for your files an original copy of the signed amendment to the grant agreement between the Labour Program of Human Resources and Social Development Canada (HRSDC) and the General Secretariat of the Organization of American States for the project: *Second Phase of the Inter-American Network for Labor Administration (RIAL)*.

Sincerely,

Kim Oliver
Acting Deputy Director
Office for Inter-American Labour Cooperation
Labour Program

Enclosure: (1)

AMENDMENT NUMBER ONE
to the
GRANT AGREEMENT DATED NOVEMBER 1, 2006
between
THE GENERAL SECRETARIAT OF THE ORGANIZATION OF AMERICAN STATES
and
HER MAJESTY THE QUEEN IN RIGHT OF CANADA
for the
**PROJECT SECOND PHASE OF THE INTER-AMERICAN NETWORK FOR LABOR
ADMINISTRATION (RIAL)**

The Parties, Her Majesty the Queen in Right of Canada (hereafter referred to as "Canada"), herein represented by the Minister of Labour acting through the Labour Program of Human Resources and Social Development Canada ("HRSDC"), and the General Secretariat of the Organization of American States ("GS/OAS"), through its Department of Social Development and Employment ("DDSE"),

HEREBY AGREE, pursuant to Article 7.1 of the November 1, 2006, Grant Agreement between the General Secretariat of the Organization of American States and Her Majesty The Queen in Right of Canada for the Project Second Phase of the Inter-American Network for Labor Administration (RIAL), (hereinafter referred to as the "Grant Agreement") to amend the Grant Agreement as follows:

1. Article 1.2 of the Grant Agreement is hereby deleted and the following substituted therefor:

"Canada's grant shall not exceed CDN \$586,080¹ and shall be used exclusively for the project activities that have been approved by the Labour Program of HRSDC. The GS/OAS shall not make any substantial changes to the project objectives and activities without the prior written approval of Canada. Although the parties shall consult on the matter, Canada shall determine what constitutes a substantial change."

2. Article 1.4 of the Grant Agreement is hereby deleted and the following substituted therefor:

"Unless sooner terminated as provided for in Article 7 below, this Agreement will remain in effect until March 31, 2008."

3. ANNEX 1.1 - PROPOSAL FOR THE PROJECT: THIRD PHASE OF THE INTER-AMERICAN NETWORK FOR LABOR ADMINISTRATION (RIAL), attached to this Amendment Number One is hereby added to the Grant Agreement and is incorporated by reference therein.

4. ANNEX 2.1 – INSTALLMENT SCHEDULE FOR THIRD PHASE OF THE RIAL, attached to this Amendment Number One is hereby added to the Grant Agreement and is incorporated by reference therein.

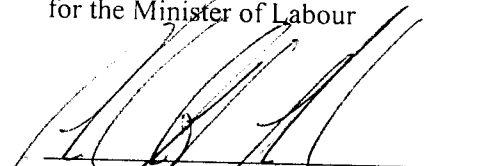
¹ The amount of CDN \$ 586,080 consists of the original grant of CDN \$310,800 pursuant to the Grant Agreement of November 1, 2006 and an additional CDN \$275,280 pursuant to the present Amendment No.1.

5. All other terms and conditions of the Grant Agreement dated November 1, 2006 as amended by this Amendment Number One that are not inconsistent with the provisions of this Amendment Number One remain unchanged and are in full force and effect.

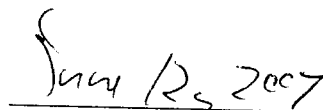
IN WITNESS WHEREOF, the duly authorized representatives of the Parties have executed this Amendment Number One in duplicate originals at the locations and on the dates indicated below:

FOR HER MAJESTY

Anthony Giles
Director General, International and Intergovernmental Labour Affairs
Labour Program, HRSDC
for the Minister of Labour



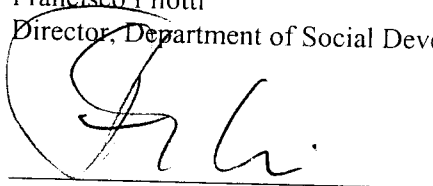
Signature



Date & Location

FOR THE GS/OAS

Francisco Pilotti
Director, Department of Social Development and Employment, GS/OAS



Signature

WASHINGTON D.C., JUNE 11, 2007
Date & Location

ANNEX 1.1

PROPOSAL FOR THE PROJECT: THIRD PHASE OF THE INTER-AMERICAN NETWORK FOR LABOR ADMINISTRATION (RIAL)

Section I: Applicant

A - Applicant's Background, Mandate, and Expertise

The Organization of American States (OAS) brings together the countries of the Western Hemisphere to strengthen cooperation and advance common interests. It is the region's premier forum for multilateral dialogue and concerted action. In the area of Labor the General Secretariat of the OAS (GS/OAS), through its Department of Social Development and Employment, serves as the Technical Secretariat of the Inter-American Conference of Ministers of Labor (IACML). In that capacity it coordinates and organizes conferences and meetings, gives technical support for the compliance of Ministerial Plans of Action, develops a horizontal cooperation strategy among the Ministries of Labor of the Hemisphere and supports inter-agency cooperation.

The GS/OAS has been the Technical Secretariat of the IACML since 1963, when the first conference was held.

B - Past Projects with HRSDC/Labour Branch and their Achievements

HRSDC and the GS/OAS signed an agreement in March, 2006 to support the Initial Stage of the Inter-American Network for Labor Administration (RIAL, for its acronym in Spanish). Through this agreement, Canada contributed \$65,844.45. The agreement ended on June 30, 2006 and the grant was spent entirely and all the expected results were successfully achieved. In November, 2006 HRSDC and GS/OAS signed a new agreement to support the Second Phase of the RIAL until June 30, 2007. Through this new grant Canada contributed \$310,800.

The main achievements of the Initial and Second Phase of the RIAL have been: 1) the undertaking of three hemispheric workshops: on Occupational Health and Safety in El Salvador in May, 2006, on Labor Rights of Migrant Workers in Canada in November, 2007 and on Technical Assistance in Costa Rica in May, 2007. All of these workshops were attended by representatives from more than 20 Ministries of Labor of the Hemisphere, as well as by international organizations, COSATE and CEATAL, 2) the review of the Permanent Portfolio of Consolidated Programs in Labor and the identification of secondary sources to continue to update it, 3) the constitution of the RIAL Cooperation Fund, to finance bilateral cooperation between the Ministries of Labor of the region, 4) the publication of the first RIAL brochure.

Additionally, HRSDC and the GS/OAS signed an agreement on August, 2005 to support the participation of smaller economies in the third preparatory meeting of the XIV IACML. Through this agreement, Canada contributed \$35,750. That agreement also ended on June 30, 2006 and it allowed for the participation of 15 representatives of the Caribbean, Central and South America to attend the IACML preparatory meeting. It also complemented the grant

to the RIAL, covering the cost of travel of 11 participants from smaller economies to the Second Hemispheric Workshop on OHS.

Additionally, HRSDC hosted the XII IACML in September 2001 and has been very active in the activities of the Conference. The strong and productive relationship between HRSDC and GS/OAS in support of the Conference activities and priorities is based on shared strategic objectives and plays a pivotal role in the strengthening of labor issues in the Americas.

Section II: Proposal

C - Proposed Project/Activity and its Objectives

Description of the project: Implementation of the Third Phase of the Inter-American Network for Labor Administration (RIAL), which is an initiative originating from the Inter-American Conference of Ministers of Labor (IACML).

This project is a further development of the previous grants received from HRSDC for the Initial and Second Phase of the RIAL. Therefore, it will continue to enhance and build upon horizontal cooperation activities among the Ministries of Labor of the Hemisphere.

Background: The Plan of Action of Mexico, approved during the XIV IACML in September, 2005 specifies, as one of the activities of the Conference, the need to continue working towards the creation of the RIAL and requests the Technical Secretariat (GS/OAS) to explore funding sources. The RIAL will be administered by the GS/OAS as Technical Secretariat of the IACML.

Objective of the project: To continue to strengthen the institutional capacity of the Ministries of Labor to respond to common challenges in the region, through horizontal cooperation and technical assistance.

Specific objectives:

- 1) Identify and systematically organize the collective experience and knowledge of the Ministries of Labor of the Hemisphere.
- 2) Process information on programs and projects of cooperation and technical assistance in an orderly manner, with objective criteria.
- 3) Encourage the countries to exchange information on the implementation of programs and successful experiences, through activities of horizontal cooperation based on the critical transfer of experiences and lessons learned.
- 4) Support, facilitate and provide channels of communication among the Ministries of Labor and with international organizations, financing agencies and social actors.
- 5) Strengthen coordination and cooperation with international organizations and cooperation agencies, particularly with the ILO.

- 6) Deepen the analysis of key priority areas identified by the Ministries of Labor of the Hemisphere, through the IACML.
- 7) Contribute to the follow-up of the IV Summit of the Americas and the XIV IACML.

D - Proposed Activities or Sub-Activities and Timelines

The project has three main activities that will be carried out between July 2007 and March, 2008. The RIAL itself has additional activities that exceed this specific project but that can be explored for future funding.

Activity 1: Workshops on priority areas of the IACML

The core activity of the RIAL is institutional capacity building based on the implementation of workshops, missions and seminars where Ministries of Labor, international agencies, social partners and financing agencies, can get together to exchange information and analyze specific issues. During the third phase of the RIAL, the following workshops and meetings are being planned and will be funded with the grant received from HRSDC:

1.1 Workshop on labor dimension of free trade agreements and regional integration processes and Second Preparatory Meeting of the XV IACML – Port of Spain, July 10-13, 2007

The workshop on labor dimension of free trade agreements and regional integration processes was identified by the IACML authorities as one of the main activities of the Conference during the Planning Meeting in December, 2005. During the workshop, Ministries of Labor will exchange information and experiences on labor provisions of FTAs, focusing on the normative aspect.

The workshop will take place on July 10, 2007 and immediately after, on July 11 to 13, the Second Preparatory Meeting of the XV IACML will be held. During this meeting, Ministries of Labor will reach consensus on the Declaration and Plan of Action to be approved during the XV IACML in September, 2007. These documents will be the bases for future activities of the RIAL.

The workshop and preparatory meeting will be coordinated by the OAS, in conjunction with the Ministry of Labor of Trinidad & Tobago (as Chair of the XV IACML) and HRSDC, as the main contributor to the workshop.

This grant will fund travel expenses for 30 participants from the Ministries of Labor, COSATE (2 participants, one of them has to represent Canada), CEATAL (2 participants, one of them has to represent Canada) and some speakers, giving priority to representatives from the smaller economies. It will also cover logistical costs of the meeting, except simultaneous interpretation, which will be covered by another donor.

After the completion of this activity an assessment of the financial resources used and available will be made. The remaining resources may be used to cover travel expenses of representatives from smaller economies, COSATE, CEATAL and speakers to a workshop or

meeting of the IACML, to be defined by HRSDC jointly with the OAS, that may include the RIAL Workshop on Social Security to take place in Chile and/or the XV IACML.

1.2 Planning Meeting after the XV IACML – December, 2007

After the XV IACML, the authorities of the IACML (troika, Working Groups chairs and vice-chairs, COSATE and CEATAL chairs) will get together to define the calendar of activities of the IACML in general and the RIAL in particular. Key international organizations, such as the ILO, PAHO and IDB, will be invited to participate in the meeting, in order to express their specific commitments to support IACML and RIAL-specific activities. During the meeting, participants will agree on timelines, priorities, responsibilities and commitments.

Given this planning meeting is so fundamental to the operation of the RIAL, through this grant, HRSDC will fund the logistics and simultaneous interpretation of the meeting, as well as travel for 4 participants (Chairs of COSATE and CEATAL and 2 smaller economies). Working Groups Chairs and Co-Chairs (6 in total) are not defined at this point, but it is expected that at least 2 smaller economies will be part of this group.

Activity 2: RIAL Cooperation Fund

The RIAL Cooperation Fund is a component of the RIAL created in 2007 to facilitate bilateral and multilateral cooperation among the Ministries of Labor, identified and negotiated directly by them.

The Fund will cover travel expenses of representatives of Ministries of Labor to undertake "Cooperation Activities", that can take any of the following 2 forms:

- On-site visits or study tours: Representatives from the Beneficiary institution travel to the Providing institution to learn first hand about a program or initiative, or to receive technical assistance. The visit/tour should be tailored to the needs of the Beneficiary Institution and as such, the funds will not be used to cover participation in general conferences or seminars.
- Experts visits: Expert(s) from the Providing institution travels to the Beneficiary institution to provide specific training or technical assistance.

The Providing institution is the Ministry of Labor that will share a specific program or expertise, and the Beneficiary institution or institutions are the Ministry(ies) of Labor that will analyze a specific program or practice, or that will receive technical assistance.

Ministries of Labor need to submit funding proposals specifying the objectives of the cooperation activity to the DDSE. The first call for proposals was launched in January, 2007 and the first five activities will take place between May and September, 2007. Based on the availability of resources a second call for proposals could be launched in the second semester of 2007.

Through this grant, 4 additional cooperation activities could be funded, after the second call for proposals and until March 31, 2008.

Activity 3: Enhancement of RIAL's operations

As Technical Secretariat of the IACML and the RIAL, the DDSE devotes time and expertise of its Director and staff in the coordination of the Conference and its follow-up. Given the magnitude of the RIAL activities, it is necessary to have the following additional human resources:

1) A full time consultant should be hired to undertake the following specific tasks: 1) participate in procurement and logistical issues of the RIAL activities, 2) assist in updating the Permanent Portfolio of Consolidated Programs, which implies: consulting the Ministries of Labor that have not yet posted programs in the Portfolio to encourage them to send information; and verifying with the other Ministries of Labor if information is accurate and if they want to change, add or eliminate programs, 3) Identify new programs that could be incorporated in the Portfolio from various sources, including international reports, websites, and presentations provided by Ministries of Labor in international meetings, including the IACML Working Groups meetings in April, 2006 and May, 2007, 4) assist in updating the IACML and RIAL websites, to announce activities, compile the outcomes of workshops and cooperation activities, publicize studies and, in general, allow for the dissemination of information.

2) A webmaster (consultant) to produce a new electronic version of the Permanent Portfolio of Consolidated Programs and continue updating the IACML and RIAL websites.

In this regard, the budget accounts for a full time consultant and a part-time consultant for the time of this project. These consultants will be an integral part of the DDSE/OAS and as such, will enhance its capabilities and technical support services.

ACTIVITIES TIMELINE

ACTIVITY	2007						2008		
	July	Aug	Sept	Oct	Nov	Dec	Jan	May	June
1. Workshops									
1.1. Labor dimension of FTAs and 2nd Prep Mtg	██████████								
1.2. Planning Meeting after XV IACML					██████████				
2. RIAL Cooperation Fund			██████████	██████████	██████████	██████████	██████████	██████████	██████████
3. Enhancement of RIAL operations	██████████	██████████	██████████	██████████	██████████	██████████	██████████	██████████	██████████

E - Expected Results

In general terms, the Inter-American Network for Labor Administration (RIAL) will support capacity-building and professionalization of the Ministries of Labor of the Hemisphere, through horizontal cooperation and technical assistance.

Regarding specifically the workshops planned, the expected results are to deepen the cooperation among Ministries of Labor, social actors and international organization, and share regional experiences in the various topics.

Section III: Management

F - Record Management Strategy

The GS/OAS will use its contact lists and networks to manage this project. It will keep a record of the activities undertaken and of the communications maintained with participating countries.

G - Methods that will be Used to Measure the Project's/Activity's Success

Activity 1: Workshops on priority areas of the IACML

- Number of participants per workshop.
- Countries and sub-regions represented.
- Involvement of international organizations and financial agencies.
- Participation of social partners.

Activity 2: RIAL Cooperation Fund

- Number of trips funded.
- Number of bilateral or multilateral meetings facilitated.
- Number of reports submitted by parties involved in bilateral and multilateral cooperation activities.

Activity 3: Enhancements of RIAL's operations

- Number of policies, programs and policies identified.
- Number of responses received from Ministries of Labor and time of response.
- Updating of the Portfolio of Consolidated Programs completed.
- Number of websites and web announcements elaborated.

The OAS will submit a Final Report to HRSDC including the indicators mentioned above. The Report will incorporate the results of all the activities of the project and of the work undertaken by consultants under the supervision and guidance of the OAS.

PROJECT BUDGET

(Shows only budget requested to HRSDC – In Canadian Dollars)

Activity / Actividad	Unit / Unidad	Quantity / Cantidad	Unit Cost/ Costo Unitario	Total Cost/ Costo Total
1.1 Workshop on labor dimension of FTAs and Second Prep Mtg XV IACML - July 07, Trinidad & Tobago				
- Airfare tickets for participants (MinLab, COS, CEA, speakers)	Tickets/part.	30	\$2,000	\$60,000
- Perdiem for participants (MinLab, COS, CEA, speakers)	perdiem 5 days	30	\$1,450	\$43,500
- Logistics and materials (room, coffee breaks, reproduction docs)	Various/sem.	1	\$15,000	\$15,000
- Translation of documents	Various/sem.	1	\$10,000	\$10,000
Subtotal				\$128,500
1.2 Planning meeting after XV IACML - December 07				
- Airfare tickets for participants (MinLab, COS, CEA)	Tickets/part.	4	\$1,200	\$4,800
- Perdiem for participants (MinLab, COS, CEA)	perdiem 3 days	4	\$800	\$3,200
- Logistics and materials (room, coffee breaks, reproduction docs)	Various/sem.	1	\$5,000	\$5,000
- Simultaneous interpretation (2 languages/i interpreters and eq.)	Interpr/day	2	\$3,000	\$6,000
Subtotal				\$19,000
2. RIAL Cooperation Fund				
- Cooperation activities (tickets and perdiem s)	Coop. activity	6	\$10,000	\$60,000
Subtotal				\$60,000
3. Enhancement of RIAL's operations				
- Full-time consultant for 9 months	const/month	9	\$3,000	\$27,000
- Part-time consultant for 9 months (website)	Travel/partic.	9	\$1,500	\$13,500
Subtotal				\$40,500
SUBTOTAL PROJECT COSTS (Activity related)				\$248,000
Overhead (11%)*				\$27,280
TOTAL PROJECT COSTS				\$275,280

*The Overhead, also known as "Indirect Cost Recovery" is established based on the Executive Order 07-01 "Policy on Indirect Cost Recovery" of the General Secretariat of the OAS. This Executive Order entered into force on May 29, 2007, therefore it only affects the overhead charged for the Third Phase of the RIAL (Annex 1.1)

ANNEX 2.1

Installment Schedule

Date	Payment	Amount
June 11, 2007	1	\$180,000 (CDN)
November 1, 2007	2	\$95,280 (CDN)