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### FINAL REPORT OF WORKING GROUP 1 OF THE INTER-AMERICAN CONFERENCE OF MINISTERS OF LABOR

#### “INTEGRATED PUBLIC POLICIES FOR PRODUCTIVE EMPLOYMENT AND DECENT WORK WITH SOCIAL INCLUSION”

Presented by the Ministries of Ecuador (Chair of WG1), Chile and Brazil (Vice-Chairs of WG1)

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#### I. INTRODUCTION

The Plan of Action of Bridgetown, approved by the XX IACML in December of 2018, established two Working Groups “to advise the IACML regarding the objectives of the Declaration of Bridgetown 2017. As such, the Working Groups will examine in greater depth the topics identified in this Plan of Action, facilitate exchange of experiences, provide pertinent information and studies, and follow up on related hemispheric initiatives.”

Working Group 1 is titled “Integrated public policies for productive employment and decent work with social inclusion,” and it was tasked by the Plan of Action to follow up on the Declaration of Bridgetown by addressing the following topics:

- The future of work;
- Equality in the labor market, elimination of employment discrimination, and labor inclusion for vulnerable populations;
- Promotion of decent work and full and productive employment in the context of the ILO Decent Work Agenda and the 2030 Agenda for Sustainable Development;
- Integration of labor, education, and training policies;
- Youth employment and school-to-work transition;
- Technical and professional training and public employment services to respond to the needs of the labor market;
- Labor market information systems;

- Sustainable enterprises, including micro, small, and medium-sized enterprises and other production units;
- Transition from the informal to the formal economy; and
- Gender equality and gender mainstreaming in labor and employment policies.

These topics were addressed during the 2018-2021 biennium in two meetings of Working Group 1 that took place on December 3, 2019 in Quito, Ecuador, and virtually in September 10<sup>th</sup>, 2020. The latter addressed the topics considering the effects of the COVID-19 pandemic in the world of work. Similarly, a RIAL Workshop on skills for the future: Contributions from the Ministries of Education and Labor” took place on May 16 and 17, 2019, in Santiago, Chile; and many actions were advanced to promote the mainstreaming of a gender approach in the Ministries of Labor, including the update of the RIAL Study on the institutionalization of gender in the Ministries; the undertaking of hemispheric dialogues on gender, and the development of a Virtual course on Gender Violence at Work through the OAS Educational Portal of the Americas.

The WG1 meetings were attended by officials from at least 20 Ministries of Labor -it is noteworthy the presence of 27 Ministries in the virtual meeting- and representatives of the Business Technical Advisory Committee on Labor Matters (CEATAL), the Trade Union Technical Advisory Council (COSATE), and experts from international organizations such as the International Labor Organization (ILO), the Pan American Health Organization (PAHO), the Pan-American Health Organization (PAHO), the International Organization for Migration (IOM), the Ibero-American Social Security Organization (OISS), the Inter-American Development Bank (IDB), the World Bank, and the OAS.

The Workshop on skills for the future was a follow-up to the dialogue among Ministers of Labor and Education which has been maintained by the IACML and to the Inter-Sectoral Workshop “Youth Employment: coordination between Education and Labor in the Americas” that took place in Brasilia in 2016. It responded to both IACML and Inter-American Committee on Education (CIE) mandates, as well as to the joint Declaration of COSATE and CEATAL presented to the XX IACML. The event gathered technical officers from the Ministries of Education and/or Labor from 18 Member States, representatives from international organizations -ILO, IADB, World Bank, the Economic Commission for Latin America and the Caribbean (ECLAC) and the Latin American Development Bank (CAF)- as well as academic institutions, representatives from workers and employers, and the private sector, including Google, Fundacion Telefonica, Nestlé and Ford. Its main outcome was the identification of lessons learned and policy recommendations that allow to strengthen the coordination between Ministries of Labor, Ministries of Education, and professional training institutions to develop the skills for the future, address the human development gap and align the education and training supply to the current and future needs of the world of work. These lessons and recommendations are included in this Report.

It is worth highlighting in this period the very active participation of the gender units or areas of the Ministries of Labor with the aim of deepening the incorporation of a gender approach in labor administrations. The first virtual dialogue, held on November 20, 2020, had the participation of 29 governments of the Americas, who discussed the main challenges that the pandemic poses to the women in the region and made recommendations. The main conclusions of the dialogues and the actions taken on gender issues are incorporated in this Report.

In this context of broad and productive debate as well as analysis and exchange of information, this report summarizes the most relevant issues discussed by Working Group 1 since the XX IACML in Bridgetown, Barbados, both in the Group's meetings as well as in the Workshop and the activities mentioned. Section II of this document presents a summary of the topics discussed. Section III highlights the main consensus reached and the issues that require more work. Finally, section IV contains the recommendations proposed by Working Group 1 as inputs for the Plan of Action that will be adopted at the next IACML.

## II. SUMMARY OF TOPICS THAT EMERGED FROM OUR DELIBERATIONS

The Working Group 1 Report to the XX IACML highlighted that between 2015 and 2017, for the first time in its history, the IACML included a reflection about the new world of work, a product of the accelerated technological changes and, in general, of the trends of the Fourth Industrial Revolution. Since 2017, this reflection has deepened with the analysis and exchange of experiences, also for the first time within the IACML, of the platform economy, the work in digital platforms and telework.

The irruption of the COVID-19 pandemic in early 2020 had an impact in the deliberations of Group 1, causing new concerns around the increased inequalities, the need to address more urgently the dynamics of telework and work in digital platforms, and the urgency to provide a space to analyze and exchange the measures undertaken by the Ministries of Labor to protect employment under the new situation.

The Group 1 continued dealing with the link between education and labor, provided guidelines and complemented the recommendations of the second Inter-sectorial Workshop between Ministries of Labor and Education on "Skills for the Future", and dedicated a session to analyze the strategies of the Ministries to promote training and reskilling, a priority that in light of the employment crisis generated by COVID-19 has gained renewed urgency.

Labor equality, the elimination of employment discrimination, and the labor inclusion of vulnerable groups were also topics of emphasis of Group 1 during this period, continuing the analysis and exchanges of previous years, but highlighting that these issues are being especially threatened due to the effects of the pandemic in the labor market.

During this period, Group 1 also focused its discussions on gender equality and the institutionalization of gender in the Ministries of Labor. The meetings of Group 1 were the space to share progress and challenges, and to provide orientations to the work of the IACML in this regard. Since the XX IACML, the Working Groups and the RIAL have undertaken more actions to support the mainstreaming of a gender approach in labor administrations than in any other period of the Conference with the update of the study on institutionalization, the holding of hemispheric dialogues on gender, the elaboration of a Manual for gender units within the Ministries, and the development of a Virtual course on gender violence at work.

## III. AREAS OF CONSENSUS AND TOPICS THAT REQUIRE FURTHER WORK

1. The COVID-19 pandemic created an unprecedented health, economic, social, and labor crisis, with massive destruction of jobs and a strong worsening of the region's inequality. It is recognized that inequality has increased due to structural conditions such as the high levels of

informality, limited social protection coverage, precarious care systems, and unequal distribution of care-taking responsibilities at home, among others.

2. The governments of the region acted quickly in the face of the pandemic and in the short term developed measures to protect the health of workers and reduce contagion; protect workers' income, through unemployment insurance, cash transfers for lower income groups, or early retirement from pension funds, among others; and preserve jobs and businesses, by prohibiting dismissal, reducing working hours, and providing subsidies to companies, among other. Support for workers in the informal economy has been provided mainly through cash transfers.
3. Because the pandemic has lasted longer than initially expected, the impact on the labor market has been stronger and more persistent. States have taken measures to try to balance the opening of the economy with pandemic/infection control, which has proven to be an immense challenge.
4. The pandemic sparked an acceleration of digital transformation and prompted deep changes in the world of work. Telework, working from home and working through digital platforms increased considerably and, according to the discussions held by Working Group 1, irreversibly. That is why these phenomena should continue to be addressed as a priority both at the national and regional levels.
5. Work on digital platforms is a phenomenon that was expanding in the region prior to the pandemic but has now been accelerating. Generally, digital platforms are divided into two: web-based, whereby people can deliver services to clients in other countries and the performance of micro-tasks; and those that are location-based, that allow a service to be delivered in a given geographical area. Both face many questions regarding the labor relations and the rights and duties of the parties involved.
6. Countries are still dimensioning and understanding the phenomenon of work in digital platforms, and at the same time, they must define and undertake specific policy responses and measures to address it. This makes dialogue and exchange of experiences at the regional level on collaborative economy and work in digital platforms very pertinent and relevant.
7. The benefits and challenges of work in digital platforms were highlighted during the discussions. Among the benefits, it was mentioned that it allows job creation, job access without having to migrate, development of new skills, and flexible working hours. On the other hand, the main concerns regarding work in platforms refer to remuneration, which is usually very low; surplus labor, which affects income levels; the lack of conflict resolution mechanisms; the difficulty, in practice, in invoking rights especially when the relationship is transnational and multi-party (which happens in micro-task platforms); and the very low social protection coverage for platform workers.
8. Being a recent phenomenon, it is recognized the importance of taking measures now to guarantee equity and improve working conditions on digital platforms, which will have long term repercussions. To make informed decisions, public authorities need more and better information. It was recognized that the same platforms have valuable information and that it is important to have access to it.

9. During the discussions, some policy recommendations regarding work on digital platforms were mentioned: guarantee decent work, including ensuring social protection and occupational safety and health; and achieving more clarity and transparency in the contracts, payments, and evaluations.
10. On its part, telework and working from home, which also increased considerably during the pandemic, have been instrumental in averting further economic paralysis by allowing many individuals to continue working during the lockdown. Legislation on telework existed in some countries, while in others, the arrival of the pandemic accelerated the approval of laws and regulations.
11. Having telework legislation in place helps to democratize and universalize this work modality, since it provides both employers and workers with guarantees and assurances. However, for telework to work correctly, it also demands organizational change, and sharing of co-responsibilities for household chores, technological and connectivity conditions, among others.
12. There was acknowledgement that a major challenge with telework is that it widens gender gaps because of the unequal burden of responsibilities within the home, as well as labor and social gaps, given that it is concentrated in highly skilled jobs. The proportion of people able to telework in a country depends on several factors: that country's economic status; production and occupational structures; internet access (digital divide); and the organization of work within offices. Besides, there are conditions such as overcrowding, health problems, or family dynamics that make it very difficult for some people to telework.
13. Telework and working from home have also created the need to establish provisions on work and family life balance, as well as on the right to disconnect. There is a trend in the region on the preparation of bills, regulations and information materials to promote this balance and, in general, to promote telework.
14. Governments, employers, and workers agreed that improving the interaction and articulation between the world of work, education, and professional training is currently even more imperative. They also acknowledged that there are significant lags in education and training.
15. The development of skills, life-long learning and, in general, strategies to strengthen education, training, re-skilling, and up-skilling, are fundamental to respond to the current challenges on employment. During the intersectoral discussions held, the Ministries of Labor and Education recommended that these processes should be developed with the participation of workers, employers and academia, and under an ecosystem vision.
16. The digital transformation and the impacts of new technologies on employment demand the development of new skills or “skills for the future”. It is worth noting digital and socio-emotional skills, the latter considered even more important than technical skills and within them, empathy and the ability of “learning to learn”, stand out.
17. In this context, it is important to continue developing and strengthening labor market information systems to identify skill gaps, guide training offerings, and inform policy making. In these efforts, it is imperative to use traditional and non-traditional information sources

(taking advantage of big data technologies), as well as strengthening the prospective capabilities of observatories and information systems.

18. Regarding skills development, training and reskilling, some recommendations were shared during the meetings of Working Group 1 and the intersectoral Workshop, including: strengthening apprenticeship programs; promoting closer partnerships with the private sector and workers in the definition and development of training efforts; create partnerships with online training providers; and increase economic incentives and scholarships to achieve a permanent update of knowledge.
19. National qualification frameworks and systems are considered a positive mechanism to achieve a better coordination between education, training and the labor market, and are currently being developed in several countries in the region with different levels of progress. In this context, the idea of having a Regional Qualification Framework that would serve as a regional reference for countries that are developing or planning to develop a national framework, has gained strength. This initiative, which is considered valuable and necessary given the increase in intra-regional migration, is being developed under the leadership of ILO-CINTERFOR and in partnership with the OAS and UNESCO.
20. The Ministries of Labor are giving increasing importance and taking concrete actions to guarantee labor inclusion and serve groups that face greater challenges in the labor market. Among those actions are: new legislations on preventing and combating discrimination and workplace or sexual harassment; the design and implementation of public policies to address the particular realities of different segments, including attention protocols; the strengthening of the offices or units within the Ministries in charge of this issue; advice to employers and workers, and awareness-raising and training actions on inclusion and labor rights of vulnerable populations.
21. The Plan of Action of Bridgetown considers that vulnerable groups are people with disabilities, migrants, youth, Afro-descendants, indigenous peoples, among others. During Working Group 1 discussions, the LGBTI+ community, people with HIV-AIDS and persons deprived of their liberty were recognized as vulnerable groups as well. It was also acknowledged that vulnerable groups vary depending on each country.
22. Regarding gender equality, the discussions showed the marked gaps that persist, despite important advances, between men and women in the labor market, including a marked gap in labor participation, overrepresentation of women in the informal economy, and high education and labor segregation with large representation of women in commerce and service sectors. These gaps place women at a greater disadvantage and have widened with the arrival of the pandemic. The increased inactivity of women and disproportionate burden of family responsibilities assumed by women during the lockdown is noteworthy.
23. Multiple training and cooperation actions on gender issues have taken place within the IACML framework in partnership with the Inter-American Commission of Women (CIM), under one premise: gender mainstreaming and institutionalization of gender in the Ministries of Labor are necessary tools in the road towards equality.

24. The updated study on “The institutionalization of a gender approach in the Ministries of Labor of the Americas”, prepared by mandate of the XX IACML and after broad consultation, as well as the virtual dialogues undertaken, show that there have been important advances. The importance and need of gender mainstreaming are no longer under discussion, and gender institutionalization within the Ministries has been strengthened with the creation and consolidation of gender units. It is also acknowledged that more actions are required to change organizational culture of the Ministries to favor equality and continue promoting the strengthening of gender units, as well as cooperation among them.
25. Among the actions undertaken by the Ministries regarding gender equality issues, the following are noteworthy: the Equality Certifications or Equality Seals awarded to companies; training of inspectors and officials from different areas of the Ministry on gender equality and gender mainstreaming; evaluation of Internal Labor Regulations to incorporate a gender approach; and actions to support women’s economic empowerment, including training, intermediation, and entrepreneurship.
26. Harassment and violence against women in the workplace emerged as very worrisome issues that are gaining relevance in recent years in legislation and Ministries’ actions. In response, the Group authorized the preparation of a Virtual Course on gender violence at work for the IACML, that is being developed by the RIAL with the Inter-American Commission of Women and the Educational Portal of the Americas.

#### IV. RECOMMENDATIONS

Based on the work carried out on the various topics and so that the Member States can continue to benefit from these exchanges and discussions, Working Group 1 respectfully recommends that the Ministers of Labor take the following recommendations into consideration in preparing the Plan of Action of the next IACML:

1. Generate greater knowledge, information, and statistics on work on digital platforms, telework, and work from home, with the aim of having informed and evidence-based policymaking.
2. Promote spaces for intersectoral and social dialogue to address work on digital platforms, telework, and work from home, including the design and implementation of mechanisms, legislation, and policies to ensure equity and decent work and clearly define rights and duties for workers and employers.
3. Improve training and reskilling for people to transition into new economic sectors considering the decrease in employment in some sectors due to both technological change and the pandemic. This implies, to improve the quality, pertinence and inclusion of training; strengthen and update skills certification systems and employment services; establish training and transition paths among sectors; and deepen the use of technology to enable and expand training, among others.
4. Deepen the exchange of information, knowledge and experiences on the identification and development of skills for the future, emphasizing on digital and socio-emotional skills.

5. Continue strengthening dialogue and cooperation among Ministries of Labor and Education through the IACML and the Inter-American Committee on Education (CIE), with the aim of achieving a better coordination between education, training, and employment policies, and work towards a learning and skills development ecosystem.
6. Strengthen labor market information systems to have reliable and timely information on the current and future needs of the labor market and adjust education and professional training strategies based on this information. Improve the capacity of information systems to generate market intelligence, use traditional and non-traditional information sources (take advantage of big data technologies), identify skills gaps and emerging sectors, and anticipate changes in the skills and competences required by the productive sector.
7. Instruct ILO-CINTERFOR, OAS and UNESCO to continue working jointly in the development of a Regional Qualifications Framework at the level of the Americas to guide the design and implementation of national qualification frameworks.
8. Continue deepening the institutionalization of gender in the Ministries of Labor as a means to achieve gender equality. This involves improving the planning and institutional definition of gender units; strengthening the relationship with the mechanisms for the advancement of women; and continue deepening training and cooperation among Ministries in this regard through the RIAL and in partnership with the Inter-American Commission of Women (CIM).
9. Promote full participation of women in the labor market and productive activities, including the elimination of barriers for their effective participation, such as caregiving-related issues, violence and harassment in the workplace. Ensure the incorporation of a gender approach in telework and work from home regulations and promote caregiving co-responsibility to achieve a recovery with equality.
10. Ensure access of vulnerable persons and groups to the labor market in conditions of equality and with full compliance of their labor rights. To this end, promote collaborative work among Ministries of Labor, other public institutions, and civil society organizations that serve these groups; inform and sensitize the general population on topics of inclusion and non-discrimination; improve access of groups that face the greatest challenges in the world of work to education and training systems; and promote the creation and strengthening of inclusive businesses.