FINAL REPORT

XIX INTER-AMERICAN CONFERENCE OF MINISTERS OF LABOR OF THE ORGANIZATION OF AMERICAN STATES

17th Street and Constitution Avenue, NW, Washington, D.C. 20006
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I. Background

The Nineteenth Inter-American Conference of Ministers of Labor of the OAS (IACML) was held on December 3 and 4, 2015, in Cancún, Mexico. Prior to this IACML, two preparatory technical meetings were held: in Cartagena, Colombia, on April 30, 2015, and in Washington, D.C., from September 29 to October 1, 2015. In addition, from August 18 to September 23, an on-line consultation forum was opened to discuss the draft Declaration and Plan of Action. Preparations for the Conference by Mexico’s Secretariat of Labor and Social Welfare and the OAS began one year prior to the event.

II. Proceedings

During the Conference, in compliance with Article 30 of the Rules of Procedure and as detailed below, a preparatory session, an inaugural session, six plenary sessions, and a closing session were held. In addition, meetings of the Conference’s consultative bodies took place, and a special presidential greeting session was also held, attended by the President of the United Mexican States, His Excellency Enrique Peña Nieto. Annex IV of this report contains the Work Schedule of the 19th IACML and the classified list of meeting documents.

The 19th IACML was attended by delegations from 22 labor ministries of the Americas, 13 of which were led by their ministers. Also present, as special guests, were the Minister of Education of Panama and the Minister of Education of Haiti. The meeting was well attended by workers and employers under the umbrellas of the Trade Union Technical Advisory Council (COSATE) and the Business Technical Advisory Committee on Labor Matters (CEATAL), as well as by international organizations, notably including the Regional Director for the Americas of the International Labour Organization (ILO) and representatives from the Pan American Health Organization (PAHO), the Inter-American Development Bank (IDB), and the Inter-American Conference on Social Security (CISS).

A. Preparatory Session

In compliance with Article 31 of the Conference’s Rules of Procedure, the heads of delegation held a preparatory session at 12:00 p.m. on December 3. Luis Eduardo Garzón, Minister of Labor of Colombia and Chair of the 18th IACML, led the session in keeping with Article 13 of the Rules of Procedure.

Minister Garzón thanked the Secretary of Labor and Social Welfare of Mexico, Alfonso Navarrete, and his team for organizing this Conference, and he acknowledged the presence of Ambassador Juan Pablo Lira, Chair of the Inter-American Council for Integral Development (CIDI) and Permanent Representative of Chile to the OAS.

The following matters were examined, pending their referral to the First Plenary Session for ratification:

i. The meeting was informed of the order of precedence by lots drawn by the Inter-
American Council for Integral Development (CIDI) in which Honduras had been selected, and the participants agreed to abide by that decision.

ii. The meeting also agreed on the Draft Rules of Procedure for the 19th IACML (CIDI/TRABAJO/doc.12/15).

iii. The Draft Agenda (CIDI/TRABAJO/doc.2/15) and the Draft Schedule (CIDI/TRABAJO/doc.3/15 rev. 3) were adopted without modifications.

iv. The Secretary of Labor of Mexico, Alfonso Navarrete, was elected Chair of the 19th IACML by acclamation, following the nomination made by the Minister of Labor of Paraguay, Guillermo Sosa, and seconded by the Minister of Labor of El Salvador, Sandra Guevara, both of whom highlighted Secretary Navarrete’s capacity, sensitivity, and leadership on labor matters. Minister Garzón congratulated Secretary Navarrete on behalf of all the delegations.

Secretary Navarrete assumed the Chair and thanked the delegations. He then underscored the honor and responsibility of directing the work of the OAS’s oldest sectoral forum, and he extended a welcome to all the participants.

v. It was agreed to waive the provisions of Article 22 of the Rules of Procedure as regards the creation of the Committee on Credentials, given that all the delegations had followed the established procedure. Before the end of the Conference, the Secretariat checked the composition of each of the delegations with the participants and distributed a final List of Participants.

vi. Pursuant to Article 23 of the Rules of Procedure, the Style Committee was established, comprising the delegations of Brazil (Portuguese), Mexico (Spanish), the United States (English), and Canada (French).

vii. The meeting was informed that in accordance with Article 21 of the Rules of Procedure, the Committee on Coordination would be made up of the Chairs of the Working Groups and would be chaired by the Chair of the Conference. The Committee would meet when convened by its Chair and would adopt recommendations to ensure the proceedings were conducted correctly.

viii. Pursuant to Article 24 of the Rules of Procedure based on the report presented by the Chair of the Permanent Technical Committee on Labor Matters (COTPAL) on the progress made at the meeting of December 3, 2015, the participants were informed of the creation of two working groups: Group 1, “Integrated public policies for productive employment and decent work with social inclusion,” and Group 2, “Institutional strengthening to protect the rights of workers and employers and to promote cooperation,” to build on the work already completed by the previous working groups.

The Chair officially received the final reports of Working Groups 1 and 2, and thanked the delegations of Argentina (Chair of WG1), the United States and The Bahamas (Vice Chairs of WG1), Canada (Chair of WG2), Peru and Barbados (Vice Chairs of WG2) for their leadership of the groups since the 18th IACML.
The final reports received by the IACML, in accordance with Article 26 of the Rules of Procedure, are included in Annex II of this final report.

ix. In keeping with Article 38 of the Rules of Procedure, the deadline for the presentation of new proposals was set at 5:00 p.m. on December 3, 2015.

x. It was agreed that the 19th IACML would conclude on December 4, 2015, at approximately 6:00 p.m.

xi. Other business

Regarding the topics in the draft Declaration and Plan of Action of Cancún still pending agreement, the Chair gave the floor to the delegation of Colombia, which had chaired the meeting of COTPAL, to report on the progress made, which was described in the Report of the Meeting of the COTPAL, document CIDI/TRABAJO/doc.25/15. Gloria Gaviria of the Colombian delegation presented the report and the Preparatory Session agreed: (i) on the proposed amendments to paragraphs 1, 6, and 29 of the Draft Declaration of Cancún, (ii) to ask the Style Committee to review the use of gender-neutral language throughout the documents to be adopted to include references to “workers of both sexes,” and (iii) since an agreement was reached at the Preparatory Session on the proposal made by the delegation of Bolivia to include indigenous workers at the end of paragraph 19 or as a separate paragraph 19-bis, the delegations were asked to pursue informal consultations and to readdress this matter at the First Plenary Session.

In concluding, the Chair reminded the participants that the agreements reached at the Preparatory Session would be presented for ratification by the 19th IACML at the First Plenary Session. There being no further business, the Chair adjourned the Preparatory Session.

B. Inaugural Session

The Inaugural Session took place at 12:45 p.m. on December 3.

Patricio de la Peña, representing the Governor of Quintana Roo, welcomed all the delegations. He said that the purpose of the Conference was to further the consolidation and development of comprehensive public policies for facilitating decent work with equity, labor inclusion, and sustainable development in the Americas. He reminded the meeting that this was the second occasion that Mexico had hosted the IACML, having previously done so in 2005. He stated that the Conference would serve as a forum for discussing labor priorities and actions and would contribute to greater cooperation among the countries. He congratulated the Secretary of Labor, Mr. Alfonso Navarrete, on his election as Pro Tempore Chair of the 19th IACML.

Luis Eduardo Garzón, Minister of Labor of Colombia and Chair of the 18th IACML, highlighted the progress made by Colombia in its peace process and reaffirmed the commitment of President Santos’s government toward consolidating a secure state to ensure peace, more formal employment, and greater prosperity for all. He spoke of the progress made with implementing the Declaration and Plan of Action of Medellín, and he said that it had made a major contribution to the conclusions of the 2014 American Regional Meeting of the ILO, that
the 2014-2015 schedule approved by the IACML had been met in full, and that progress had been made along the three thematic axes. He thanked the OAS Technical Secretariat and all the members of the IACML. He said that the Medellín agreements were groundbreaking in that they made the relationship between migration and social security a priority within the IACML, and he highlighted the study, produced by the Conference, into bilateral and multilateral social security agreements. The Minister also underscored the importance of the Inter-American Network for Labor Administration (RIAL), showcased the excellent results it had produced, and invited the delegations to remain committed to that network. He said that great challenges still remained, such as ensuring true social mobility, and he reiterated the importance of this OAS meeting of labor ministers for the sustainable development agenda, labor inclusion, and the construction of sustainable enterprises.

José Manuel Salazar-Xirinachs, ILO Regional Director for the Americas, reaffirmed ILO’s commitment to the pursuit of the priorities identified by the IACML. He noted that the Conference’s topics – such as the relationship between education and work, equity and labor inclusion, and migration – were connected to the 2030 Development Agenda. In spite of the progress to date, he said, the countries of Latin America and the Caribbean had entered a new phase of economic deceleration, which was affecting the quality of employment and hindering the reduction of poverty. He highlighted social dialogue as a tool for making progress with labor matters, which can be achieved through the strengthening and representation of employers’ and workers’ organizations, such as COSATE and CEATAL, and of the labor ministries, and which enables comprehensive responses to be produced. He concluded by saying that the IACML offered an opportunity to reaffirm values and commitments toward social dialogue, which was essential in constructing the societies to which the citizens of the Americas aspired.

The Secretary for Labor and Social Welfare of Mexico, Alfonso Navarrete Prida, welcomed the delegations and highlighted the achievements of the Conference, which is the OAS’s oldest ministerial meeting. He said that it had allowed an understanding of the labor reality in the hemisphere and the design of integrated public policies to meet the challenges of a changing market. He ratified the Mexican government’s commitment to the promotion of solid, sustained, and balanced economic growth and to the design of strategies to democratize productivity, so that the benefits of economic growth could be felt in every Mexican home. He applauded the inclusion at the 19th IACML of the topic of education and work, with the participation of the Ministers of Education. He spoke of obstacles that still remained, such as gender gaps and the issue of labor migration. He spoke of the hemispheric cooperation developed through the RIAL and applauded the network’s achievements. He thanked COSATE and CEATAL for their participation and emphasized the role of social dialogue. He said that the commitments to be adopted at this IACML would serve as a solid foundation for forging the synergies necessary to ensure a fair labor market, that they reflected a social perspective and commitment, and that they would guide efforts to strengthen the ministries’ work over the coming two years.

The inaugural session concluded with remarks made by Ambassador Neil Parsan, the OAS’s Executive Secretary for Integral Development, on behalf of the OAS Secretary General. He said that because of the constant social and economic changes of the globalized world, the IACML was rising in importance and impact, allowing the ministries to build consensus regarding the region’s labor priorities and to identify shared solutions. He noted that the Conference was the first sectoral forum to incorporate the concept of “sustainable development,” in connection with the 2030 Agenda. He highlighted the importance of the Conference’s interconnection of decent work and social inclusion and addressed the need to dismantle the inequities that characterized the region. In that regard, he spoke of the urgent need to address
informal work, where patterns of exclusion and inequality were generated. He noted that, under the leadership of OAS Secretary General Luis Almagro, the objective was to ensure “More Rights for More People” in the Americas. He applauded the inclusion of a dialogue with the Ministers of Education at the IACML, which was to discuss labor migration, equity and labor inclusion, and development policies for creating quality jobs and companies. He concluded by speaking of the RIAL, on its tenth anniversary, as an example of hemispheric cooperation, and he congratulated a members of the IACML for their commitment to hemispheric dialogue.

C. Meeting of the Ministers of Labor with the members of COSATE and CEATAL

The meeting between the labor ministers and the members of COSATE and CEATAL took place at 4:00 p.m. on December 3.

Following the order of precedence, the Minister of Labor of Paraguay, Guillermo Sosa, chaired the meeting in the absence of Alfonso Navarrete, Secretary of Labor of Mexico, who had to travel to Mexico City on urgent business. Minister Sosa welcomed the participants and then placed the agenda before them for consideration. After it was adopted, he passed the floor to the consultative bodies.

The Chair of COSATE, Marta Pujadas, described the main points of the Declaration of COSATE and CSA to the IACML and the Development Platform of the Americas (PLADA), prepared by the workers with their perspectives and recommendations for the region. She applauded the forum for social dialogue provided by the IACML and the tenth anniversary of the RIAL, and she called for the OAS to further promote this Conference and to strengthen ties between trade unionism and the inter-American human rights system. Among the priority topics for trade unionism, she spoke of expanded social security coverage, including the adoption of the inter-American social security agreement that the trade unions were actively promoting, the unconditional respect for workers’ rights, trade union freedoms, and collective bargaining, the protection of migrants and their families, special attention for women and young people, the fight against child labor, and education and continuous training. She spoke out against the costs of globalization being met by workers, against labor precarity, and against all forms of violence and terrorism, including the continuing problem of violence against trade unions in the region. She noted that without companies there can be no workers, but that companies can only be sustainable if their workers have rights. She made a special reference to the Argentine delegation, and to Julio Rosales in particular, for its promotion of tripartite dialogue within the IACML, as well as to the OAS Technical Secretariat and the CSA.

Alberto Echavarría, representing the Chair of CEATAL, spoke of the CEATAL Declaration presented to the IACML and said that youth, entrepreneurship, and education must be priority areas for action in the region. He said that education, including professional training, was a way to improve social and economic conditions, in that it was linked to productivity, social mobility, the eradication of poverty, and social cohesion. He spoke of the role of companies in worker training and of the need for coordination with centers of education and training. He highlighted the need to reaffirm the social worth of entrepreneurship, describing it as a way of thinking and acting: workers and governments with entrepreneurial attitudes were needed. He spoke of the importance of a climate that favored investment, which was indispensable for creating and maintaining companies. He concluded by calling on the IACML to work in coordination with other institutions to achieve concrete results in pursuit of the Sustainable Development Goals, and he asked the OAS, ILO, and other agencies to support the labor ministries in the design and implementation of practices to promote youth employment, quality education, entrepreneurship, and a favorable climate for investment. He then thanked the IOE,
ACTEMP, and ILO for the support they had given to the participation of employers in this area of the OAS.

The Chair thanked the speakers for their remarks and opened up the floor for the dialogue with the governments.

The Minister of Labor of Guatemala, Oswaldo Enríquez, noted his concern for the trend toward precarious employment and mechanisms for outsourcing and subcontracting, which diluted labor relations and made it more difficult to demand the observance of workplace rights. He said that meeting the current challenges required a more comprehensive and holistic approach, involving coordination between many different ministries. He noted that labor rights were human rights and, consequently, that they were universal; accordingly, everyone should be involved in upholding them. Labor must be a crosscutting axis within state action.

The Minister of Labor of El Salvador, Sandra Guevara, highlighted the RIAL’s tenth anniversary and expressed her appreciation of this tripartite forum. She spoke of various groups that face numerous difficulties and discrimination, such as the LGBTI community, young people, women, and people with disabilities, and she noted the need to correct situations of exclusion within the labor market. She emphasized the need to forge social compacts regarding employment and spoke of initiatives to ensure gender equity, thanking the RIAL and Colombia for their support in introducing an equity certification for companies in her country.

The Minister from Costa Rica, Víctor Morales, said that ties had to be forged between employment and productive development, since one could not be understood without the other. He underscored the topic of youth and referred to the paradox found in Costa Rica where, on the one hand, young people were abandoning education to look for work and, on the other, companies were unable to find qualified workers. That disconnect demanded closer ties between education and work and greater alignment between education and employment policies.

The Minister from Chile, Ximena Rincón, applauded the tenth anniversary of the RIAL, which had been of great assistance to the countries. She recalled the words of a Stanford professor on the functions of trade unions: ensuring greater benefits for workers and increased efficiency within companies. She noted that trade unions must be understood as part of the healthy development of a company, emphasizing that that required many stakeholders to change their mindsets. She spoke of the ongoing debate in Chile on the modernization of labor relations, which would empower trade unions and other stakeholders and would mark a major change. In addition, she said that tripartite dialogue must bring together the objectives of all the participants, centered around the wellbeing of communities, and that labor ministries had a key role to play in that. She concluding by stating that work, education, and the economy were parts of the same equation and that they must be given seats at the same table.

Julio Rosales of the Argentine delegation congratulated COSATE, CEATAL, and the IACML on the Joint Declaration and spoke of the agreements in paragraphs A, B, and C. He agreed with asking the OAS and ILO to support the ministries in designing and implementing policies and in making use of the RIAL, of which he said he was a staunch defender. He called for the RIAL to be strengthened with greater participation by social stakeholders. He said that he agreed with assessing the results achieved within the IACML and said that the aim was not to create a control system, which ILO already had, but to have information from each country on the progress made with the commitments they had assumed, as occurred with the Summit of the Americas. The IACML had to examine whether the time had come for such a mechanism, so that the Plans of Action adopted were not merely a topic for regional reflection within the Working
Groups but were also put into practice nationally. Finally, he offered his recognition of Marta Pujadas, COSATE’s first woman chair, and he paid homage to the role of women within the IACML, thanking Marta Pujadas, María Claudia Camacho of the Technical Secretariat, María Paz Anzorreguy of the employers’ sector, and all the female ministers of labor for their valuable contributions toward creating a climate of cooperation and facilitating social dialogue within the IACML.

Following the delegations’ applause, the Chair gave the floor to COSATE and CEATAL. Marta Pujadas and Alberto Echavarría read out the operative paragraphs of their Joint Declaration (document CIDI/TRABAJO/doc.20/15 rev. 2).

Nelson Loustaunau of the Uruguayan delegation said that we were entering a new world of work, one that demanded thought and action by governments, workers, and employers. He spoke of the jobs destroyed and created by the internet, which were beyond the bounds of the formal economy, and he asked where the labor ministries stood as regards that new world of work. He said that this new reality was associated with increasing migration and was threatening social security, and he recalled the MERCOSUR and Ibero-American agreements on that issue, which had already yielded benefits for Uruguayan pensioners. He invited all the sectors to be proactive in resolving the problems of this new world of work.

The Minister from Peru, Daniel Maurate, noted the problem of professional mismatching facing many young people, who had studied for one job and were employed in another. That was due to the supply of training, he said, which pursued profitability and did not necessarily correspond to what the countries needed. This separation between the training supply and labor demand has led to high rates of professional mismatching, resulting in lower corporate productivity and higher levels of informality. He noted that this year, Peru had invested 3.6% of its GDP in education, the highest figure in its history, and that this was the road ahead: more education and training of human capital.

The Chair thanked the delegations and gave the floor to the OAS Executive Secretary for Integral Development, Ambassador Neil Parsan.

Ambassador Parsan congratulated COSATE and CEATAL for their commitment to consensus-building, as demonstrated in their Joint Declaration. He said the OAS was honored to facilitate such dialogues, which were pillars of democracy. Attaining the goals of prosperity, social justice, and equity required the joint efforts of governments, social actors, and international organizations, he said, and the new 2030 Agenda made that all the more imperative. He reiterated the OAS’s commitment to strengthening tripartite dialogue at the hemispheric level and he said that the observance of the rights of workers and employers was crucial in bringing about the OAS’s new objective of a future of “More Rights for More People.” With the Chair’s agreement, Ambassador Parsan gave the floor to the OAS Secretary for Access to Rights and Equity, Idelfí Salvatti.

Ms. Salvatti noted that the OAS Secretary General had recently created the Secretariat for Access to Rights and Equity, which she headed, as an indication of his commitment to those topics, and that the actions of this new Secretariat and of SEDI were inseparable, because there could be no integral development without access to rights. She said the region was undergoing a period of economic deceleration, in addition to political instability in several countries, which required governments, workers, employers, and international organizations to work together. The region has learned that when there is growth without income distribution, some people win but most lose, and the same thing happens when democracy is not respected. The region was living at
a time of particular challenges, she said, and it could only make progress through joint efforts within the OAS and in each country. She concluded with a verse from a popular song extolling the importance of work.

The Chair welcomed Ms. Salvatti to the IACML, thanked all the participants, and noted some particular points: the importance of formalization processes in combating inequality, and the need to make progress with education for work. He extended his recognition to the delegation of Argentina and, on behalf of all the Conference’s Ministers, presented a plaque recognizing the contributions made by Minister of Labor Carlos Tomada to improving the quality of work over the 12 years that he had held that position. In concluding, he invited the delegations to the exhibition “Secrets of Labor” presented by the Latin America and the Caribbean Free of Child Labor Initiative.

D. First Plenary Session – Ratification of the Preparatory Session agreements

The First Plenary Session began at 8:30 a.m. on December 4. Alfonso Navarrete, Secretary of Labor of Mexico and Chair of the 19th IACML, opened the session and read out the agreements reached at the Preparatory Session, which were ratified in their entirety. In addition, the following ministries were elected to serve as the authorities of the Working Groups: For Group 1, Brazil (Chair) and Panama and Chile (Vice Chairs); for Group 2, Paraguay (Chair) and Canada and Costa Rica (Vice Chairs). In connection with Bolivia’s proposal to include indigenous workers at the end of paragraph 19 or as a separate paragraph 19-bis, the delegation of Bolivia said it would be sending the Secretariat the text of a footnote for inclusion in the Declaration of Cancún.

There being no further requests to speak, the Chair adjourned this session.

E. Second Plenary Session – Labor Migration: Progress with protecting the rights of migrant workers

This session heard presentations by the OAS General Secretariat and by the Ministers of Labor of Colombia, Barbados, Panama, and Guatemala, as well as statements from the delegations identified below.

The Director of the OAS Department of Social Inclusion, Betilde Muñoz-Pogossian, presented the study “Analysis of Bilateral and Multilateral Social Security Agreements on Pensions,” which was prepared by the OAS and the Inter-American Conference on Social Security (CISS) in response to a specific mandate of the 18th IACML’s Declaration of Medellín. The study examines all the agreements signed, of which there are 83 in the region; it analyzes the external factors affecting their enforcement (low social security coverage, migratory flow volumes, existence of different pension systems), and it studies regulatory issues and identifies lessons learned and recommendations to be considered should the region decide to adopt an inter-American agreement of this kind. The purpose of the agreements examined is to allow people who migrate and who contribute to social security systems in different countries to receive a pension at the end of their working lives; a matter of central importance, said Dr. Muñoz-Pogossian, in safeguarding the rights of migrants in the region, as indicated by the OAS Secretary General in the study’s prologue. She noted that an inter-American platform or agreement of this kind would not be an easy task, but that the study offers a solid foundation for continuing discussions regarding the possibility.
The Minister of Labor of El Salvador, Sandra Guevara, addressed the meeting to take her leave, since she had to return to her country, and to present a gift to the Technical Secretariat on the occasion of the tenth anniversary of the RIAL as a recognition of the work of the OAS and of Secretary Navarrete and as a token of thanks for organizing this Conference.

Luis Garzón, Minister of Labor of Colombia, congratulated the OAS and CISS for the study, which met the expectations set for it and made a great contribution. He referred to several revealing aspects of the study, such as the existence of 83 agreements in the region, the upswing in migration flows, the increasingly intraregional nature of migration, and the low levels of education found among migrants. He said that in light of the high levels of migration within the region, it was important to design a macro-level policy that would ensure ordered migration. He offered a number of suggestions: (1) the integration of rights, not only the integration of markets, which required institutional conditions; he therefore proposed a complementary study to examine the institutional characteristics for the protection of rights in each country, (2) working to standardize skills at the regional level, (3) implementing instruments to keep migrants from being deceived or misled, (4) establishing observatories to provide migrants with information on labor rights, (5) addressing new hiring practices and the use of new technologies, which weaken labor relations (Uber, for example), (6) recognizing the potential of subregional agreements, such as Pacific Alliance, and (7) addressing the deficit in labor profiles among countries and considering the creation of regional employment centers to provide greater transparency for hiring and migration processes.

The Minister of Labor of Barbados, Esther Byer-Suckoo, praised the study and applauded the fact that it contained information on the Caribbean. She shared Barbados’s experience with protecting migrant workers, noting that Barbados had been both a receiver and sender of migrants and had benefited both from workers’ skills in its territory and from remittances. She noted the Caribbean’s high emigration rates and remarked that its migration policy had evolved and was now complemented by temporary overseas employment agreements; under those agreements, the government takes charge of recruiting and placing workers, checks employment conditions, and assists migrants in making continued social security contributions. She spoke of the CARICOM Agreement that facilitates the free circulation of workers, although some progress had still to be made in allowing social security coverage among countries. She noted that a managed migration policy was necessary, particularly in key areas for growth. She said that Barbados was committed to a migration policy based on a labor market information system and with full respect for the rights of migrants. She spoke of the challenges posed by undocumented migration, particularly in domestic work, and said they required intersectoral efforts involving authorities from a range of sectors including labor, migration, education, and social security.

The Minister of Labor of Panama, Luis Ernesto Carles, applauded the study and acknowledged the major contributions made by migrant workers to the Panamanian economy. He noted new phenomena within migration: an increase in South-South migration, increased numbers of female migrants, migration driven by social conflicts or environmental disasters, and international trafficking networks. He called for standardized attention strategies in countries that shared borders and for the adoption of a multilateral approach. He stressed the importance of lifting restrictions on the hiring of foreigners for certain jobs, establishing employment observatories, working for the full formalization of workers, and ensuring ordered migratory flows. He said that migration was an economic topic, not a political one, in which the labor ministries had a great responsibility in guaranteeing that migrants received equal treatment in the exercise of their rights and in developing policies for their integration into national labor markets. For that reason, he called for efforts to be made, through the OAS, to establish integration processes with the participation of the labor ministries. He concluded by stating that the
ministries must continue working for fund transfer agreements to guarantee the pensions of migrant workers when they return to their countries of origin.

The Minister of Labor of Guatemala, Oswaldo Enríquez, addressed the human component of migration, noting that abuses were found in both regular and irregular migration processes. He spoke of situations such as the retention of social security contributions that were not remitted to the appropriate authorities, violations of labor rights, and the drama of deportations, which often entailed the separation of families. He noted that Guatemala was country of origin and transit for migrants and that it received 6 billion dollars annually in remittances, which sustained the country’s economy and many families, thereby mitigating poverty. He said that the economic situation would be very complicated if that emigration did not exist. Annually 150,000 people leave the country irregularly and only 20,000 succeed in entering foreign territory: the others are deported and, in most cases, attempt to migrate anew. He stressed that addressing the phenomenon required the coordinated efforts of several ministries, including the foreign ministry and the social security authority, and that the topic had never been dealt with in a serious and responsible fashion.

Following the presentations, the Chair opened the floor up for discussions.

The Minister from Paraguay, Guillermo Sosa, applauded the study, which he described as worthy and necessary. He said that migration should be seen as a great opportunity rather than as a problem, and he described the social security agreements as formidable tools for protecting migrants and promoting formalization; in addition, he said, they also encouraged migrants to return to their countries of origin.

Mario Barbosa of the Brazilian delegation shared MERCOSUR’s experience, specifically the Regional Plan to Facilitate the Circulation of Workers, which entailed three dimensions: regulatory matters (to identify and lift national restrictions on migration), professional training (bringing together the employment services of all the countries), and skill certification. He said it was a valuable experience that could contribute elements for a hemispheric discussion.

The representative of Bolivia, Ambassador Diego Pary, praised the study and said that the rights of migrants’ families also had to be protected and that the important contribution made by migrants to economies had to be acknowledged; accordingly, he called for that contribution to be included in national accounts. He said that migration was caused by a lack of opportunities and employment, which was the result of the development models being implemented. He recalled the experiences of Mexico, Ecuador, and Bolivia with return programs, which had helped returning migrants to contribute to the development of their countries.

The Chair thanked the delegates for their interventions and said they reflected the long road still ahead on the topics of migration, the protection and standardization of rights, the certification of skills, and the need to ensure ordered migratory flows. He returned his attention to the study presented at this session and concluded that work must continue on recognizing pension rights throughout the region.

There being no further requests to speak, the Chair adjourned the session.
F. Third Plenary Session – Equity and labor inclusion: Inclusive labor policies and the creation of quality companies and jobs

In introducing the session, the Chair noted that the hemisphere suffered not only from great income inequality, but also from social and labor inequality, which could be seen in discrimination on gender grounds and against children, young people, ethnic minorities, and other groups. He said that to change that reality, attention must be focused on social programs that produce results. He also spoke of the 2030 Agenda as a tool for achieving progress and he highlighted cooperation as an instrument for making progress at the global level.

The Minister of Labor and Social Welfare of Chile, Ximena Rincón, identified the aspects of equity and inclusion on which Chile had worked, referring to efforts made to assist seasonal workers, migrants, women, LGBTI groups, people with disabilities, and domestic workers. She highlighted the progress made by President Bachelet’s government, including the ratification of international agreements, the enactment of laws, and the implementation of targeted programs. She also said that challenges still remained in the area of equity and labor inclusion, such as the strengthening of policies, closing gender gaps, assessing labor market needs to improve training and education policies, and the promotion of decent and inclusive work within global supply chains.

The Deputy Minister of Labour of Canada, Lori Sterling, representing Minister MaryAnn Mihychuk, stated that an inclusive labor force was a successful labor force. She noted that Canada has a large immigrant population and a number of minorities, and she said that indigenous communities and people with disabilities were beginning to change the labor force. She highlighted the fact that for the first time in the country’s history, the Prime Minister had chosen a cabinet with 50% women members and including representatives of minorities. She make particular reference to the Employment Equity Act, which serves to educate employers as regards the representation of women, people with disabilities, minorities, and aboriginal populations in their workforce. She said that there were still obstacles to the participation of aboriginal populations and people with disabilities, and so new funds were being earmarked to overcome them. She showcased the measures adopted and progress made in the area of disabilities, through the office of the Minister of Persons with Disabilities, and in connection with gender gaps. She concluded by emphasizing Canada’s commitment to a diverse and inclusive labor force.

Following the presentations, the Chair opened the floor up for discussions.

The Minister of Labor of Colombia, Luis Eduardo Garzón, noted that both presentations had stressed the topic of disabilities. However, he said that people with disabilities still faced barriers and called for the OAS to conduct an analysis of the experiences that had yielded the best results in ensuring the labor insertion of those groups.

There being no further requests to speak, the Chair adjourned the session.

G. Presidential Greeting

At 12:30 p.m. on December 4, a special Presidential Greeting session was held.

The Governor of the State of Quintana Roo, Roberto Borge, welcomed all the delegations. He described the topics being discussed at this Conference as high priorities and applauded the countries’ commitment to recognizing the need to design labor and employment
policies that were in harmony with education policies. He noted that Mexico, thanks to the policies of President Peña Nieto, was making progress on labor issues, and he thanked the OAS and all the participants for the time they had invested in discussing labor-related justice.

The Secretary for Labor and Social Welfare of Mexico, Alfonso Navarrete, underscored the importance of the Conference in the discussion and construction of integrated, regional policies. He said that the region was facing great challenges, such as enormous inequality, high rates of informal employment, precarious labor insertion among certain vulnerable groups, and inadequate levels of economic growth. To address those challenges, he said, Mexico was offering the Conference the experience and progress attained during the government of President Peña Nieto, including structural reforms and laws governing labor matters. He noted that although there were still challenges, the Ministers of Labor had institutions and traditions, such as tripartite social dialogue, to enable them to make headway. He emphasized that the 19th IACML had made progress with consensus building, with the discussion of shared problems, and with the sharing of experiences, all of which had benefited employment in the region.

The OAS Executive Secretary for Integral Development, Ambassador Neil Parsan, representing the Secretary General of the OAS, thanked the Government of Mexico for its leadership and for the commitment it had shown toward this Conference. He underscored the importance of the IACML, which enables shared challenges to be analyzed and solutions for dealing with them to be proposed, and he noted the role of the Conference and of the RIAL in meeting the goals of the 2030 Agenda. He emphasized the importance of integrating education and work policies, the ties between decent work, social inclusion, and equity, and the challenges of labor migration. In this regard, he noted the study on bilateral and multilateral social security agreements. He also highlighted the importance of hemispheric cooperation, emphasizing the role of the RIAL, and he reiterated the OAS’s commitment to continuing to support that network. He also applauded the Joint Declaration of COSATE and CEATAL, and he thanked the consultative agencies for their efforts to reach a consensus. He concluded by congratulating President Peña Nieto for the achievements attained during the first three years of his government, and he thanked the international organizations, ILO in particular, for assisting this process.

The President of the United Mexican States, H.E. Enrique Peña Nieto, expressed his gratitude for the confidence deposited in Mexico as the Chair of the 19th IACML. He reiterated Mexico’s commitment to stepping up the exchange of successful experiences to improve the working conditions of the entire hemisphere. He said that Mexico was pursuing programs and actions to promote the development of a modern, productive, formal, and inclusive labor sector. He highlighted the progress attained through the labor reform process and explained that it also entailed measures to improve the employment conditions of working mothers and of people with disabilities, and that progress had also been made in connection with trade unions. In addition, he emphasized the growing numbers of formal workers, the more than half-million children removed from child labor, the introduction of a single minimum wage across all of Mexico, and the fact that during the previous 25 months, no federal-jurisdiction strikes had been declared. He reaffirmed Mexico’s commitment to the IACML and to the RIAL, and he expressed his wish for the agreements reached at the Conference to help strengthen labor markets, to the benefit of the region’s economy and workers.

H. Fourth Plenary Session – Education and Work: Achieving integrated public policies to promote effective labor insertion

The Chair welcomed the Minister of Education of Panama and the Ministers of Labor, and he reported that Nesmy Manigat, Minister of Education of Haiti, had been forced to leave. He
explained that this session was a continuation of the dialogue among the OAS Education and Labor Ministers that had begun at the Meeting of Ministers of Education in Panama City in February 2015. He said that the relationship between education and work was a priority topic for the IACML and a key to attaining strong, sustained growth, noting the difficulties in finding talent reported by employers, the imbalance between the skills that existed and those that were necessary, and the need to strengthen training systems and relationship between education, work, and companies to attain better labor insertion, particularly among young people.

In introducing this important forum for intersectoral dialogue, the Chair of the OAS Inter-American Council for Integral Development (CIDI), Ambassador Juan Pablo Lira, stated that the challenges facing the world and the region demanded comprehensive solutions, and that that approach was already included in the 2030 Agenda for Sustainable Development and within the OAS. He highlighted “partnership for development” as an effective way to meet the member states’ needs. In addition, he said that within the OAS, progress was being made with intersectoral dialogues, with a view to identifying integrated and complementary solutions, and he highlighted the achievements of the IACML, with specific reference to the dialogue with the Ministers for Women in El Salvador, the specific actions taken with the RIAL, and the joint efforts of the Ministries of Social Development in partnership with the Inter-American Social Protection Network (IASPN). He highlighted the construction, at the Ministerial Meeting on Education, of an Inter-American Education Agenda as a great opportunity for proposing intersectoral actions, particularly through its inclusion and teacher professionalization pillars. He applauded this dialogue between the Ministries of Education and Labor, through which specific actions with tangible results could be defined, and he reiterated CIDI’s commitment toward promoting such actions.

The Minister of Education of Panama and Chair of the Inter-American Committee on Education (CIE), Marcela Paredes, spoke of the current crisis in youth employment, which could be seen in high levels of unemployment and inactivity among the region’s young people, and she said that this pointed to the need for a dialogue between the labor and education ministries. She said that this dialogue, which had begun at the OAS’s 8th education ministerial, had to produce collaborative and inclusive intersectoral policies to create sustainable actions that could be internalized in the operations of each ministry, and that young people, business owners, civil society organizations, universities, training centers, and other stakeholders had to be involved in their design. She noted the ongoing construction of an Inter-American Education Agenda within the CIE, which was being undertaken by thematic working groups (quality and inclusion, early-childhood attention, and teacher development) where specific actions were being defined and that could serve as useful forums for channeling joint actions with the labor ministries. In this effort, she acknowledged the support received from the Technical Secretariats of both ministerial processes. She showcased a number of successful initiatives carried out by Panama’s ministries of labor and education, including vocational guidance and employment programs (POVE), labor intermediation (Projoven), and a program of corporate internships with tutors from the Ministry of Labor and private enterprises. She spoke of the reforms being implemented in technical and vocational education in Panama. She offered the members of the IACML the online platform for education cooperation as a way to propose good practices for interconnecting ministries. She concluded by reiterating the willingness of the Ministers of Education to work together for the young people of the Americas.

The Minister of Labor of Paraguay, Guillermo Sosa, agreed with the need for labor and education ministries to work together and with the importance of tripartite social dialogue to create a supply of workers in line with job skills and the demand for labor. The Minister highlighted a number of paradigms, including the impact of technology, knowledge as the
foundation for competitiveness, and the growing importance of workforce training. All that, he said, made coordinated, intersectoral efforts within each country essential. He spoke of the dilemma facing the region and the world, with a surplus of job-seekers and a shortfall in qualified workers. He indicated some specific initiatives undertaken in Paraguay: the comprehensive Tembiaporā Ñandutí program to construct new competitive capacities, promote innovation, and train the workforce to meet contemporary challenges, and the Consigo program, which is a mobile-phone application that connects independent workers with job offers through a geolocation system. He concluded by stating that we were facing a technological revolution, where knowledge was the main factor.

The Minister of Labor of Peru, Daniel Maurate, emphasized the essential role of human capital and education in development and reported that Peru had substantially increased its investment in those areas. The Minister highlighted a number of challenges, such as high levels of occupational mismatches, high rates of informal employment among young people, and the fact that more than 60 percent of young people in higher education believe they are studying for the wrong degree. He showcased the IDB-supported Employment Centers, which interconnect training offers with the demand for and supply of labor, and the Ponte en Carrera Observatory, a joint effort between the ministries of education and labor that provides full information on courses of study, earnings, and the labor market, along with vocational guidance services for young people, enabling them to make a fully informed choice regarding their profession based on their vocation. He said this would allow universities and other schools to regulate themselves, because now the training they offer might be profitable for them, but not for the country. He described the Observatory as “the best way to interconnect with the Ministry of Education,” because that ministry has information on the available training, universities, and graduates, while the Ministry of Labor has information on wages, professions sought, etc.

The Minister of Labor of Haiti, Ariel Henry, said that social issues were crosscutting and related to human rights issues, such as workplace dignity, trade union freedoms, and equality of opportunities. He showcased the discussion platforms for promoting social dialogue that had been implemented in Haiti and the efforts made in the areas of education and technical and professional training, which included continuous training for workers. He referred to the increased number of professional training centers for strengthening and developing an effective and qualified workforce, and the creation of quality schools to prepare young people. He expressed his support for the Conference’s objectives, particularly as regards the relationship between education and work. In addition, he noted the need to coordinate policies among different ministries to ensure inclusive work with equity, and he highlighted the increase in work-related migration and the need for greater hemispheric cooperation.

The Chair then opened up the meeting for discussion.

José Luis Stein of the Mexican delegation applauded the dialogue between the ministers of labor and education and emphasized the need to establish integrated public policies, remarking that in many cases, there were excellent education policies and excellent labor policies, but combining them did not yield positive results. He called for a change in the paradigm for action, and for the participants to work with innovation and creativity in a new dialogue between labor and education. He extended a special acknowledgment of the work of Argentina’s Minister of Labor, Carlos Tomada, and of Julio Rosales, Director of International Affairs at that same ministry.

The Minister of Labor of Panama, Luis Ernesto Carles, said that the world’s largest economies had set about transforming their human talent and had connected the training supply
with the job market; this, he said, was the main task facing the region. The OAS could become a mechanism for bringing about greater interactions between education and work. He said the ministries of education and labor must work together, in particular so that young people can decide on the career paths based on an awareness of the job market. He congratulated Paraguay and Peru for their initiatives and applauded this forum for dialogue.

Mario Barbosa of the Brazilian delegation said that the answers to many challenges lay in coordinated public policies that promoted collaboration among economic and productive sectors and centers of education and training. He showcased a number of initiatives, such as the National Program for Access to Technical Teaching and Employment (PRONATEC), for expanding and democratizing the supply of technical and professional education, and the tripartite drafting of the Decent Work Plan for Youth that is to be adopted this year. He underscored the key role of public employment services. He also reaffirmed the commitment toward strengthening the RIAL as a privileged forum for the exchange of technical cooperation among the region’s countries.

The delegate of CEATAL, Juan José Fraschini, noted that the CEATAL Declaration referred to the importance of education and its connection with entrepreneurship. He said that for CEATAL, education was an essential factor for development, and he applauded the dialogue among the Ministers of Labor and the Ministers of Education. He noted that attaining the objectives set by that dialogue required establishing an open dialogue and greater coordination with companies.

The representative of the Pan American Health Organization, Julietta Rodríguez, presented the Plan of Action on Workers’ Health adopted by the PAHO Directing Council in 2015. She noted that the goals included strengthening the health sector in partnership with other sectors, improving the health and wellbeing of the workforce, improving preventive and oversight actions, etc. Health authorities were seeking to work in coordination with labor ministries and others to position health within all policies and to ensure universal access to health to benefit workers; accordingly, she reiterated PAHO’s commitment toward working in partnership with the IACML.

There being no more requests to speak, the Chair adjourned the session.

I. Fifth Plenary Session – Hemispheric cooperation to strengthen labor ministries: The Inter-American Network for Labor Administration (RIAL) ten years after its creation

The Chair opened this session by highlighting the importance of cooperation and stating that the RIAL had proven to be a valuable tool for cooperation that ensured intermediary-free interaction between the countries of the Americas. He then gave the floor to the representative of the OAS.

The OAS Executive Secretary for Integral Development, Ambassador Neil Parsan, stated that the RIAL was one of the OAS’s most valuable networks and that it exemplified the concept of partnership for development. He said that in an increasingly integrated world, development had to be seen as a collaborative effort, in which initiatives such as the RIAL were of great importance. He noted that this network was created by the IACML, that it had adjusted its priorities to respond to the changing reality of work, and that it had yielded valuable results.

The Coordinator of the RIAL for the OAS, María Claudia Camacho, gave a presentation showcasing the RIAL’s accomplishments, based on the publication “Ten Years of the RIAL –
Sharing Knowledge, Strengthening Institutions, Promoting Rights at Work,” which was distributed as document CIDI/TRABAJO/INF.22/15. She said the main strength of the RIAL was that it was a collective project of the IACML, created by the ministries themselves to build their capacities, funded and directed by them, and coordinated by the OAS. She noted some of its valuable impacts in terms of creating new programs, reforming internal practices, and developing regulatory frameworks, which had been achieved through the RIAL’s tools, including direct technical cooperation missions between the ministries. She spoke of the RIAL’s multiplier effect, stating that it had trained more than a thousand public officials, with an impact on better policies and programs and stronger institutions and, as a result, benefiting thousands of people. She concluded by stating that the RIAL had solid bases and was a privileged tool for tackling labor challenges and attaining the goals of the 2030 Agenda.

The Minister of Labor of The Bahamas, Shane Gibson, thanked the government of Mexico for its hospitality and congratulated the RIAL for its efforts, which he described as the IACML’s most important tool. He highlighted the progress his country had made thanks to the RIAL as regards strengthening initiatives for health and safety at work through exchanges with other ministries; he then reiterated his ministry’s political and financial commitment toward the initiative and called on all the ministries to continue strengthening it. In particular, he congratulated the Technical Secretariat for the RIAL and for the study on social security that it had presented. He reminded the meeting that The Bahamas was to host the next OAS Meeting of Ministers of Education and he invited them to strengthen intersectoral cooperation with this forum.

Julio Rosales of the Argentine delegation congratulated the Technical Secretariat and all the ministries for the RIAL, which was a product of this Conference. He agreed that good foundations had been set and positive results had been achieved, and he recommended strengthening the participation of social actors, continuing to improve its procedures, and making greater efforts to follow up on and document its impacts. He expressed his appreciation of the acknowledgments extended to the Minister of Labor of Argentina.

There being no further requests to speak, the Chair again congratulated the RIAL on its work and conveyed the message from the Minister of Labor of Morocco inviting all the participants to attend the Conference of Ministers on good labor practices sponsored by the OECD and ILO to be held in March 2016 as follow-up to the 2013 conference in Mexico. He then declared the session closed.

J. Sixth Plenary Session – Adoption of the Draft Declaration and Plan of Action of Cancún

The Chair began the session with the election of the Chair of the 20th IACML and gave the floor to the delegation of The Bahamas.

The Minister from The Bahamas, Shane Gibson, nominated Barbados to chair the 20th IACML; that proposal was seconded by the Minister of Labor of Peru, who noted that that would be the first IACML held in that beautiful country and the second to take place in the Caribbean. The proposal was approved by acclamation.

The Minister of Labor of Barbados, Esther Byer-Suckoo, thanked the meeting for this unanimous election and the trust placed in her country, stating that it was a great privilege to be able to host this important forum. She invited all the ministries to “our small piece of paradise” and congratulated the OAS and the RIAL on its anniversary, noting that the network had worked
in close collaboration with the English-speaking Caribbean. She reiterated her ministry’s commitment and invited all the participants to continue to make financial contributions to the RIAL to increase the impact that it had had over the past 10 years.

The Chair then placed the draft Declaration and Plan of Action of Cancún before the meeting, the former incorporating the footnote introduced by the delegation of Bolivia, as was agreed to at the First Plenary Session.

The delegations of Peru, Paraguay, Uruguay, and Canada expressed their opposition to the proposed footnote, which stated that the IACML was seeking to render indigenous populations invisible. The delegation of the United States said that a number of footnotes reflecting different positions could be included, as had been the case with other OAS documents. At the request of the delegation of Bolivia, the Chair granted a five-minute break to pursue informal negotiations.

At the end of the break, the delegations reported that they had reached consensus with the inclusion, in Article 18 of the Declaration of Cancún, of “cultural identity.” The draft Declaration and Plan of Action of Cancún were duly adopted and may be found in Annex 1 of this report.

K. Closing Session

The Chair opened the session and, at the request of the delegation of Panama, gave it the floor.

The Minister of Labor of Panama, Luis Ernesto Carles, presented the draft resolution “Vote of thanks to the government and people of Mexico,” noting the leadership of Secretary Navarrete and his team in the organization of the IACML, together with the hospitality of the Mexican people. He said the ministers and the workers’ and employers’ delegations were pleased with the results of this important conference and he congratulated them on this important dialogue promoting integrated public policies for building effective labor ties. The resolution was adopted (CIDI/TRABAJO/RES.1) by acclamation, after being seconded by the delegations of Argentina and Paraguay.

The Chair thanked the delegations and gave the floor to the OAS Secretariat.

Ambassador Neil Parsan, OAS Executive Secretary for Integral Development, speaking on behalf of the OAS General Secretariat, expressed his deepest thanks for the generous hospitality of Mexico, for the excellent work of the team from the Secretariat of Labor and Social Welfare, and for the leadership displayed by the Secretary during the meeting. He reiterated the OAS’s commitment toward this Conference and concluded by presenting the Chair of the IACML with a display set of OAS flags, representing the unity of the hemisphere.

The Chair thanked all the delegations for their attendance and their work over the past days. He thanked the Minister from Colombia for his leadership during the IACML’s recent past and said that under the chairmanship of Mexico, the great efforts made over the past 52 years of the IACML and 10 years of the RIAL would continue, providing solid elements for Barbados to continue that work in two years’ time. He emphasized the region’s multicultural and multifaceted nature and the complexity of its history, its struggles, and its great challenges, making particular reference to the challenge of guaranteeing inclusion, decent work, and opportunities, noting the privileged responsibility that the labor ministries had in that undertaking, and stating that “there is no duty more noble nor more satisfying than working so that other people can work.” He
congratulated and thanked all the delegations and the OAS Secretariat for this Conference, which had made invaluable contributions for the future of the region’s nations, for constant dialogue, and for the integration of public policies.

With those words, at 7:00 p.m. on December 4, 2015, the Chair of the 19th IACML declared the meeting closed.
APPENDIX I – RESOLUTIONS

• Declaration of Cancun 2015
• Plan of Action of Cancun 2015
• Resolution 1: Vote of Thanks to the People and Government of Mexico
• Joint COSATE-CEATAL Declaration to the XIX IACML
• Declaration of COSATE to the XIX IACML
• Declaration of CEATAL to the XIX IACML
DECLARATION OF CANCUN 2015:

“ACHIEVING DECENT WORK WITH SOCIAL INCLUSION AND SUSTAINABLE DEVELOPMENT IN THE AMERICAS”

(Includes the agreements reached at the Sixth Plenary Session, held December 4, 2015, and subject to review by the Style Committee)

1. WE, THE MINISTERS PARTICIPATING IN THE XIX INTER-AMERICAN CONFERENCE OF MINISTERS OF LABOR (IACML) OF THE ORGANIZATION OF AMERICAN STATES (OAS), have gathered here in Cancún, Quintana Roo, Mexico, on December 3rd and 4th, 2015, to strengthen regional strategies and the development of integrated and coordinated public policies, maintaining a protective and proactive role of the state, with the goal of promoting the creation of decent and dignified work with equity, social inclusion, and sustainable development, and to further our work with respect to the protection of the rights of workers of the Hemisphere, including the human rights of migrants and the promotion and development of sustainable enterprises, strengthening social justice and democracy;

2. We commemorate the tenth anniversary of the creation of the Inter-American Network for Labor Administration (RIAL), which has proven to be an effective mechanism for promoting and facilitating hemispheric cooperation and the exchange of knowledge, which are key elements in the design and implementation of public policies in line with labor realities in the Americas;

3. Our discussions in Cancún built on the Declarations and Plans of Action adopted at the eighteen ministerial meetings held since the creation of the IACML in 1963. In addition, we considered the OAS Charter, the Inter-American Democratic Charter, the Social Charter of the Americas, the 1998 Declaration of the International Labour Organization (ILO) on Fundamental Principles and Rights at Work, the Resolution on the Promotion of Sustainable Enterprises adopted at the 96th Session of the International Labour Conference in 2007, the 2008 Declaration on Social Justice for a Fair Globalization; as well as the Declaration of Lima adopted in the 18th Americas Regional Meeting of the ILO, held in October, 2014, and the Trade Union Technical Advisory Council (COSATE) and the Business Technical Advisory Committee on Labor Matters (CEATAL), Joint Declaration of Medellin in 2013;

4. We reiterate our commitment to respect, promote and realize the fundamental rights to work: freedom of association and the effective recognition of the right to collective bargaining; the elimination of all forms of forced or compulsory labor; the effective abolition of child labor; and the elimination of discrimination in respect of employment and occupation;

5. We express our commitment to the 2030 Development Agenda and to the promotion of the Sustainable Development Goals, particularly Goal 8 on promoting sustained, inclusive and sustainable economic growth, full and productive employment and decent work for
all, and Goal 10 on reducing inequality within and among countries. Further, we recognize that people are at the center of sustainable development and, in this regard, we commit to working together to promote sustained and inclusive growth, social development and environmental protection to the benefit of all;

6. We recognize the importance of fostering inclusive labor markets, of promoting the protection of human and labor rights of migrants, regardless of their immigration status, and fostering cooperation and exchanges regarding the functioning of labor markets between those countries that send migrant workers and those that receive them;

7. We are concerned with the levels of inequality, despite some advances in the region, and how these affect economic growth and social cohesion. We will continue to promote a wide range of labor, social and productive measures that address this problem for their integration with economic and financial measures;

8. We agree that our ministries’ traditional functions, in terms of enforcing labor laws, labor inspection, union registrations, and conflict resolution, must continue to be strengthened along with the promotion of active policies including, among others, public employment services, labor inclusion strategies and continuous technical and professional training and education, in a framework of integrated and coordinated public policies. Said policies must continue improving and evolving, in line with the advances achieved in the institutional strengthening of the ministries of labor in the past years, which has enabled them to respond to the needs of labor and employment at the regional and national context;

9. With the utmost conviction, we will continue to promote social dialogue, which we recognize as a preminent tool for forging more just and equitable societies. We intend to strengthen inclusive, open, and transparent institutional fora for social dialogue at all levels and that have an effective leadership role in the process of formulating public policies. We will promote the implementation of the conclusions on the Recurrent Discussion on Social Dialogue, adopted at the 102nd Session of the International Labor Conference;

10. We recognize collective bargaining as an essential tool for advancing agreements between workers and employers on issues of importance in the world of work, and we reaffirm the importance of promoting freedom of association of workers and employers, as well as the rights that guarantee its application;

11. We, the Ministers of Labor of the OAS member states, therefore adopt the following recommendations and call for them to become a frame of reference for the development of policies that promote decent and dignified work with social inclusion, create productive employment and foster, among others, sustainable development, fully protect workers’ rights, especially freedom of association and collective bargaining, promote enabling environments for sustainable enterprises and facilitate social dialogue in the Americas.
12. We reiterate our commitment to the strengthening of education and continuing training systems to better prepare the workforce, particularly young people, in accordance with the sustained, sustainable and inclusive development needs of our countries, and the demand of the productive sectors. Toward that end, in order to facilitate the transition from school to work, we will encourage the development and implementation of integrated public policies that promote collaboration between the economic sectors and institutions of training and education, as well as cooperation with the ministries involved, primarily by strengthening our coordinated work with the Ministries of Education, and with employers’ and workers’ organizations. We will continue developing policies to promote access for young people and other vulnerable people to the labor market with full respect for their labor rights;

13. We will continue to promote ongoing technical vocational education and training, with particular emphasis on the current and projected productive development needs of each country and with the participation of social actors. Particular attention will be given to the development of those skills related to technological advances and the use of innovative tools, in order to improve access of our workforce to the labor market. These actions will contribute to improving the productivity and competitiveness of our economies;

14. We reiterate our commitment to encourage efforts to develop, in a tripartite manner, national qualification and certification systems based on skills standards, consistent with national law and practices, trying to make them equivalent among Member States of the OAS; in order to also facilitate labor mobility;

15. We will strengthen public employment services, given their fundamental role in bringing together job-seekers and those offering employment and their function of equipping jobseekers with tools, providing guidance on training opportunities, and promoting the acquisition of the new skills required by the labor market;

16. We underscore the importance of career guidance to facilitate education and training choices and improve access to the labor market. Accordingly, we will collaborate with relevant institutions, especially the Ministries of Education. To that end, we will strengthen labor market observatories and labor market information systems, so they can provide up-to-date information on labor supply and demand, on education and training programs at all levels, as well as on the needs of the productive sectors;

17. We recognize that sustainable enterprises, as defined in resolution on the Promotion of Sustainable Enterprises, adopted at the 96th International Labor Conference, and particularly micro, small and medium-sized enterprises constitute a strategic force to facilitate entrance into the labor-market and the creation of formal jobs, ensuring compliance with workers’ labor rights. We will therefore continue to pursue, in collaboration with other relevant institutions, initiatives and strategies to encourage entrepreneurship, particularly among young people, together with integrated public policies to foster the creation of sustainable enterprises, such as micro, small and medium-sized enterprises, and other of production units, including self-managed enterprises.

EQUITY AND LABOR INCLUSION: INCLUSIVE LABOR POLICIES AND THE GENERATION OF QUALITY JOBS AND ENTERPRISES
18. In particular, we commit to promote on an ongoing bases equitable and inclusive job conditions and opportunities for vulnerable populations and all groups that face the most significant challenges in the labor market, preventing and eliminating all forms of discrimination in labor relations, including those on the grounds of race, color, sex, sexual orientation, language, religion, political or other opinions, national or social origin, property, birth, and cultural identity, for which reason we will promote respect for their labor rights;

19. We will strengthen policies and programs that ensure substantive equality between men and women in the world of work. We reiterate our commitment to gender mainstreaming in labor and employment policies, eradicating discrimination, harassment and violence based on gender or sexual orientation, and striking a balance between family and professional responsibilities;

20. We highlight the need to address precarious work and will pay special attention to reducing the levels of unregistered work and to the gradual formalization of the informal economy in compliance with labor standards, recognizing that it is a heterogeneous phenomenon among the countries of the Hemisphere and within each one of them, while taking into consideration Recommendation 204 of the ILO concerning the Transition from the Informal to the Formal Economy, adopted at the 104th session of the International Labor Conference of the ILO;

21. We regard social protection and strategies for employment formalization as tools for boosting employment and social equity. Accordingly, we will encourage the implementation of social protection floors, as minimum standards and commensurate with the situation in each country. We will promote solid, comprehensive, and financially sustainable social protection systems;

22. We reiterate our conviction regarding the need to strengthen and expand the coverage of social security systems, ensuring, within our areas of responsibility and consistent with national law, their efficiency and transparency by means of effective policies that take into account the principles of universality and solidarity, enable the sustainability of those systems, and foster justice, equity and social inclusion, irrespective of the management model adopted. We will combine efforts on the analysis and design of mechanisms to facilitate the recognition of nominal pension contributions and pension rights, according to national legislation and as appropriate;

23. We will encourage strategies, with the participation of social actors, to continuously improve occupational health and safety in order to promote a culture of risk prevention in the workplace. We also encourage updating health and safety regulations and strengthening labor inspection to promote compliance, and foster safe and healthy workplace environments for the protection of workers’ health and wellbeing;

24. We recognize the importance of the rural sector in our economies, as well as the difficulties the workers face in that sector. To that end, we reaffirm the need to work in a coordinated way with relevant institutions to develop policies that promote decent and dignified work and allow for the productive inclusion of men and women with equal opportunities in rural economies.

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1 Note for the Style Committee, it was agreed that the translation into Spanish of “a culture of risk prevention in the workplace” would be “una cultura de prevención de los riesgos laborales y su aplicación en los lugares de trabajo”.
25. We will promote public policies in the Americas to eliminate all forms of worker exploitation, including sexual exploitation, human trafficking, slavery and child labor, with a comprehensive approach that ensures support to workers, children and adolescents, including migrant workers;

26. We reiterate our commitment to eradicating child labor, which remains a grave scourge in our Hemisphere. Thus, we note the progress and exchanges made under the Regional Initiative Latin America and the Caribbean Free of Child Labour, established in the Declaration of Brasilia signed during the Third Global Conference on Child Labor, and we express our commitment to participate actively at the Fourth Global Conference on Child Labor, to be held in Argentina in 2017.

LABOR MIGRATION: ADVANCING THE PROTECTION OF MIGRANT WORKERS’ RIGHTS

27. We recognize the important contributions made by migrant workers to the economic, social and cultural development of both the countries of origin as well as the countries of destination. We will therefore continue to promote the adoption of labor migration policies and the implementation of campaigns and programs that inform such workers of fundamental rights at work and applicable labor laws, as well as of the mechanisms available to them for asserting those rights, regardless of their immigration status, as well as on the rights they have at their places of origin during the recruitment process. For this, we will continue to request the assistance of international organizations, especially that of the ILO;

28. Aware that some migrant workers are accompanied by their families, we will promote the development of joint mechanisms with other institutions, and in accordance with national legislation of each state, for safe, regular and orderly labor mobility, previously agreed on by our countries, based on existing successful models and good practices, in accordance with the realities of our nations. We also encourage the development of data and information on labor migration to further enhance evidence-based policy making;

29. We will strengthen supervisory and inspection functions in our Ministries of Labor, in order to ensure enforcement of labor legislation that protect the rights of migrant workers. We will also pursue the professionalization of labor inspectors, using available resources.

HEMISPHERIC COOPERATION FOR THE STRENGTHENING OF MINISTRIES OF LABOR: THE INTER-AMERICAN NETWORK FOR LABOR ADMINISTRATION (RIAL), TEN YEARS AFTER ITS CREATION

30. We applaud the 10th anniversary of the Inter-American Network for Labor Administration (RIAL), established at the XIV IACML (Mexico City, 2005), which has proven to be a valuable tool for facilitating the exchange of information on successful policies and programs among ministries and for the strengthening of the human and institutional capacities of the Hemisphere’s Ministries of Labor;
31. Accordingly, we reiterate our willingness to continue to provide the RIAL with financial support and to strengthening the bonds of collaboration and cooperation among our countries.

THEREFORE, WE RESOLVE:

1. To implement a Plan of Action based on this Declaration and on the work of the XVIII Inter-American Conference of Ministers of Labor (IACML) and commit to allocating resources as may be required.

2. To set up two working groups to continue with the activities and actions contributing to the objectives and commitments of the Declaration of Cancún, as follows:
   
i. Working Group 1: Integrated public policies for productive employment and decent work with social inclusion.
   
ii. Working Group 2: Institutional strengthening to protect workers’ and employers’ rights and promote cooperation.

3. To encourage cooperation and information exchanges under the Inter-American Network for Labor Administration (RIAL) on integrated public policies regarding education and labor to promote effective inclusion into the labor market, equity and labor inclusion to generate quality jobs and enterprises, labor migration and protection of migrant worker, and hemispheric cooperation to strengthen Ministries of Labor.

4. To acknowledge and express gratitude for the contributions made by the following international organizations that continuously work with the IACML: the International Labour Organization (ILO), the Pan American Health Organization (PAHO) and the Inter-American Conference on Social Security (CISS), as well as the Inter-American Development Bank (IDB), the World Bank, the Economic Commission for Latin America and the Caribbean (ECLAC), the Inter-American Committee on Education (CIE), the International Organization for Migration (IOM), and the Organisation for Economic Co-operation and Development (OECD). In addition, we call for continuing coordination, support, and regional dialogue with those institutions.

5. We recognize the importance of the active participation, as well as the contributions, inputs and support to the advancement of the IACML from workers’ and employers organizations, through the Trade Union Technical Advisory Council (COSATE) and the Business Technical Advisory Committee on Labor Matters (CEATAL). Therefore, we reiterate our commitment to continue working closely with these organizations.

6. To thank and commend the Government of Colombia for its leadership and commitment in advancing inter-American dialogue on labor and employment, as Chair of the XVIII IACML, as well as the Governments of Argentina, Canada, The Bahamas, United States, Barbados and Peru, who led the Working Groups of the XVIII IACML.

7. To thank the Government of Mexico for its hospitality, dedication and commitment to this ministerial process and its designation as Chair of the XIX IACML.

8. To thank the General Secretariat of the OAS, as the technical secretariat for the
IACML, for its guidance and support to this important hemispheric process for political dialogue and consensus-building, as well as for coordinating the RIAL.

9. To organize the XX Inter-American Conference of Ministers of Labor of the OAS in Barbados in 2017.
PLAN OF ACTION OF CANCUN
“ACHIEVING DECENT WORK WITH SOCIAL INCLUSION AND SUSTAINABLE DEVELOPMENT IN THE AMERICAS”

(Adopted at the Sixth Plenary Session held December 4, 2015, and subject to review by the Style Committee)

1. WE, THE MINISTERS PARTICIPATING IN THE XIX INTER-AMERICAN CONFERENCE OF MINISTERS OF LABOR (IACML) OF THE ORGANIZATION OF AMERICAN STATES (OAS), gathered together in Cancún, Quintana Roo, Mexico, on December 3rd and 4th, 2015, undertake to implement the following Plan of Action in order to implement the mandates set out in the Declaration of Cancún to continue making progress toward achieving decent and dignified work with social inclusion and sustainable development in the Americas:

A. ORGANIZATION

2. In order to ensure the continuity and coherence of the IACML’s work, the Chair Pro Tempore of the XIX Conference (Mexico) – in collaboration with the previous and future Chairs (Colombia and Barbados), with the support of the Technical Secretariat of the OAS and in consultation with the representatives of the Trade Union Technical Advisory Council (COSATE), of the Business Technical Advisory Committee on Labor Matters (CEATAL), and of the Permanent Technical Committee on Labor Matters (COTPAL) – will be responsible for advancing the implementation of the Plan of Action and for improving coordination with the international organizations that contribute to the Conference.

B. RESOURCES

3. Member States will devote the appropriate economic, technical, and logistic resources, as available, for the execution of the Plan of Action, with the participation of COSATE and CEATAL. In addition, the Chair Pro Tempore will invite the relevant international organizations to make voluntary contributions to support the activities and projects included in this Plan, and to facilitate the participation of the said workers’ and employers’ organizations.

C. WORKING GROUPS

4. The following two working groups will be set up by representatives of the Ministries of Labor in order to advise the IACML regarding the objectives of the Declaration of Cancún and to examine in greater depth the topics identified in this Plan of Action, to facilitate exchange of experiences, and to follow up on the related hemispheric initiatives:

i. Working Group 1 (WG1): Integrated public policies for productive employment and decent work with social inclusion.
ii. Working Group 2 (WG2): Institutional strengthening to protect workers’ and employer’s rights and promote cooperation.

WORKING GROUP 1 (WG1): INTEGRATED PUBLIC POLICIES FOR PRODUCTIVE EMPLOYMENT AND DECENT WORK WITH SOCIAL INCLUSION

5. WG1 will follow up on the following topics from the Declaration of Cancún:

- Labor equality, elimination of employment discrimination and labor inclusion of vulnerable groups;
- Promotion of decent work and full and productive employment in the context of the 2030 Sustainable Development Agenda;
- Integration of labor, productive, and education policies;
- Policies and programs related to youth employment and the school-to-work transition;
- Technical and professional training and public employment services to respond to the needs of the labor market;
- Labor observatories and labor market information systems;
- The contribution and the role of sustainable enterprises to employment and to the protection of labor rights;
- Transition from the informal to the formal economy;
- The need to address new forms of precarious work focusing on new forms; and,
- Gender mainstreaming in labor and employment policies.

6. Working Group 1 will carry out the following activities, depending on the availability of resources, and it may also include such new areas as it deems necessary:

a. Strengthen efforts to prevent and eliminate all forms of discrimination and achieve full equality in the workplace. These efforts include working with other government institutions such as the ministries of social development, education and mechanisms and programs for the advancement of women; strengthening labor inspection; supporting and training enterprises to develop inclusive practices; and developing recruitment incentives and special programs for populations that face greater challenges in the labor market.

b. Study, in further detail, how inequality is generated and reproduced in labor markets, and the policies that could be implemented to improve this situation, taking into account recent studies by international agencies showing the negative impact of inequality on economic growth.

c. Develop initiatives to effectively enforce the rights of all workers, with special emphasis on vulnerable populations.

d. Develop initiatives so that employers and workers may effectively exercise the right to freedom of association in accordance with the ILO Declaration on Fundamental Principles and Rights at Work.
e. Analyze the 2030 Sustainable Development Agenda and identify areas which could impact on the work of Ministries of Labor relating to the promotion of decent work and full and productive employment.

f. Deepen intersectoral collaboration between Ministries of Labor and Ministries of Education in order to strengthen education and continuing training systems to better prepare the workforce, particularly young people, in accordance with the sustained, sustainable and inclusive development needs of our countries and the demand of the productive sectors, paying special attention to vulnerable populations.

g. Strengthen public employment services and training systems. This implies: integrating services and programs they offer and adapting them to the needs of beneficiaries, achieving greater coverage and greater linkages with the productive sector, establishing performance-based management and providing them with greater autonomy, decentralization and institutional capacity.

h. Promote the exchange of information on policies and programs aimed at promoting fair recruitment and improving coherence among migration, employment and labor policies in areas such as skills recognition, job matching, portability of social security and social protection and labor law administration and inspection.

i. Propose solutions and develop greater efforts to achieve a better match between, on the one hand, the contents of the training and skills of the workforce, and on the other, the needs of the productive sector. These efforts should include tools that anticipate demands for training, such as labor market observatories and prospective sector studies, as well as social dialogue platforms such as sectoral councils and spaces for tripartite discussions and decisions.

j. Define and promote new and innovative methods to address the phenomenon of informality and follow up on the various recommendations found in Recommendation 204 of the ILO on the Transition from the Informal to the Formal Economy as well as in the Inter-American Network for Labor Administration (RIAL) Workshop "Social Dialogue for Formalization". We highlight the continuous need to address the situations of workers engaged in precarious work.
WORKING GROUP 2 (WG2): INSTITUTIONAL STRENGTHENING TO PROTECT WORKERS’ AND EMPLOYER’S RIGHTS AND PROMOTE COOPERATION.

7. WG2 will follow up on the following topics:

- Promoting awareness of the rights of all workers, including migrant workers;
- Strengthening enforcement of labor legislation and regulations, and effective exercise of fundamental principles and rights at work;
- Strengthening of social dialogue and collective bargaining mechanisms;
- Safe and orderly labor mobility;
- Prevention and eradication of child labor;
- Social Protection;
- Occupational Health and safety;
- Hemispheric cooperation on labor matters; and
- Strengthening the Inter-American Network for Labor Administration (RIAL).

8. Working Group 2 will carry out the following activities, depending on the availability of resources, and it may also include such new areas as it deems necessary:

a. Complement labor inspection with other mechanisms to promote the enforcement of labor laws, including raising awareness among the community so it can play an active role in generating decent and dignified work; and training workers and employers on their labor rights and responsibilities.

b. Establish institutionalized social dialogue and collective bargaining spaces that enable ongoing interaction of governments, workers and employers with a view to formulating policies, settling disputes and making joint decisions on key issues of national, regional and hemispheric agendas.

c. Support and expand mechanisms for social dialogue at the national, regional and hemispheric levels, and promote efforts for the effective recognition of the right to collective bargaining and freedom of association.

d. Improve data collection and improve monitoring of compliance of the Regional Initiative Latin American and the Caribbean Free of Child Labor, signed in Lima, Peru, in 2014 and enforcement of laws preventing child labor. Support the development of social protection policies and support mechanisms for children and their families, strengthening institutional capacities and raising awareness among all stakeholders.

e. Continue the dialogue and cooperation between Ministries of Labor, Ministries of Social Development and other relevant institutions on comprehensive social protection systems and their linkages to employment, in order to achieve greater coordination between social protection strategies and productive development and job creation strategies.
f. Continue to combine efforts on the analysis and design of mechanisms to facilitate the recognition of nominal pension contributions and pension rights, according to national legislation and as appropriate. With that in mind and considering the study “Analysis of Bilateral and Multilateral Social Security Agreements as they relate to Pensions” presented during this Conference, we request that the Technical Secretariat and the Inter-American Conference on Social Security (CISS) develop a database with the agreements signed to date, and we will continue stimulating the discussion and identifying concrete actions on this subject with social security institutions and other relevant institutions.

g. Reinforce multi-sectoral and interagency collaboration in preventing occupational injuries and illnesses and complying with international and regional standards, and to strengthen legislation, education and awareness in all sectors regarding occupational health and safety.

h. Promote safe workplaces as a shared responsibility of governments, employers and workers, develop comprehensive regulatory frameworks, improve information and monitoring systems, assess the magnitude and impacts of occupational injuries and illnesses on the economy and society, and collaborate with agencies in the prevention noncommunicable of to address issues of noncommunicable diseases.

i. Continue promoting international cooperation on labor matters as an efficient and effective tool to share knowledge and innovative ideas, and to contribute to institutional strengthening and to improvements in policies and programs.

j. Strengthen cooperation on labor matters, notably by:

- Jointly designing indicators to qualitatively measure the results of technical cooperation;
- Effectively enhancing information and communications technologies, such as video-conferencing, webinars, etc.;
- Aligning cooperation with national development plans or with each country and ministry’s broader agendas;
- Relying on good practice matrices or databases; and
- Ensuring the participation of the appropriate technical experts, in order to increase and retain capacity, and encourage a wider dissemination of knowledge.

k. Continue supporting the RIAL, which plays a crucial role in the evolution of labor cooperation in the Americas and the strengthening of institutional capacity of Ministries of Labor.
D. DIRECTIVES FOR THE FUNCTIONING OF THE WORKING GROUPS

9. Based on the availability of resources, the Chair Pro Tempore and the Working Groups will schedule technical workshops to analyze these topics and implement the Declaration of Cancún. This is to promote the development of integrated public policies to assist in the creation of decent work with social inclusion and to facilitate the exchange of successful experiences in the field.

10. The Working Groups will be coordinated by the representatives of the Ministries of Labor chosen by this Conference, and they will receive support from the OAS Technical Secretariat to organize their meetings and prepare technical contributions and activities’ and follow-up reports:

   i. Working Group 1: Ministers of Labor of Brazil (Chair), Chile (Vice Chair), and Panama (Vice Chair).

   ii. Working Group 2: Ministers of Labor of Paraguay (Chair), Canada (Vice Chair), and Costa Rica (Vice Chair).

11. Participation in the Working Groups will be open to all the member states, to COSATE and CEATAL, and to the international organizations with competence over each group’s topics.

12. The Working Groups will define a schedule of activities for the implementation of this Plan no later than March 2016, based on the complementarity of their activities and the actions undertaken under the aegis of previous Conferences.

E. INTER-AMERICAN NETWORK FOR LABOR ADMINISTRATION (RIAL)

13. Encourage cooperation and exchange of information under the RIAL and strengthen the bonds of collaboration and cooperation among our countries.

14. Continue supporting the RIAL and reiterate the commitment of the Ministries of Labor to make contributions to its Voluntary Contribution Fund, in accordance with its guidelines and subject to national capacities.

15. The OAS General Secretariat will continue to coordinate the RIAL’s activities, in accordance with the priorities defined by the IACML, while working for the broader participation of its members. It will also explore possible additional sources of funding for its operations.

16. The RIAL will pursue the following actions:

   - Update regularly its web page, www.rialnet.org., and Portfolio of Programs;
   - Give precise follow-up and impact assessment of bilateral technical cooperation activities;
   - Expand the use of information and communications technologies in its cooperation activities, including webinars, on-line discussion fora and videoconferencing, to maximize the use of resources;
   - Organize RIAL workshops in collaboration with other organizations; and,
- Publish RIAL outreach bulletins.

17. The Ministries of Labor agree to regularly share information on the implementation of labor and employment policies, on their plans, programs and projects and, on their operations and developments.

18. Instruct the Technical Secretariat to continue coordinating all RIAL activities and to improve its on-line tools and Portfolio of Programs, based on the recommendations from the Ad hoc Committee on RIAL’s Platform. Advise the IACML authorities to allocate some resources from the Voluntary Contribution Fund towards these efforts during the next IACML Planning Meeting.
VOTE OF THANKS TO THE PEOPLE AND GOVERNMENT OF MEXICO

(Adopted during the Closing Session, held December 4, 2015)

THE NINETEENTH INTER-AMERICAN CONFERENCE OF MINISTERS OF LABOR OF THE ORGANIZATION OF AMERICAN STATES,

CONSIDERING:

The hospitality and welcome extended by the people and government of Mexico to this Nineteenth Inter-American Conference of Ministers of Labor (IACML);

That the leadership of the Government of Mexico, through its Secretariat of Labor and Social Welfare, made possible and contributed to the success of the Nineteenth Inter-American Conference of Ministers of Labor of the Organization of American States, held in Cancún, Quintana Roo, on December 3 and 4, 2015; and

That the Ministers of Labor and Heads of Delegation held a productive dialogue for strengthening regional strategies and the development of integrated and coordinated public policies, maintaining the leading and proactive role of the state, in order to promote the creation of decent work with equity, social inclusion, and sustainable development, and to make progress with protecting the rights of the hemisphere’s workers, including the human rights of migrants, and the promotion and development of sustainable enterprises, strengthening social justice and democracy; and

That the 19th Inter-American Conference of Ministers of Labor commemorated the first ten years since the creation of the Inter-American Network for Labor Administration (RIAL), which has served as an effective mechanism for promoting and facilitating hemispheric cooperation and exchanges of knowledge, which are basic elements for the design and implementation of public policies in line with the labor realities of the Americas;

RESOLVES:

1. To express its appreciation to the people and government of Mexico for their warm and generous hospitality and for their contributions to the success of the Nineteenth Inter-American Conference of Ministers of Labor (XIX IACML).
2. To recognize and congratulate the Secretary of Labor and Social Welfare of Mexico, His Excellency Alfonso Navarrete Prida, for his outstanding work as Chair of the Nineteenth Inter-American Conference of Ministers of Labor and his determined contribution to achieving public policies that promote effective labor inclusion.

3. To extend its gratitude to the personnel of the Secretariat of Labor and Social Welfare of Mexico who, with their professionalism, dedication, and efficiency, contributed to the success of the Nineteenth Inter-American Conference of Ministers of Labor; to the Governor of the State of Quintana Roo, Roberto Borge, for his hospitality; to Dr. José Luis Stein, Head of the Unit of International Affairs and his team for their efforts in coordinating and ensuring the presence of participants in this important regional meeting; and to all the participating Ministers, representatives of international organizations, and of unions and business organizations for the time invested in a valuable dialogue that contributes to social justice in the American continent. In addition, to extend its gratitude to the Executive Secretary for Integral Development of the OAS, Ambassador Dr. Neil Parsan, to the Director of the Department of Social Inclusion, Betilde Muñoz, and to María Claudia Camacho, Chief of the Labor and Employment Section and to the ambassadors and executives of the OAS for the results of this important dialogue that promotes coordinated public policies to achieve effective labor inclusion. To extend, therefore, its gratitude to the people of Quintana Roo whose hospitality made the participants of the XIX IACML feel at home.
DECLARATION OF THE TRADE UNION TECHNICAL ADVISORY COUNCIL (COSATE)

(Agreed at the meeting of COSATE, held on Thursday, December 3, 2015)

The trade-union movement of the Americas, represented by its hemispheric organization, the Trade Union Confederation of the Americas (TUCA), and the Trade Union Technical Advisory Council (COSATE), meeting in the city of Cancún, Mexico, on December 3, 2015, adopts the following Declaration on the occasion of the XIX Inter-American Conference of Ministers of Labor.

We applaud the holding of this Conference under the topic “ACHIEVING DECENT WORK WITH SOCIAL INCLUSION AND SUSTAINABLE DEVELOPMENT IN THE AMERICAS,” and we reaffirm our unswerving struggle for the full enjoyment of trade union freedoms, the right of collective bargaining, organization and the right to mobilize and strike, together with our commitment to the principles of solidarity and cooperation and the tripartite principle as a means to consolidate democracy, social justice, human rights, labor rights, and sustainable development.

In the context of this important meeting, TUCA and COSATE reaffirm their interest in and willingness to collaborate with the process of defining the political agenda, priorities, and actions of the OAS and of future Inter-American Conferences of Ministers of Labor. Our status as a permanent consultative body allows us to make contributions for the balanced implementation of the Declaration and Plan of Action.

Accordingly, we identify the following as our priorities:

- **Democracy, human rights, and social justice**

  TUCA and COSATE reaffirm that respect for democracy and human rights are the indispensable pillars for the existence of a model for development based on social justice.

  Political democracy, achieved after confronting military dictatorships and authoritarian regimes in the region, still needs to consolidate a solid democratic institutional structure. We must therefore expand democracy with greater and more diverse civic participation mechanisms so that it is the social fabric itself which prevents the emergence of new authoritarian regimes, especially those which arise from de facto power concentrated in economic monopolies with high-profile influence and that, in various countries, also act like the real power, above that duly authorized. These economic monopolies also impose a conservative and backward agenda contrary to society’s democratic advances such as the fight against different types of discrimination and the inclusion of all citizens, regardless of their gender, sexual orientation and identity, race, social and ethnic origin, age, or any other authoritarian vice of exclusion and discrimination.
The hemispheric trade-union movement is a social and political player in democracy, as it has shown at those different historical moments when it has stood at the vanguard of the defense of democracy and human rights. Similarly, social organizations are another foundation that guarantees true citizen participation in decisions that affect society.

Trade-union rights are human rights and they are interdependent with other human rights, including civil and political rights (in this regard, we draw attention to the resolution concerning trade union rights and their relation to civil liberties adopted by the ILO). Thus, ensuring the full enjoyment of trade-union rights is an essential prerequisite for promoting a model of development in the region’s countries that respects democracy and human rights.

Our region remains one of the most dangerous for the pursuit of trade-union activities. In several of the region’s countries, we see recurrent killings of trade unionists or threats to their lives and physical integrity, cases of anti-union discrimination such as anti-union dismissals and transfers, the bringing of criminal proceedings against trade unionists, and legislative amendments that hamper their work. States must comply with their obligation of guaranteeing the safety of workers so they can pursue their trade-union activities.

We, the workers, support social dialogue, with real results, with policies that encourage and foster social dialogue, with the commitment of all the states. States must create the necessary legislative and administrative conditions, by adopting public policies to promote decent work.

- **Sustainable development model**

TUCA and COSATE reaffirm that a model for sustainable development must consolidate mechanisms to guarantee that it is the people who set the hemisphere’s social and political course, and not businesses or multinational corporations.

The measures that neoliberal policies have imposed in the region to curtail state action, to increase the flexibility of and deregulate labor relations, and to constrain trade-union action have yielded disastrous results that have led to massive increases in labor precariousness, have left workers unprotected against the abuses of business owners, and have deepened inequality and social exclusion.

The severe economic, political, and social crisis that has rocked the entire world since 2008 has placed a major challenge before the peoples and nations of the peripheral, dependent regions: they must ensure that the costs of overcoming this new crisis must not be placed on the shoulders of the workers and people, as is occurring in some regions and countries as a result of intense pressure brought to bear by governments, companies, and international multilateral organizations. The policies adopted to assist corporations and to rescue banks have deepened unemployment, inequality, and social exclusion.

In light of that scenario, recognizing the basic political role that trade-unionism has to play in fighting the causes of structural imbalances, the trade-union movement in the region has been promoting the **Development Platform of the Americas (PLADA)** as a political proposal for the construction of true democracies, with social justice and full respect for the exercise of trade-union freedoms, with environmentally and economically sustainable inclusive social development.

In PLADA, the trade-union movement of the Americas has its principal instrument of dialogue, conversation, and political influence. We want to lay down the debate on sustainable
development as a central matter in defining the paths we propose to overcome social exclusion, environmental deterioration, concentration of wealth, and absence of democracy, inherited from the neoliberal phase of capitalism.

PLADA is our invitation to think about the region through a dialogue with governments, political parties, social movements, productive sectors, and international intergovernmental institutions, like the OAS. We believe it is essential for the OAS to include, as part of its priority political agenda, the promotion of a model for sustainable development.

- **Climate change**

TUCA and COSATE wish to place priority on the urgent, unavoidable, and worldwide problem of climate change. Addressing climate change is a shared phenomenon by all the countries of the world, but with responsibilities that must be differentiated. A paradigm shift involving a fair transition toward a sustainable economy is therefore essential.

For that, a regulatory framework must be established that favors the production of diversified, clean energy and that serves the demands of our peoples. It is essential that we secure, from the developed countries, funding commensurate with the goals implicit in evolving toward less polluting economies.

- **Human rights and multinational companies**

For TUCA and COSATE, the obligation of ensuring respect for human rights, including trade-union rights, falls not only on states but also on private companies. The growing power of multinational companies must be clearly and appropriately regulated by law.

The trade-union movement of the Americas will further pursue its plan of action against transnational corporations and Latin American multinational companies that violate labor rights at different points in their supply chains, and linking mechanisms for effective oversight and monitoring must be established.

- **Violence and terrorism**

The Americas should be a territory of peace, where human rights and democracy are among the people’s fundamental values and in which trade unions play a leading role.

The trade-union movement condemns all forms of domination by authoritarian governments and other power structures, including those found in the legislative and judicial branches, all forms of violence, and all external interference by states and transnational entities in the internal affairs of countries.

We repudiate all internal violations of the right to self-determination of the peoples and nations that coexist within a single nation-state. TUCA and COSATE reject the establishment of foreign military bases in national territories, and they demand the removal of those that exist.

We repudiate the indiscriminate terror that takes innocent lives, which is part of a spiral of hate and violence that is giving no sign of abating and, instead, is adopting increasingly horrendous manifestations. Recently, the violence of the so-called Islamic State, which was responsible for the November 2015 attacks in Paris, has been felt in different countries and is threatening to spread into other regions. It is time for a true commitment on the part of all nations,
in coordination with the United Nations, to deal with its origins and consequences in a truly comprehensive fashion.

We highlight the risk of governments using the rationale of fighting terrorism as a way to restrict the exercise of democratic rights and, most particularly, to contain legitimate protest and criminalize social leadership.

- **Social protection**

TUCA and COSATE defend a model of social security that is comprehensive, solidarity-based, redistributive, and universal, under the responsibility of the state, that balances society with the guarantees of protection for workers and for the population as a whole.

State must be the guarantors, organizers, and administrators of social security systems. This coverage must be provided through social security systems that are funded by a contributory public pillar with progressive contributions (which must be tripartite, involving the state, employers, and the deferred wages of workers) and a noncontributory basic public pillar that commits to funding a minimum level of benefits covering all those in need, regardless of their employment or work situation.

It is essential that we modify those private social security systems that have failed miserably and return to financially sustainable public systems.

In the design and implementation of public policies and programs for social security, we must overcome the habitual omission and invisibility of the inequalities that exist within the world of work, which erroneously assumes that the norm is male, formal, long-term, and full-time employment, and by default discriminates against working women and large, heterogeneous sectors: workers in the informal economy, home makers, small-scale farmers, domestic workers, and others. In addition, we must promote equal working conditions for women and men, ensuring that productive activities are compatible with the law and with care obligations, which requires public policies for helping reconcile work and the family.

Public institutions must be equipped with resources to allow them to establish oversight mechanisms for identifying contribution evasion and avoidance, including the incorrect classification of workers whereby they are excluded from social security, the imposition of sanctions, the recovery of welfare resources, strengthening national laws and inspection systems, and bringing criminal action against employers for the crime of embezzling public funds.

Improving levels of social protection requires the participation and prior consultation of workers in the adoption of any state resolution in this area, including the creation of tripartite committees with gender parity. We request the ratification of ILO Convention C102 and its effective application in countries.

Healthy and safe workplaces with decent conditions are essential in progressing toward decent work with equity and justice.

We believe it is a priority to guarantee the right to social security for all persons, and for the content of that right to be included on the agenda of the OAS, at the IACML, and in other regional integration processes such as CAN, MERCOSUR, UNASUR, SICA, CARICOM, and others.
We request the approval of the Inter-American Agreement on Social Security for better protection of workers in the region.

- **Precarity and informality**

In the opinion of TUCA and COSATE, informal employment is a persistent problem and one of the main obstacles to our countries’ development.

The transformations in productive and business structures that have taken place in recent decades, the region’s structural economic and social problems, and the imposition of neoliberal policies have caused a trend toward exceedingly high levels of informality and unprecedented labor precarity.

Informality and precarity are a part of the new global governance of corporate capitalism that seeks to increase exploitation and inequalities. Their spread also implies a problem of insufficient political response. The absence of relevant national and global policies favors this phenomenon at the world, regional, and local levels, where different public and private players come together to create an unfavorable context for the creation of decent work.

This situation, which affects millions of men and women — and young workers in particular — demands the development of suitable comprehensive public policies that address specific labor issues in order to progress toward true social inclusion and effective decent work for all.

The precarity caused by the flexibilization of contracting in processes to outsource production at the weakest links of supply chains encourages greater labor exploitation, simulation, and fraud.

New forms of contracting through software applications must be regulated in order to establish clear labor relations, as well as obligations and rights.

We reject and shall fight national, regional, and international rules that enshrine outsourcing, delocation, and subcontracting with the aim of increasing precarity.

The trade-union movement of the Americas ratifies its commitment to guaranteeing the defense of the interests of informal and precarious workers’ collectives in order to make genuine progress toward the formalization of employment, addressing the specific issues of the age and gender dimensions, and impacting inclusive public policies for decent work within the framework of sustainable development.

TUCA and COSATE demand that women and young people be guaranteed the right to conditions of equality and to the protection of all human rights and fundamental freedoms recognized by regional and international instruments, including fair wages and salaries, social security, and trade-union freedom. ILO Recommendation 204.

- **Child labor**

TUCA and COSATE reiterate their commitment toward preventing and eradicating child labor, with emphasis on the worst forms of it, which still represent a grave scourge in the region.
We ratify our commitment toward its eradication and we will at all times denounce the dangers faced by children, such as domestic work, prostitution, and all forms of child exploitation.

TUCA and COSATE assume, as part of their actions throughout the hemisphere, the fight against all manifestations of child labor, by paying due attention to its different causes and ramifications, in the formal and informal economies, through the public and universal provision of free, obligatory, and quality education; fighting for decent work for adults; seeking to improve family incomes; creating and maintaining awareness and commitment among organized civil society; and conducting campaigns for the ratification and enforcement of ILO Conventions 138 and 182 and to ensure that employers uphold those Conventions in all their operations.

We also highlight the progress that has been made and the exchanges that have taken place under the Regional Initiative for a Latin America and Caribbean Free of Child Labor, in which TUCA is an active participant.

- **Migrant workers**

TUCA and COSATE reaffirm the right of free movement of people and workers, the right to migrate or not to migrate, to remain or to return with dignity. Migrants, whether regular or not, must enjoy the same rights as other citizens. TUCA demands a clear migration policy at the hemispheric level.

States must deal with migration as a matter of human rights and not as a national security problem. The option of migrating must not meet with barriers or obstacles, and migrants must not be criminalized.

The OAS can be a space for the countries of the North and of the South to find mechanisms that allow their citizens who migrate to enjoy social protection, independent of where they have paid contributions or under which system they have done so. Also associated with the question of migration, the guarantee and protection of the rights of migrant workers and their families — particularly the right to nondiscrimination, social security, salary protection, job certification, trade-union membership, and collective bargaining, among others — is a matter that can be included in a wide agenda for the member states and other regional social actors.

TUCA and COSATE support all actions related to the emerging feminization of migration in our hemisphere in order to promote the full protection of that segment of the population and the exercise of their human rights.

**In concluding, we state that:**

We reaffirm the importance of PLADA as trade-unionism’s contribution to the debate on the options and models for the development of the Americas, and we request the expansion of forums to ensure the presence of representative social actors from the region with an agenda covering the interests of all the countries.

We call on the OAS, in the new stage on which it has embarked, to invest the IACML’s topics with greater promotion and dynamism, interconnecting and involving all the areas of the Organization for the greater effectiveness of the Declaration to be adopted in Cancún and its Plan of Action.
We propose closer ties with the Commission on Human Rights and the Inter-American Court and with the Commissioner for Economic, Social, and Cultural Rights, and we call on the OAS to continue working to guarantee the exercise of ESCR and, in particular, those dealing with labor and trade-union rights, trade-union freedoms, and collective bargaining, as a key prerequisite for combating inequality.

We request that COSATE be allowed to participate in all the activities, with the commitment of OAS-IACML and the national governments to guarantee the allocation of funds for the effective participation of its members at the conferences, between conferences, and in all other activities organized by the OAS.

We call for the enhanced impact of IACML-RIAL, with greater possibilities of progressing with the specific agenda on trade-union rights, both in the region and in the countries, with the participation of COSATE. Ratification and implementation of Conventions 87, 98, 135, 151, and 154.

We place priority on our Hemispheric Campaign for Trade-union Freedom, Collective Bargaining, and Trade-union Self-reform, in order to respond to governments, justice operators, and other institutional players.

We highlight the right of mobilization and strike action.

We request the priority inclusion on the IACML’s agenda of the right to social security, the protection of migrants, the fight against all forms of discrimination at work, and integrated policies for women and young people.

We request that impetus be given to the development and implementation of campaigns and actions against violence toward women.

Intensify and improve the inter-American human rights system to include topics related to workers’ rights, such as trade-union freedom, collective bargaining, and strike action, and other economic, social, and cultural rights.

Combat all practices intended to increase labor precarity, such as outsourcing, subcontracting, labor protection contracts, associated work cooperatives, solidarismo, etc.

TRADE UNION TECHNICAL ADVISORY COUNCIL (COSATE)
TRADE UNION CONFEDERATION OF THE AMERICAS (TUCA)

Cancún, Quintana Roo-México, December 3, 2015.
DECLARATION OF THE BUSINESS TECHNICAL ADVISORY COMMITTEE ON LABOR MATTERS (CEATAL)

(Agreed at the meeting of CEATAL, held on Thursday, December 3, 2015)

IN THE FRAMEWORK OF THE XIX INTER-AMERICAN CONFERENCE OF MINISTERS OF LABOR (IACML) OF THE ORGANIZATION OF AMERICAN STATES (OAS), to be held on December 3 and 4, 2015, the employers of the Americas, represented through the Business Technical Advisory Committee on Labor Matters (CEATAL), welcome the fact that the XIX IACML has been tasked with reflection on its theme “Achieving decent work with social inclusion and sustainable development in the Americas,” and, so as to contribute to that Conference, hereby present the following Declaration on the theme “Youth, Entrepreneurship, and Education”:

DECLARATION

The youth of the Americas are the present and future of our societies. They symbolize progress, equity, commitment, responsibility, and innovation.

According to ECLAC statistics, the population of the Americas includes 25.6 percent who are in the 15-29 year age range. Now is a crucial time for our Hemisphere to position youth as strategic actors for social, economic, political, and cultural transformation. These demographics represent a window of opportunity for the countries of the Hemisphere and signify a larger proportion of the population that is capable of working, producing, saving, and investing. But they also pose a challenge for countries of the Hemisphere now on a path to economic growth and poverty reduction, since going forward they will need people trained to cope with the transformations enabling them to take a decisive leap forward to development.

The situation of the Hemisphere’s youth today is disheartening. Many Latin American and Caribbean youth aged 15 to 24 lack economic resources. In rural areas, this figure stands at 41.5 percent and in urban at 20.7 percent.

In some countries, the poverty rate among youth exceeds 50 percent, many of whom also lack access to education (a third of the region’s youth) and do not work (one in five is not in education, training, or employment). The unemployment rate among youth stands at 14.7 percent.

The 2030 Agenda for Sustainable Development (ASD) emphasizes the need to empower youth and afford them an environment that promotes the full realization of their rights and capacities, assisting countries to profit from their demographics. Specifically, Goal 8 of the ASD
calls on the countries to promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all.

CEATAL is convinced that this ambitious objective can be achieved primarily through integrated and integral public policies especially promoting education, entrepreneurship, and investment.

1. EDUCATION: Education is a key factor of development. Through greater education, national social, economic, and cultural conditions can be improved. Higher educational levels are associated with improvements in other key factors of development and well-being, such as productivity, competitiveness, social mobility, poverty reduction, and the strengthening of citizenship, social identity, and, ultimately, social cohesion. Education—public or private—professional training, and professional practices within companies, play an essential part in enabling youth to enter the job market and to develop in adulthood. It is essential for education policies to be designed through dialogue with the private sector to ensure that youth have the qualifications companies require and that learning systems offer education geared to new types of jobs linked to the constantly evolving needs of enterprises in constant evolution. We particularly highlight the Global Learning Network as a successful example of alliances between companies and international organizations that promote and share best practices on learning programs.

2. ENTREPRENEURSHIP: Promotion of entrepreneurial initiative and self-employment among youth is fundamental so that they leave school not only to seek work but also to create it. Entrepreneurship is a key variable of economic growth, and its social value should be reaffirmed. In fact, a culture of entrepreneurship is not only for those seeking self-employment: the concept of entrepreneurship should be developed in everyone, as a way of thinking and acting. Our societies need workers with an enterprising spirit and governments with an enterprising attitude. We advocate the adoption by governments of the measures necessary to promote the necessary conditions for thriving and sustainable entrepreneurship. To that end, an enterprising spirit should be promoted as part of lifelong learning. The concept of creating, undertaking, risk-taking, and innovating, is learned in school and should be included at the different stages of education and training. This approach should be taken decisively and in the short term in the education and training system. Efforts should also be stepped up to facilitate an environment promoting business development; to promote policies that foster conditions for business establishment and development, such as entrepreneur service points, expedited business start-up procedures, and simplified knowledge protection processes; and to promote a wide variety of forms of work and different forms of incentives so that new companies can employ optimal numbers of youth.

3. INVESTMENT: Businesses create over 90% of jobs, produce most of the goods and services needed to raise living standards, and constitute most of the tax base through which public services are financed. Youth employment cannot be generated directly through legislation. Neither can governments oblige employers to invest. Entrepreneurial activity results in job creation; accordingly, we should focus on creating a climate propitious to investment. The investment climate is influenced by different factors: economic, legal, institutional and even cultural which affect the business climate in which enterprises operate. The investment climate can also be affected by macroeconomic, institutional and political uncertainty which generate major reductions in private investment.

Investment creates demand for employment. Governments should review all their actions and policies and reflect on whether they promote or impede investment through permanent dialogue with employer organizations.
CEATAL calls on the ministers of labor gathered at the XIX IACML to contribute, in coordination with other ministries and institutions and with collaboration from the OAS, the International Labor Organization (ILO), the World Bank, the Inter-American Development Bank, and all other relevant international institutions, to implementing the ASD and, in particular, by 2020, to a substantial reduction in the proportion of youth not in employment, education or training (Goal 8.6).

CEATAL requests the OAS, the ILO, the World Bank, the Inter-American Development Bank, and all other relevant institutions to support, utilizing the collaboration platform established through the Inter-American Network for Labor Administration (RIAL), the ministries of labor and other ministries and public institutions in designing and implementing policies to promote youth employment, quality education, entrepreneurship, and a climate for investment.

CEATAL highlights and thanks the valuable and ongoing technical and political support of the International Organization of Employers (IOE) for coordinating and ensuring that the business perspective is reflected in the different activities, documents and political agreements made during the IACML of the OAS. CEATAL similarly highlights the valuable technical support provided by the Bureau of Employers’ Activities of the ILO (ACT/EMP).

Finally, CEATAL thanks the Regional Office of the ILO for Latin America and the Caribbean for the support it provided so that the CEATAL delegation, with representatives from all the sub-regions, can participate in and contribute to the XIX IACML.
JOINT DECLARATION BY COSATE – CEATAL

(Agreed at the COSATE – CEATAL joint meeting
held on Thursday, December 3, 2015)

On the occasion of the XIX Inter-American Conference of Ministers of Labor of the Organization of American States (OAS), held in Cancún, Mexico, on December 3 and 4, 2015, the employers and workers of the Americas, represented by the Business Technical Advisory Committee on Labor Matters (CEATAL) and the Trade Union Technical Advisory Council (COSATE): (1) Welcome the theme chosen for the undertakings of the Conference, “Achieving decent work with social inclusion and sustainable development in the Americas”; (2) Recognize that to make the 2030 Agenda for Sustainable Development in the Americas a reality, efforts must continue to achieve the Sustainable Development Goals: in particular, goal 8, on promoting sustained, inclusive, and sustainable economic growth, full and productive employment, and decent work for all, and goal 10, on reducing inequality within and among countries by promoting integrated public policies, in both the economic and social spheres, that foster social inclusion, decent work, productive employment, and the creation of a favorable climate for sustainable enterprises; (3) ratify the Declaration of ILO approved during the Americas Regional Meeting of the ILO.

We therefore declare that:

- To progress with the creation of productive jobs and decent work, it is essential that there be:
  
  I. Respect for and the promotion and effective enforcement of fundamental principles and rights at work: freedom of association and the effective recognition of the right to collective bargaining, as essential priorities; as well as, the elimination of all forms of forced or compulsory labor; the effective abolition of child labor; and the elimination of discrimination in respect of employment and occupation;

  II. The business initiative requires climates that are favorable for sustainable enterprises, as defined in the Conclusions Concerning the Promotion of Sustainable Enterprises adopted at the 96th International Labour Conference. In particular, we emphasize that microenterprises and small and medium-sized companies are a strategic force for facilitating labor insertion and the creation of formal jobs, provided that compliance with workers’ labor rights is guaranteed; and

  III. Effective social dialogue based on mutual trust between governments and representative and independent employers’ and workers’ organizations.
All these strategies should be implemented incorporating a gender perspective.

- We call for the design and promotion of coherent and integrated strategies to facilitate the transition from the informal economy to the formal economy, taking into account the ILO Recommendation No.204, as a priority in the nations of the hemisphere, with particular emphasis placed on women and young people.

- We reaffirm the struggle against child labor in the region and our commitment to participate actively at the Fourth Global Conference on Child Labour to be held in Argentina in 2017.

Thus, COSATE and CEATAL have agreed as follows:

A) To respectfully ask the Ministries of Labor of the Americas to consider designing public policies bearing in mind this Declaration and to report back on the matter at the next IACML.

B) To ask the OAS and the ILO, working in coordination and/or cooperation with other relevant international agencies, and capitalizing on the platform created through the Inter-American Network for Labor Administration (RIAL), to support the Ministries of Labor and other ministries and public institutions in the design and implementation of policies to address the foregoing topics.

C) To request the IACML to integrate the commitments made in all its Declarations and Plans of Action for their implementation, and to evaluate the results achieved. In addition, to link these commitments to the Plan of Action of the Americas Regional Meeting of the ILO, held in Lima in October, 2014.

D) To commemorate the tenth anniversary of the RIAL as a mechanism that has opened new forums for workers and employers to offer their views and exchange experiences with the Ministries of Labor.

E) To celebrate the inauguration of the exhibit “Secrets of Labour” of the Regional Initiative Latin America and the Caribbean Free of Child Labor.

F) Finally, we thank the OAS Executive Secretariat for Integral Development (SEDI) and the ILO for their support in organizing the meeting of COSATE and CEATAL under the aegis of this Conference.
APPENDIX II – REPORTS PRESENTED TO THE CONFERENCE

- Final Report of Working Group I
- Final Report of Working Group II
- Report of Technical Secretariat to the XIX IACML
FINAL REPORT OF WORKING GROUP 1
PRESENTED TO THE
XIX INTER-AMERICAN CONFERENCE OF MINISTERS OF LABOR (IACML)

“Employment as a pillar in the quest for equality and development”

Presented by the Ministries of Labor of Argentina (Chair, WG1), Bahamas and United States (Vice-Chairs WG1)

I. INTRODUCTION

In the XVIII IACML, held in Medellin, Colombia, in November 2013, the Working Groups of the IACML (WG) were redefined in order to reflect the current priorities of the Ministries of Labor and the spirit of the Declaration and Plan of Action of Medellin. According to the Plan of Action of Medellin (XVIII IACML) the central objective of the Working Groups "is to advise the IACML on the objectives of the Declaration of Medellin. As such, the Groups will examine in greater depth the topics identified in this Plan of Action, facilitate the exchange of experiences, provide pertinent information and studies, and follow up on related hemispheric initiatives."

Additionally, the Plan of Action of Medellin establishes Working Group 1 “will follow up on the Declaration of Medellin on issues related to the creation, promotion and maintenance of dignified, decent and productive employment, seeking to continue consolidating it as a central objective of economic and social policies and a genuine path toward social justice.” (Art. 5)

Within this context and bearing in mind the Final Report presented to Ministers at the XVIII IACML, WG1 has not only built on the earlier work carried out by the previous Working Group 1 under the theme "Sustainable Development with Decent Work for a New Era of Social Justice" giving greater emphasis to the goals of achieving greater inclusion and equality in the workplace and greater attention to populations that face greater challenges.

The Plan of Action of Medellin establishes the following priority issues for WG1:

- Identification of mechanisms and best practices in the generation of integrated public policies for the promotion of dignified, decent and productive work as well as for social inclusion
- The role of Ministries of Labor in relation to economic policies, decent work, productive employment and social inclusion
- Labor and employment-promotion policies to protect populations that are confronted by greater challenges in the labor market such as indigenous people and afrodescendents, among others
- Professional and job training
- Labor market information systems
- Public Employment services
- Labor mobility and recognition of labor skills across countries
- Strategies to address labor informality and unregistered work
- Support for the development of micro, small and medium-sized enterprises
- Policies and programs to address precarious employment
- Implementation of social protection floors
- Policies and programs related to youth employment and the school-to-work transition
- Mainstreaming a gender perspective and non-discrimination in labor and employment policies, and in the operation of Ministries of Labor

These issues were addressed not only through the meetings of WG1, of which two took place within this period and are detailed below, but also through two RIAL workshops and a technical study. The first workshop was on "Social Dialogue for formalization" and took place in Barbados in conjunction with the First Meeting of WG1 under the XIX IACML on 17 September 2014. The second workshop "Toward an intersectoral focus on social protection in the Americas: Labor, social development and social security" was held in Mexico City from the 10th to the 12th of December, 2014, and was co-organized by the Government of Mexico, through its Ministries of Labor and Social Development (STPS and SEDESOL), the OAS, through its cooperation networks RIAL and RIPSO, and the Inter-American Conference on Social Security (CISS). The event brought together officials from Ministries of Labor, Social Development and social security institutions from 21 countries in the region, COSATE, CEATAL, ILO, ECLAC, the World Bank, EUROsociAL and GIZ, and benefited from one of the most important comparative advantages of the OAS, as it serves as the Technical Secretariat for different Ministerial processes, such as the IACML and the Ministerial Meeting on Social Development.

The study "Analysis of Bilateral and Multilateral Agreements on Social Security pensions", formally presented at the XIX IACML is one of the mandates assigned to WG1 in the Plan of Action of Medellin. The study was conducted by CISS in partnership with the OAS, through the RIAL which provided resources for hiring consultants.

WG1 held its first meeting in Bridgetown, Barbados on September 18, 2014. The second meeting of WG2 took place in Cartagena, Colombia, on April 28, 2015. It should be noted that some issues are common to both working groups; as such, some considerations and recommendations contained in the Final Report of WG1 of the IACML are also relevant to the work of WG2.

The meetings of WG1 were attended by officials from at least 20 Ministries of Labor 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 Labour Organisation (ILO), the Inter-American Commission on Human Rights (IACHR), the Inter-American Centre for Knowledge Development in Vocational Training (CINTERFOR), the Pan American Health Organization (PAHO), the Organization for Economic Cooperation and Development (OECD), the Inter-American Development Bank (IDB), the Inter-American Conference on Social Security (CISS) and the Organization of American States (OAS).

Section II of this report provides a summary of the topics discussed during the last two years. Section III presents the results and main consensuses of these discussions and identifies areas where further
work is needed. Finally, section IV contains the recommendations of the Working Group as input to the upcoming IACML.

II SUMMARY OF CENTRAL THEMES EMERGING FROM OUR DELIBERATIONS

1. In the discussions it could be seen that there is a renewed political commitment and revived debate at the international level, and especially in the Americas, on the need to address inequality, exclusion and discrimination, recognizing that they undermine not only social justice and individual well-being, but also development and democratic stability. The OAS General Assembly in 2014 highlighted the theme of “Development with Social Inclusion” and the Seventh Summit of the Americas in 2015 was on “Prosperity with Equity.”

2. Discrimination and vulnerability still faced by several groups such as indigenous peoples, Afro-descendants and people with disabilities, and others were especially emphasized. In this context, they took special note of the situation of the LGBTI community, which has recently emerged as a new group that deserves special attention. Additionally, advancements in the incorporation of women in the labor market were recognized and current challenges were mentioned, not only at the labor level but including legislation and policy. The complex situation of youth was also mentioned, with unemployment rates that are three times the unemployment rates for adults and the existence of 22 million young people who neither work nor study.

3. The intervention of the Commissioner Belle-Antoine of the Inter-American Commission on Human Rights (IACHR) broadened the debate with a human rights perspective. From that perspective, the right to equality and non-discrimination is a core right and must be seen as “intersectional,” meaning that it gives other rights full meaning and life. This means that economic, social and cultural rights, among which one finds labor rights, incorporate the notion of equality, and this notion makes them more accessible. This also implies that labor policies should not only protect the right to work or labor rights in general, but should ensure that those rights are consistent with human dignity, the right to dignity and the right to equality.

4. A full meeting was dedicated to analyzing articulated strategies to improve linkages to the labor market, with the participation of the Ministries of Labor, the Director of CINTERFOR / ILO and experts from OECD, IDB, ILO and OAS, and the realization of an interesting field trip to a Multisectoral Centre of the National Learning Service (SENA) of Colombia, which is a leading vocational training institution in the region.

5. Social dialogue was central in the work of the IACML in this period, not only in meetings of WG1 but also in the RIAL Workshop on "Social Dialogue for the formalization". It was reiterated that social dialogue goes beyond labor relations and is essential in the construction of pluralistic and democratic societies and in defining visions of the country and development agendas.

6. Strategies were discussed to address informality and unregistered work during that RIAL Workshop, in which the ILO’s FORLAC Program participated. In the workshop some recommendations were made which have been incorporated in the document CIMT-18/GT1-GT2/doc.12/14, and also can be found in subsequent sections of this report. Policies and
programs to address precarious and insecure employment were also an important part of the discussion.

7. WG1 meetings were an opportunity to plan and then follow up on the workshop "Towards an intersectoral approach to social protection in the Americas: Work, social development and social security," which brought together Ministries of Labor and Social Development, and social security authorities to identify experiences and advances in inter-sectoral coordination between employment and social protection and to identify how is the employment variable incorporated in comprehensive social protection systems. The result of the event was a document of recommendations and lessons learned (Doc: CIMT-18/ GT1-GT2 / doc.4 /15), some of which are listed in subsequent sections of this report.

8. During the meetings of WG1, the terms of reference and, later, the preliminary version of the study on Bilateral and Multilateral Agreements on Social Security, ordered by the Plan of Action of Medellin in Article 6.e were discussed. These discussions were very important to guide the study, which was prepared by the Inter-American Conference on Social Security (CISS) in partnership with the OAS and using RIAL resources and will be delivered during the XIX IACML.

9. The Department of Social Inclusion of the OAS, presented advances in defining indicators and progress reports on Economic, Social and Cultural Rights, following the Protocol of San Salvador (formerly the "Additional Protocol to the American Convention on Human Rights on the area of ESCR "). The Protocol was signed in 1999, but it was not until 2009 that a real discussion began regarding its implementation and the need to put these rights into operation. A group of experts was established to create indicators that measure progress in terms of compliance with the Protocol. These indicators, which are available online, were approved by the General Assembly of the OAS and the first national reports are now being received.

III AREAS OF AGREEMENT AND ISSUES FOR FURTHER WORK

1. In formulating labor and employment policies, it is essential to identify and address the vulnerability and disadvantages that various groups face, such as indigenous populations, Afro-descendants, women, migrants and disabled persons, among others, and recently the LGBTI community. Their vulnerable situation has been widely documented, showing that, although there has been some progress, poverty, unemployment, informality and discrimination in the labor market affect them disproportionately.

2. Many inequalities have become visible in the world of work, which can be verified by analyzing the situation of certain groups (indigenous persons, persons with disabilities, to name a few); however, these inequalities are also reproduced in the workplace, given high levels of informality coupled with low social protection coverage and persistent discrimination against certain groups. Improving access to work and the quality of work is fundamental to breaking the intergenerational cycle of poverty and exclusion; labor institutions are fundamental to this effort.

3. Some of the challenges that the region confronts in achieving equality and non-discrimination at work are: effective compliance with legislation, although the region has very good laws and conventions, low political will to address the issue, persistent problems in accessing judicial
systems, preventing all population groups from exercising their rights equally, the low level of reporting of abuse and discrimination for at least two reasons: there is not a culture of reporting, and the people affected do not want to be identified later, deeply rooted perceptions and stereotypes in the region’s cultures, which encourages discrimination against certain groups. The political process and decision-making at various levels further reproduce these perceptions and stereotypes, which make the political will to combat discrimination weaker than it should be. It was noted that this is a challenge at the governmental level as well as in unions and trade associations.

4. In terms of social dialogue, it was discussed that in order for it to be effective, governments, workers and employers have to be independent and able to negotiate freely; thus, social dialogue is built on the pillars of freedom of association and collective bargaining. Trust between actors is another necessary component of successful social dialogue. Governments can contribute to strengthening these pillars and building trust among actors by serving as a coordinator for social dialogue.

5. Many countries in the region have reported progress in establishing tripartite spaces which have created a positive climate for social dialogue, but this trend is uneven. There is increasing inequality in protections among workers in the region, with some enjoying full social protection, freedom of association and collective bargaining and others outside the regulatory and protective framework. It was mentioned that violence against workers, particularly in the context of anti-union crimes, remains a problem, though progress has been seen in some countries. Union members can be subject to discrimination for the sole reason of their membership in a union.

6. Social dialogue can be crucial to achieving agreements in long-term conflicts. It can clearly define the rights and obligations of each party and open the door to a common agenda, and can prevent strikes and other conflicts. Constructing permanent spaces for social dialogue can institutionalize these benefits.

7. On the other hand, social dialogue can encourage sustainable enterprises by allowing workers and employers to come to agreements on wages and salaries, which are a large portion of businesses’ operating expenses. Sustainable enterprises are necessary for sustainable jobs, and vice versa. Additionally, it was mentioned that multinational corporations can be included in social dialogue through the construction of appropriate spaces for their participation.

8. With regard to training and employability, it was recognized that the region has a number of ongoing challenges, among them, insufficient or inadequate training of the workforce, the low quality of education and the lack of tools and contacts to find quality jobs.

9. One of the concerns heavily emphasized is the existence of the so-called inconsistency between supply and demand of skills (skills mismatch) which is recognized as a significant constraint that prevents the growth of employment, productivity and the economy in general. Employers in the region insist that one of the biggest problems that they face is the lack of an adequately trained labor force.

10. It was recognized that it is crucial that training and education policies must be national long-term policies, not governmental (one-term party) policies. Considering that the efforts in terms of
training and education are long term, policies must be sustainable over time in order to have results.

11. The main strategies to improve inclusion in the labor market are active labor market policies (ALMP) and especially, among them, professional training and public employment services. However, improving inclusion, especially for the most vulnerable populations, requires actions beyond the labor market, for example, improving the quality of education and emphasizing careers in Science, Technology, Engineering, and Math (known as STEM in English), expanding social benefits (improving universal social and pension systems, improving social security systems in terms of coverage and sustainability) and fighting against discrimination, especially of women, ethnic minorities, people living with disabilities and immigrants. The importance of providing free programs for the poor and most vulnerable was also highlighted.

12. In the active labor market policies framework, the importance of improving labor market information systems was noted.

13. There are strong vocational training institutions (VTIs) in the region, which have evolved significantly and have become more established in recent years. Currently, they face a double challenge. On the one hand, they must meet the demand for higher skills in the growing technology sectors, and on the other, they must improve productivity and support the formalization of activities in the informal sectors (low productivity sectors connected to poverty).

14. The need to strengthen not only technical skills but also soft skills was stressed, as well as using vocational training to develop the new skills required in the workforce. According to CINTERFOR, these skills can be put into four categories: 1) Ways of thinking (creativity and innovation, critical thinking, conflict resolution), 2) Work tools (technology education), 3) Ways to work (communication, teamwork), 4) Ways to live in the world (civic, personal and social responsibility).

15. COSATE highlighted the Development Platform of the Americas (PLADA), created by the union movement as a proposal for a new development strategy. They stressed that labor, which should be understood as the source of social wealth and integration, has been devalued by the current model. Thus, a new relationship between the state, the market and society should be established. They emphasized that the State must articulate this new development model and it must guarantee full enjoyment of human and labor rights. He asserted the central role of union liberty, collective bargaining and social dialogue in the construction of alternatives to face the challenges of the region.

16. The delegates of CEATAL spoke of the enormous productivity deficit in the region, which is evident through the high informality rates. They stressed that, in this context, it is essential to improve and strengthen vocational training and education. The creation of employment requires a close collaboration between enterprises and government, for example, through the development of education and training policies. The representatives from CEATAL also reminded participants of the CEATAL-COSATE joint Declaration, signed in the framework of the IACML in 2007, which was grounded on the promotion of decent work, full and productive employment and sustainable enterprises, and is still valid today. They mentioned the International Employers’ Organization (IOE) initiatives to support the development of good practices that link enterprises
and training programs, and they pointed out that entrepreneurship is also a form of inclusion in the labor market.

17. With regard to intersectoral coordination between social protection and employment, which is considered essential to ensure social protection floors, in the RIAL-IASPN Workshop multiple lessons and recommendations were identified, among which are: 1) the most significant challenge in terms of intersectoral coordination is the existence of a sector-based work culture (working in silos) and the lack of political will to implement the existing legal frameworks that make said coordination easier, 2) social protection and employment policies should long-term policies, not linked to a certain administration (government), 3) social policies should have a lifecycle and rights-based approach, 4) establish a commitment and shared responsibility among governments, workers, employers and civil society in general, and 5) social protection strategies, especially those that are not contributory, are increasingly associated with productive inclusion and employment generation strategies. However, because they are still emerging, the IACML must work on these further.

18. The study on Bilateral and Multilateral Social Security Agreements contains 3 chapters. The first establishes the world of analysis and identifies the existence of 83 bilateral agreements in the region, as well as the exogenous factors that affect the purview of these agreements. Chapter two focuses on the analysis of the practical operation of the agreements. Chapter three is comprised of two case studies: the Mercosur Agreement and the bilateral agreement between Chile and Argentina. Finally, based on the study’s results, the document offers conclusions and recommendations aimed at improving the bilateral and multilateral conventions on social security.

19. The study indicates that the effective enforcement of these conventions depends on the design and implementation of the mechanisms and practices that make them operational, as well as on exogenous factors such as the migratory movements and the reality of the labor markets, especially the high levels of informality. In effect, beyond the provisions in each convention and beyond the validity of its design, there are elements that may limit the scope, coverage and, ultimately, the amount of benefits (recognition of pensions) granted by these agreements. These elements include: the extent and characteristics of migratory flows (length of migration, permanent vs. temporary), the migrants’ education levels and the levels of unemployment, underemployment and informality in each country. Furthermore, the characteristics of each country’s welfare system, whether it is a pay-as-you go or funded system, is also a significant factor in the application of the agreements, though it may create complexities in its implementation.

20. The study offers the following recommendations: Realistically value the economic implications of the agreement for each signatory State, recognize within each State the rights of persons that have made contributions to social security, regardless of their migratory status, guarantee equal treatment and consider the situation of the different groups that will be potential beneficiaries of the agreement, take the exogenous factors into account, focus on a common goal during the negotiations, involve in the negotiating teams experts of social security and other institutions that will be taking the role of liaison bodies in the administration of the agreements, recognize the economic impact of the application of these agreements, create a flexible, regularly-scheduled and highly-efficient review mechanism by which the agreement might be adjusted vis-à-vis legislative changes occurring in the signatory States, and disseminate the agreement widely in
each of the member countries so that all the potential beneficiaries are aware and informed about it.

21. With regard to addressing the phenomenon of informality, the RIAL Workshop "Social dialogue for Formalization" resulted in many recommendations that include actions on social protection, compliance with labor legislation and labor inspection, the creation and promotion of enterprises, other production units and self-employment, incentives for recruitment, and education and training.

IV. RECOMMENDATIONS

Based on the work done on the different subjects and in order for the Member States continue benefitting from these exchanges and discussions, the Working Group I respectfully recommends the Ministers of Labor in the development of the Plan of Action Plan of the next IACML, to consider the following topics:

1. Strengthen efforts to prevent and eliminate all forms of discrimination and achieve full equality in the workplace. These efforts include working with other government institutions such as the ministries of social development, education and mechanisms for the advancement of women; strengthening labor inspection; supporting and training enterprises to develop inclusive practices; and developing recruitment incentives and special programs for populations that face greater challenges in the labor market.

2. Establish institutionalized social dialogue and collective bargaining spaces that enable ongoing interaction of governments, workers and employers with a view to formulating policies, settling disputes and making joint decisions on key issues from national, regional and hemispheric agenda.

3. Develop initiatives to effectively enforce the rights of all workers, with special emphasis in particularly vulnerable sectors, such as domestic workers and rural workers.

4. Deepen intersectoral collaboration between Ministries of Labor and Ministries of Education in order to ensure a better entrance into the labor market for all people, paying special attention to those groups that have traditionally faced greater challenges in the labor market.

5. Strengthen public employment services; this implies: integrating services and programs they offer and adapting them to the needs of beneficiaries, achieving greater coverage and greater linkages with the productive sector, establishing performance-based management and providing them with greater autonomy, decentralization and institutional capacity.

6. Propose solutions and develop greater efforts to achieve a better match between, on the one hand, the contents of the training and skills of the workforce, and on the other, the needs of the productive sector. These efforts should include tools that anticipate demands for training, such as labor market observatories and prospective sector studies, as well as social dialogue platforms such as sectoral councils and spaces for tripartite discussions and decisions.
7. Continue the dialogue and cooperation between Ministries of Labor and Ministries of Social Development and other relevant institutions on comprehensive social protection systems and their linkages to employment, in order to achieve greater coordination between social protection strategies, especially non-contributory and strategies for productive inclusion and job creation.

8. Find and promote new and innovative methods to address the phenomenon of informality and monitor the various recommendations made within the RIAL Workshop "Social Dialogue for Formalization". We highlight the continuous need to address the situations of workers engaged in precarious work including those in the informal sector and migrant, part time, domestic and temporary workers, workers hired through third-party contractors in precarious conditions and others employed outside the wage contract system;

9. Continue to combine efforts on the analysis and design of mechanisms to facilitate the recognition of nominal pension contributions and pension rights, according to national legislation and as appropriate. With that in mind and considering the study “Analysis of Bilateral and Multilateral Social Security Agreements as they relate to Pensions” presented during this Conference, we request that the Technical Secretariat and the Inter-American Conference on Social Security (CISS) develop a database with the agreements signed to date, and we will continue stimulating the discussion and identifying concrete actions on this subject with social security institutions and other relevant institutions.

10. Study, in further detail, how inequality is generated and reproduced in labor markets, and the policies that could be implemented to improve this situation, taking into account recent studies by international agencies showing the negative impact of inequality on economic growth.
FINAL REPORT OF WORKING GROUP 2
SUBMITTED TO THE
XIX INTER-AMERICAN CONFERENCE OF MINISTERS OF LABOR (IACML)

“Institutional strengthening for the protection of workers’ rights
and the promotion of social dialogue”

Presented by the Ministries of Labor of Canada (Chair of WG2), Peru and Barbados (Vice Chairs of WG2)

I. INTRODUCTION

At the XVIII IACML, held in Medellin, Colombia in November 2013, the IACML Working Groups (WGs) were redefined with the aim of reflecting the current priorities of the Ministries of Labor and the spirit of the Declaration and Plan of Action of Medellin. According to the Plan of Action of Medellin, the main objective of these Working Groups is “to advise the IACML on the objectives of the Declaration of Medellin. As such, the Groups will examine in greater depth the topics identified in this Plan of Action, facilitate the exchange of experiences, provide pertinent information and studies, and follow up on related hemispheric initiatives.”

Additionally, the Plan of Action of Medellin establishes that Working Group 2 (WG2) “will follow up on the Declaration of Medellin as regards the strengthening of Ministries of Labor as the foundation for the enforcement of labor legislation, worker and employer protection, and the promotion of harmonious labor relations.” (Art. 7)

Within this framework and mindful of the Plan of Action and Final Report presented to the Ministers at the XVIII IACML, WG2 has not only built on earlier work carried out under the theme “Strengthening Ministries of Labor to Promote Decent Work and Social Inclusion”, but has striven to strengthen the institutional capacity of the Ministries of Labor to further protect workers’ rights and promote social dialogue.

The Plan of Action of Medellin established the following priority issues for WG2:
- Strengthening the management capacity of Ministries of Labor
- Development, enforcement, and promotion of labor laws and the effective exercise of fundamental principles and rights at work
- Strategies for the prevention and eradication of child labor, especially its worst forms
- Social dialogue
- Freedom of association and effective recognition of the right to collective bargaining
- Strategies to combat discrimination in respect of employment and occupation
- Strategies to combat all forms of forced or compulsory labor
- Policies and systems for labor inspection
- Occupational safety and health and worker wellness in promotion of healthy workforces
- International cooperation on labor matters

With a view to implementing the Plan of Action of Medellin in a meaningful and focused manner, and as decided at the Planning Meeting of the IACML, WG2 identified four key topics:

- Strategies for the prevention of child labor
- Occupational health and safety
- International cooperation on labor matters
- Compliance with labor laws, effective exercise of fundamental principles and rights at work, and strengthening of labor inspection

To address these issues, WG2 met on two separate occasions. WG2 held its first meeting in Bridgetown, Barbados on September 19, 2014 in conjunction with the meeting of WG1 and the RIAL Workshop titled “Social dialogue for formalization.” The second meeting of WG2 took place in Cartagena, Colombia on April 29, 2015. It worth highlighting that some topics are common to both WGs; as such, some considerations and recommendations included in the Final Report of WG1 to the IACML are also relevant for the work of WG2; particularly those relating to equity, social dialogue, and strategies for improving entrance into the labor market and addressing the needs of vulnerable populations.

The meetings of WG2 and the RIAL workshop titled “Social dialogue for formalization” were attended by officials of a significant number of Ministries of Labor and representatives of the Business Technical Advisory Committee on Labor Matters (CEATAL), the Trade Union Technical Advisory Council (COSATE), and international organizations such as the International Labour Organization (ILO), the Inter-American Commission on Human Rights (IACHR), the Inter-American Centre for Knowledge Development in Vocational Training (CINTERFOR), the Pan-American Health Organization (PAHO), the Organisation for Economic Co-operation and Development (OECD), the Inter-American Development Bank (IDB), the Inter-American Conference on Social Security (CISS) and the Organization of American States (OAS). These meetings and workshop provided opportunities to exchange knowledge, experience and good practices among Ministries of Labor of the Hemisphere.

Section II provides a summary of the topics that were discussed during the past two years. Section III presents the results of these discussions and identifies areas where further work is needed. Finally, Section IV contains WG’s recommendations as input for the upcoming IACML.
II. SUMMARY OF TOPICS COVERED IN OUR DELIBERATIONS

1. The eradication of child labor is a priority in the labor agendas of the countries of the region. According to ILO reports, the number of working children and adolescents in the region has been reduced by 7.5 million. However, despite this progress, some alarming figures persist and it is crucial that the region maintain its focus on further reducing the overall prevalence of child labor. Technical cooperation, whether regional or international, contributes to this downward trend. The ILO’s Programme on the Elimination of Child Labor (IPEC) and its launch of the “Latin America and Caribbean Free of Child Labor” Regional Initiative is a case in point. This tripartite instrument has the formal support of 25 countries in the region, has a flexible approach and allows immediate action tailored to the needs of each country. Similarly, the Interagency Group for the Eradication of Child Labor (GITI) and the RIAL have made and continue to make significant strides in the area through strengthened coordination and sharing of best practices, which have allowed national initiatives to be launched (such as private sector networks to combat child labor) or programs to be improved.

2. Some member State governments lead national initiatives to reduce child labor. For example, Canada and the United States collaborate with international partners and fund projects that include child labor components. Panama and Honduras are both implementing a technical assistance project focusing on social dialogue titled “Dialogando” to address the issue; and Ecuador reported on its Program for the Eradication of Child Labor (PETI) which has had many successes, including stronger labor inspection, the release of some 40,000 children and adolescents from child labor.

3. Regarding occupational health and safety, it has been difficult to determine the rate of occupational accidents due to a general lack of recognition of the occupational origin of accidents and underreporting.

4. Chronic noncommunicable diseases continue to be the leading cause of fatalities in the Americas, led by cardiovascular disease and cancer, closely followed by smoking and obesity among the poor and less educated. However, scattered information from multiple sources of dubious reliability only allows comparisons among a few countries. Risk factors include exposure to HIV infections among health workers and exposure to cancer-causing agents during environmental and agricultural work, which can both be controlled with proper rules on occupational health and safety.

5. A 2013 progress report on the PAHO Regional Plan for Workers’ Health noted that the needs of workers have changed, while the four programmatic areas of the plan have been maintained: quality of work environments, policy and legislation, promotion of workers’ health, and comprehensive health services. Among the main challenges to workers’ health, the following were highlighted: improving information systems, determining the impact of occupational diseases, improving occupational monitoring and addressing critical areas.

6. With regard to international cooperation on labor matters, several Ministries have cooperation units, which demonstrates that labor cooperation is considered an important issue. Generally, the cooperation units focus on the need for Ministries of labor to develop an integrated vision based on their domestic needs, and the importance of identifying the type of international cooperation they require and how it could help them achieve progress in specific areas.
7. On the subject of compliance with labor laws, it was agreed that labor inspections are essential to ensure the enforcement of labor laws and effective exercise of fundamental principles and rights to work.

8. During the discussions various factors that can harm the efficiency and effectiveness of labor inspection were highlighted:
   - Excess of tasks that are not typically part of the inspectors’ duties
   - The concentration of inspectors in some geographic areas or productive sectors/industries
   - The inspectors’ contractual instability instilled by changes in government
   - The number of inspectors. On average, Latin America and the Caribbean are at 0.6 for every 10,000 workers. The ILO recommends that there be one inspector for every 10,000 workers.
   - Access to adequate salary, means such as transportation and tools to perform their duties

9. During both meetings of WG2, the operations and current situation of the Inter-American Network for Labor Administration (RIAL) were analyzed, based on comprehensive activity and financial reports presented by the Technical Secretariat. Delegations reaffirmed their support to the Network which was created by the IACML, is coordinated by the OAS, and led and financed by the Ministries of Labor.

10. In the context of the RIAL Workshop titled “Social dialogue for formalization”, the importance of strengthening social dialogue was emphasized, as it was recognized as a tool that enables governments, workers and employers to develop joint solutions, including relating to the issue of formalization of the economy.

III. AREAS OF AGREEMENT AND ISSUES FOR FURTHER WORK

1. Ministries agreed that concerted actions are needed to address the issue of child labor and that work should be conducted on several fronts, and in collaboration with the public and private sectors to guarantee and restore the rights of children and their families.

2. Ministries also identified monitoring compliance and enforcement through incentives and social protection policies as key elements that can contribute to the eradication of child labor. Strengthening Ministries’ capacities and raising awareness among all stakeholders are also powerful tools to overcome the challenge. They also noted that there is a need for better data collection in order to identify the needs and means through which child labor can be addressed.

3. Member states acknowledged that public policies have largely contributed to raising awareness about occupational safety and health. However, this does not always translate into legislation or effective implementation. Examples of legislated occupational safety and health measures include the National Insurance Act and Workplace Health and Safety Act of the Bahamas, which were established to ensure the health, safety and welfare of persons at work and to protect them; and Guatemala’s National Commission for Occupational Safety and Health at Work that oversaw
the adoption of regulations to prevent occupational diseases and address the formation of committees in workplaces.

4. It was recognized that international cooperation on labor matters can take various shapes and forms, and that its fundamental objective should be to generate positive changes in the Ministries of Labor that will in turn promote respect for workers’ rights. To achieve this, four key elements must be considered: needs must be well defined; both the donors and the recipients must take ownership of the activity and make sure that the knowledge is disseminated throughout their respective institutions; results are necessary and must be measurable; and, there must be internal and inter-institutional coordination in order to maximize the cooperation’s effectiveness.

5. Ministries are increasingly capable of managing international cooperation and see themselves as active agents that define their own priorities and needs. They frequently act both as recipients and providers.

6. To help them achieve progress in specific areas, Ministries recognized the importance of alternative forms of cooperation, including cooperation tools such as south-south and triangular cooperation as provided by the RIAL of the OAS, as well as collaboration with international organizations. They also acknowledged that coordination among international organizations can help further international cooperation and achieve better results.

7. It was widely agreed that labor inspection can benefit from the support of partners and key agencies. For example, in Trinidad and Tobago, there are around 1,000 annual inspections and the area has been strengthened with the support of the OAS, ILO, Ministry of Community Development, unions, National Insurance Board, Occupation Safety and Health Authority, Ministry of National Security and employers.

8. There was consensus that it is important to facilitate access to inspection services, notably through the establishment of satellite offices and increased use of IT.

9. To enforce labor laws, a few good strategies include:

   - raising awareness of the community so it can play an active role in generating decent work. As such, this role can complement the inspectors’ work,
   - Provide training by holding workshops and talks that are directed to workers and employers and promoting knowledge and the exercise of rights in a balanced and harmonious way,
   - educating employers so that they understand that the observance of their obligations is also important in strengthening labor inspection. CEATAL mentioned that the business sector is directed to instruct enterprises to comply with the law. Additionally, they are promoting the ratification of the ILO Fundamental Conventions, which are relevant to inspection topics, within their enterprises and, in turn, in their countries.

10. Labor inspection must be more strategic so that it is not limited to responding to complaints, but should consist of inspection programs by areas, based on noted needs. It was also agreed that labor inspection must also be preventive, in order to reduce the number work-related accidents
and injuries. The Special Commission for the Treatment of Conflicts (CETCOIT) in Colombia was mentioned as a good example.

11. Regarding the RIAL, delegations, including representatives from COSATE and CEATAL, acknowledged and thanked the RIAL for the work accomplished over the past ten years, stressing that this milestone, which will be celebrated in the XIX IACML in December 2015, is a great opportunity to give the Network a new boost. The delegations noted that the RIAL has helped them achieve very concrete and important results in various areas.

12. The RIAL has given an important focus on its communication strategy and the use of technology, including a new electronic newsletter, Facebook page, Twitter account, and new software to conduct webinars. Good progress was recognized, as well as the need to continue making further efforts in this area. For that purpose, an Ad hoc Committee on RIAL’s IT Platform was established to improve the RIAL’s virtual tools (website and Program Portfolio), made up of the RIAL focal points of Argentina, Colombia, Mexico, Guatemala, Trinidad and Tobago and the United States.

13. With respect to the financial situation of the RIAL: From 2011 to date, the RIAL Voluntary Contribution Fund has received $235,146 from fourteen countries, plus a $200,000 Canadian contribution from 2012 to 2014 which, along with the important contribution of the OAS in coordinating the mechanism, has allowed the RIAL to continue its operations. Some delegations have included their annual contribution to the RIAL in their budgets and all delegations are encouraged to contribute on a regular basis. It is estimated that the Voluntary Fund should have a budget of at least $120,000 per year to ensure the continuity of the RIAL’s activities according to the standards that have been established.

IV. RECOMMENDATIONS

Based on the work performed in the different areas and to enable member states to continue to benefit from their exchanges and discussions, WG2 respectfully recommends to the Ministers of Labor that they consider the following areas when drawing up the Action Plan for the upcoming IACML:

1. Reinforce concerted actions to address child labor. Efforts should be conducted on several fronts and in collaboration with the public and private sectors to guarantee and restore the rights of children and their families.

2. Improve data collection and improve monitoring of compliance and enforcement of laws preventing child labor. Developing social protection policies and support mechanisms for children and their families, strengthening institutional capacities and raising awareness among all stakeholders would also contribute to tackling the issue of child labor in the Americas.

3. Reinforce multi-sectoral and interagency collaboration in preventing occupational diseases and complying with international and regional standards, and to strengthen legislation, education and awareness in all sectors regarding occupational health and safety.

4. Promote safe workplaces as a shared responsibility of governments, employers and workers, develop comprehensive regulatory frameworks, improve information and monitoring systems,
assess or measure the magnitude and impacts of occupational disease on the economy and society, and address critical issues, such as prevention of noncommunicable diseases.

5. Continue promoting international cooperation on labor matters as an effective tool to share knowledge and innovative ideas, and to contribute to institutional strengthening and to improvements in policies and programs.

6. Improve international cooperation on labor matters, notably by:
   - Increasing, where possible, the number of indicators to qualitatively measure the results of technical cooperation
   - Make greater use of information technology
   - Align cooperation with national development plans or with each country and ministry’s broader agendas, which is fundamental to achieving sustainable results
   - Rely on good practice matrices or databases (see reference to RIAL Portfolio below)
   - Ensure that the profile of participating officials is technical and not political, in order to increase and retain capacity, and encourage a wider dissemination of knowledge

7. Complement labor inspection with other mechanisms to promote the enforcement of labor laws, including raising awareness among the community so it can play an active role in generating decent work; and training workers and employers on their labor rights and responsibilities.

8. Support and expand mechanisms for social dialogue at the national, regional and hemispheric levels, and promote efforts for the effective recognition of the right to collective bargaining and freedom of association.

9. Continue supporting the RIAL, which plays a crucial role in the evolution of labor cooperation in the Americas and the strengthening of institutional capacity of Ministries of Labor.

10. Reaffirm the commitment of all Ministries of Labor in strengthening the RIAL, which includes actively participating in cooperative activities, sending relevant information on their initiatives and programs, and making technical and financial contributions.

11. Instruct the Technical Secretariat to continue coordinating all RIAL activities and to improve its on-line tools and Portfolio of Programs, based on the recommendations from the Ad hoc Committee on RIAL’s Platform. Advise the IACML authorities to allocate some resources from the Voluntary Contribution Fund towards these efforts during the next IACML Planning Meeting.
REPORT OF THE GENERAL SECRETARIAT OF THE ORGANIZATION OF AMERICAN STATES TO THE XIX INTER-AMERICAN CONFERENCE OF MINISTERS OF LABOR.

INTRODUCTION

The Technical Secretariat of the Inter-American Conference of Ministers of Labor (IACML) hereby submits the present report to the XIX IACML, as a follow-up on the commitments made, and to present the activities that have been conducted pursuant to the Declaration and Plan of Action of Medellín, adopted during the XVIII IACML held in Medellín, Colombia on November 11-12, 2013. The present report covers the period November 2013 to November 2015.

The main functions of the Technical Secretariat, for which the Department of Social Inclusion of the OAS Executive Secretariat for Integral Development (SEDI) is responsible, are to provide technical inputs for and to coordinate the planning, implementation, and follow-up on the activities of the Conference, including the meetings of its Working Groups; to advise the Chair pro tempore and the ministries of labor on compliance with the Plan of Action; to coordinate the Inter-American Network for Labor Administration; to ensure cooperation with other international agencies, and to assure the participation of workers and employers in the IACML, the OAS General Assembly, and the Summit of the Americas.

The present report is organized by topics according to the main points of the Declaration of Medellín, and it highlights what has been achieved. The annex to this report lists the activities that have been carried out; it should be noted here that over this period, the schedule approved by the Conference officers at their planning meeting in February 2014 was fully completed.

In the course of its work, the Secretariat is in constant coordination with the Troika, made up of the past, present, and future Chairs of the IACML, who are currently the ministries of labor of El Salvador, Colombia and Mexico respectively, and with the Chairs and Vice Chairs of the Working Groups, which are held by the Ministries of Argentina, Canada, United States, The Bahamas, Peru, and Barbados. The Secretariat is grateful to these authorities, whose hard work and commitment were decisive in completing the Conference’s work schedule for this period. It is also appreciative of the active support of the International Labor Organization (ILO) for all of its activities and for its ongoing support for the IACML, and also thanks the Inter-American Conference on Social Security (CISS) for its close collaboration during this period.
In addition, the Secretariat also coordinates participation in all activities and is in permanent communication with the Conference advisory bodies which bring together representatives of workers and employers: the Business Technical Advisory Committee on Labor Matters (CEATAL) and the Trade Union Technical Advisory Council (COSATE); as well as with the Trade Union Confederation of the Americas (TUCA), which serves as facilitator of COSATE and the International Organization of Employers (IOE), which coordinates the activities of CEATAL. The Secretariat also extends its thanks to these authorities.

1. ARTICULATION OF POLICIES AND INTERSECTORAL DIALOGUE: SOCIAL PROTECTION, EMPLOYMENT, AND EDUCATION

One of the three pillars of the Conference in Medellín and of its Declaration and Plan of Action was the call to promote the integration of policies that recognize the interdependence among, \textit{inter alia}, employment, labor mobility, social protection and economic growth (Article 9 of the Declaration). It also highlighted the importance of “dialogue among government agencies and tripartite social dialogue in the development of relevant policies, including but not limited to the areas of economic, labor, social, education and health policy” (Article 10 of the Declaration).

Over this period, the Conference reported two very significant advances on the question of intersectoral dialogue and the articulation of policies:

- “Toward an intersectoral focus on social protection and employment”: That was the title of the Intersectoral Workshop on Social Protection and Employment held in Mexico City on December 10-12, 2014, which brought together government officials from 21 countries of the region and representatives of three areas of government: social development, labor and social security, to share and discuss experiences and the challenges of intersectoral coordination in the field of social protection. From a policy point of view, the workshop responded to mandates in the Declaration and Plan of Action of Medellín on promoting “social protection systems that are solid, comprehensive and sustainable”, and to work on building social protection floors, which, by their very nature, require intersectoral efforts. Technically, the event was a response to developments in the discourse and practice of social protection, employment policies and, in general, strategies to address poverty and inequality, concerning the need for intersectoral approaches. The workshop was in response to a growing call for greater coordination among sectors, levels of government and agencies, in order to achieve greater efficiency and real results, most of all, results that are sustainable in social policy. The workshop was convened jointly by the Inter-American Network for Labor Administration (RIAL) and the Inter-American Social Protection Network (IASPN), both of the OAS; the Secretariat for Social Development (SEDESOL) and the Secretaria for Labor and Social Welfare (STPS) of Mexico, and the Inter-American Conference on Social Security (CISS). In addition to government officials from the three sectors referenced, the workshop brought together representatives of workers and employers, and experts from the ILO, ECLAC, the World Bank, Eurosocial and GIZ. The GIZ also co-financed the event.

This RIAL-IASPN workshop went deeper into the debate on intersectoral coordination within the IACML, which had begun as early as 2010 with the first intersectoral workshop held in Rio de Janeiro, which brought together the ministries of labor and of social development. The workshop held a number of plenary sessions, work in sub-groups, and a
field visit to learn of the operations of the productive component of Mexico’s inclusion program called “Prospera”.

A number of challenges, lessons learned, and recommendations were identified over the three days, which are reflected in the document on the results of the workshop (document CIMT-18/GT1-GT2/doc.4/15). This is a very comprehensive document, but for the purposes of this report, we highlight only five key messages: 1) The greatest challenge for intersectoral coordination was seen as the existence among government agencies of a culture of work in “silos”, that is, working by sectors. While it was recognized that progress has been made in the legal frameworks that regulate coordination among sectors and agencies, much political will is still needed to make it a reality; 2) A frequent call for policies on social protection and employment to be policies of the State, so that they go beyond the government’s time in office, and ensure the continuity of the interventions; 3) The need to approach social policies from the standpoint of the life cycle and a rights approach that will facilitate coordination. One of the chief recommendations was to promote and implement a life-cycle approach so that by coordination among various sectors, the interventions can take place throughout the course of a person’s lifetime, and also to employ a rights-based approach as the central pillar of articulation and institutionalized coordination. This rights-based approach means adjusting program designs and the responsibilities and functions of the various institutions involved; 4) To establish a shared commitment and responsibility: progress needs to be made in developing broad national agreements that include the consolidation of comprehensive social protection systems, in which it is assumed that these subjects require shared responsibility and action by governments, employers, workers, and civil society; 5) Lastly, it was noted that social protection strategies, particularly non-contributory PS, are linked to strategies for productive inclusion and job creation, but that these linkages are still in their early stages and must continue to be strengthened. To this end, it was recommended that: a) the traditional instruments of focus (centered on indicators of poverty) be supplemented with information on productive profiles, and b) that the link between conditional transfer programs and training and education initiatives be strengthened, and involve social policy training institutes. It is important that the IACML continue to work on these recommendations.

Dialogue among Ministers of Education and Ministers of Labor: The VIII Inter-American Meeting of Ministers of Education of the OAS, held in Panama City on February 4-5, 2015, was a unique event in the region, and opened up a dialogue among ministers of education and ministers of labor. On that occasion, the dialogue began with the Minister of Labor of Panama and a high-level representative of the Secretariat of Labor of Mexico. This dialogue, which will continue at the XIX IACML, represents a major advance in the mandates from both the IACML and the education ministerial, which call for greater coordination between labor and educational policies. These opportunities for exchange are based on a recognition that joint work by the ministries of labor and education is fundamental to coordinating training strategies, both in school and in the workplace, to defining study plans that are in accordance with the needs of the private sector, and proposing schemes for ongoing worker training to enable them to remain actively engaged in the job market, among other important topics.
2. **EMPLOYMENT AND EQUITY: THE FOCUS OF THE CONFERENCE WORKING GROUPS**

The IACML working groups examine the topics identified in the Declaration and Plan of Action of Medellín in more detail, provide pertinent information, make recommendations on future action and monitor national and subregional initiatives. During the XVIII IACML, the working groups redefined themselves again, adjusting their objectives vis-à-vis the groups of the previous Conference so as better to address the current priorities of the IACML. The groups and their officers currently are:

- **Working Group 1:** “Employment as a pillar of the quest for equality and development”. Chair: Argentina; Vice Chairs: United States and the Bahamas.

- **Working Group 2:** “Institutional strengthening for the protection of workers’ rights and the promotion of social dialogue”. Chair: Canada; Vice Chairs: Peru and Barbados.

Pursuant to the Plan of Action (Article 11), the working groups met twice prior to the XIX IACML, coordinated by and with technical support from the OAS and with financial contributions from the Governments of Colombia, Barbados, and the United States and a number of others who had made contributions to the RIAL Voluntary Contribution Fund. The first meeting was on September 17-19, 2014 in Bridgetown, Barbados, and the second on April 28-30, 2015 in Cartagena, Colombia. There was a notably high level of participation, with an average of 23 delegations from the ministries of labor, representatives of workers and employers via COSATE and CEATAL and international organizations. There was a notable increase over this period in the participation of international organizations: the ILO, PAHO, IDB, the World Bank, OCDE, CISS and CINTERFOR all took part and contributed greatly to the discussions.

Each working group’s discussions revolved around the topics assigned to it under the Plan of Action of Medellín, but both groups had the same goal, namely, to address the challenges of inclusion and equity in the job market, in line with one of the three pillars of the Declaration of Medellín, which was “Employment and equity: Employment as a pillar of the quest for equality and development”.

The reports of the working groups that are being submitted to the XIX IACML demonstrate the richness of the discussions, and contain summaries of the topics addressed, the areas of consensus and those topics that need further work, and they also make recommendations. These recommendations build on the Plan of Action of Cancún, and thus, the work of the groups builds bridges between the Conferences, ensures that they will be followed up on, and provides a look into the future.

The discussions in Working Group 1 focused on the subjects of equity and elimination of discrimination; social dialogue for labor stability based on trade union freedom, collective bargaining and sustainable enterprises, and strategies for improving labor market participation rates. This Group also covered all of the issues related to the study on bilateral and multilateral agreements on social security, which is mentioned in section 3 of this report, with special mention of progress in compliance with the additional Protocol to the American Convention on Human Rights in the area of Economic, Social and Cultural Rights, known as the Protocol of San Salvador.
The discussions in WG 1 clearly stated that the formulation of labor and employment policies must identify and address the vulnerability and disadvantages of a number of groups, including, *inter alia*, indigenous populations, people of African descent, women, migrants, persons with disabilities, and more recently, the LGBTI community, and that improving the quality of and access to employment in general and particularly for these groups is essential in breaking the intergenerational reproduction of poverty. The statement by an IACHR Commissioner and the incorporation of the advances of the Protocol of San Salvador expanded the debate to include a human rights perspective. The human rights perspective shows that the right to equality and non-discrimination are cross-cutting throughout economic, social and cultural rights and thus include the right to work. With regard to social dialogue, it was said that in order for it to be effective, governments, workers and employers must be independent and able to negotiate freely; and it was recognized that many countries of the region have reported progress in establishing tripartite spaces that have created a positive environment for social dialogue, but that this is not a trend found everywhere. As regards training and employability, it was acknowledged that there are still several challenges facing the region, including insufficient or inappropriate workforce training, the poor quality of education and the lack of tools for seeking out quality jobs. One of the most pressing concerns was the so-called skills gap or mismatch between the supply of and demand for competencies (skills mismatch), which is seen as a significant barrier to increasing employment and productivity. It was recognized that it is essential for training and education policies to be policies of the state and not of the government, and that there is a need to enhance not only technical competencies but also the ‘soft skills’ of the workforce, and also how professional training can help develop the new competencies that the world of work needs, including creativity, team work and critical thinking.

WG 1 covered the topics assigned by the IACML in Articles 5 and 6 of the Plan of Action of Medellín and provided a direct follow-up to mandates 18, 19, 20, 21, 22, 23, 24, 25, 31, and 34 of the Declaration, which refer to the issues described above. Its principal findings and recommendations are set out in the final report presented to the XIX IACML (document CIDI/TRABAJO/doc.4/15).

Working Group 2 addressed the topics assigned to it in the Plan of Action of Medellín (Articles 7 and 8), and focused its analysis on labor management issues, such as labor cooperation and its contribution to institutional strengthening, labor inspection and compliance with labor laws, occupational health and safety, and strategies to prevent and eliminate child labor.

With regard to labor cooperation, it was found that the ministries were more able to manage it. It was recognized that international cooperation on labor matters takes many forms, and that its main goal should be to induce positive changes in the ministries of labor, which, in turn, will promote respect for workers’ rights. On the matter of labor inspection, WG 2 noted that the work of labor inspection needs to be more strategic and should not be confined to responding to grievances, but rather that the inspection programs should be thematic and consonant with detected needs. It was agreed that labor inspection should also be preventative in order to reduce the number of workplace accidents. WG 2 found that ensuring compliance with the law also requires developing awareness and training strategies for the community as a whole as well as strategies geared to workers and employers. With regard to occupational safety and health, it was noted that it has been difficult to determine the rates of on-the-job accidents due to the inability to determine the professions in which certain accidents occurred, and to under-reporting. There was an urgent need to address and control the factors in the workplace that are impacting on chronic non-communicable diseases, such as cardiovascular disease and cancer, which continue to be the principal cause of deaths in the
Americas. In relation to the prevention and elimination of child labor, it was agreed that coordinated action on several fronts, including education and social protection, as well as collaboration among the public and private sectors, is essential to guaranteeing and restoring the rights of minors and their families.

WG 2 devoted a large part of its meeting to examining the current status and future prospects of the Inter-American Network for Labor Administration (RIAL), the mechanism created by the IACML itself. It looked at the status of the Voluntary Cooperation Fund, set out the content of the workshops that were conducted, and followed up on the activities carried out. Its decisions on the matter are to be found in Section 5 of this report.

As shown in the final report presented to the XIX IACML, classified as CIDI/TRABAJO/doc.5/15, WG2 gathered invaluable lessons learned and made recommendations on the topics discussed, and provided direct follow-up to Articles 7 and 8 of the Plan de Action of Medellín and 11, 12, 15, 16, 28, 30 and 33 of the Declaration.

3. LABOR MIGRATION AND SOCIAL SECURITY: BILATERAL AND MULTILATERAL AGREEMENTS ON SOCIAL SECURITY

The Declaration and Plan of Action of Medellín were pioneering in tabling in the IACML the need to address the linkage between migration and social security. During the discussions preparatory to the XVIII IACML in 2013, a concern arose throughout the region about the situation of migrants who pay social security contributions in their countries and who, at the end of their working life, cannot obtain a pension because they do not meet the requirements in any of the systems to which they had contributed. The discussions raised the possibility of developing an inter-American pact on social security to address this reality. It was agreed that this would be an appropriate possibility, and thus decided to “analyze experiences with bilateral and multilateral social security agreements in order to identify alternatives for designing and proposing a hemispheric mechanism that could facilitate the recognition of nominal pension contributions and pension rights of migrant workers in OAS member states, according to national legislation and as appropriate.” (Article 6.e of the Plan of Action)

On the basis of this mandate, the IACML authorities decided to commission the OAS and the CISS to do this study, and allocated some financial resources from RIAL in order to hire specialized consultants. The preparation of this study, including the determination of the terms of reference, was done in constant consultation with the members of the IACMLC. The preliminary versions of the study were presented to meetings of the working groups and were opened to comments by the delegations, which contributed greatly to the study. It may be said that, like many of the initiatives of the IACML, this study represents a collective effort.

The study “Analysis of bilateral and multilateral agreements on social security as it pertains to pensions”, which is being formally presented to the XIX IACML, is the result of the Conference’s leadership on this matter and a fruitful partnership between the CISS and the OAS. The study came up with a number of important findings on how these agreements operate. Perhaps the most important is that the design of the agreements is fundamental, as are their implementing mechanisms and practices, but their effective application, coverage and reach depend to a large extent on many exogenous factors, such as the dynamics of migration, the high levels of informal employment, and
the migrants’ qualification levels, among other subjects. The study provides an up-to-date overview of all of the agreements of this type in the region, of which there is a total of 83; it also identifies lessons and difficulties in implementing them, and makes recommendations toward a possible inter-American convention. Thus, the study is a valuable contribution to the discussion of improving the pension rights of migrant workers in the Americas.

4. PROTECTION OF WORKERS’ RIGHTS AND PROMOTION OF SOCIAL DIALOGUE

One of the three pillars of the XVIII IACML was the protection of workers’ rights and the promotion of social dialogue, and significant steps forward have been taken over the last two years in this regard. Reinforcing mandates and commitments from previous Conferences, the XVIII IACML declared: “With the utmost conviction, we intend to continue to promote social dialogue, which we recognize as a preeminent tool for reaching agreements, preventing and resolving labor conflicts, and forging more just and equitable societies” and “We recognize the importance of collective bargaining for advancing agreements between workers and employers on issues of importance in the world of work, and the importance of promoting freedom of association and trade union rights conducive to its practice.” (Articles 31 and 32 of the Declaration)

Social dialogue at the hemispheric level has been strengthened through IACML since it began, and has been given a new impulse in recent years, particularly since 2009 when the IACML declared the Trade Union Technical Advisory Council (COSATE) and the Business Technical Advisory Committee on Labor Matters (CEATAL) as its advisory agencies, raising their level of participation and impact.

In addition, new opportunities for dialogue have been created within the OAS and over the years, have become institutionalized. In this period, these opportunities were realized in the OAS General Assembly in 2014 in Asunción, Paraguay and in the Assembly of 2015 in Washington D.C., where representatives of workers and employers were able to share their views with the ministers of foreign affairs and heads of delegation. While the Seventh Summit of the Americas, held in Panama City on April 10-11, 2015, did not offer an opportunity for interaction between social actors and governments, a well-attended Trade Union Forum was held, in which the Secretary General of the OAS and the Director General of the ILO participated. This forum produced a declaration that was submitted to the Heads of State.

During this period, a very significant event was held that followed up on Ministerial commitments and linked the protection of workers’ rights and social dialogue: the RIAL workshop on “Social dialogue for formalization”, the first that had focused on the topic of informal work since the origins of RIAL in 2005. This event also complied with the recommendations of the joint COSATE/CEATAL Declaration presented to the XVIII IACML, in which workers and employers agreed “To request the ministries of labor to include the topic of the formalization of the economy in its agenda as a priority matter and to inform the next IACML as to the measures they have taken in this regard”.

This workshop on social dialogue for formalization brought together delegates from 22 ministries of labor of the region, representatives of workers and employers, and specialists from the ILO, PAHO and the OAS to discuss “efforts to transition workers from informal to formal jobs and, in the framework of the Regional Program for the Promotion of Formalization in Latin America and
the Caribbean (FORLAC), consider strategies to achieve this goal”, pursuant to mandate 6.f of the Plan of Action of Medellín. The FORLAC program was presented to the workshop, along with some national-level formalization strategies, including those in Colombia, Paraguay, Brazil, the United States and Barbados, and during a number of very active group work sessions, recommendations were made on addressing the phenomenon of informal work. These very comprehensive recommendations include actions in the areas of social protection, labor inspection, business formation and promotion, hiring incentives, education and training. Notable were the recommendations on strengthening social dialogue, internationally, nationally and locally, as a tool to be used in searching for solutions to the issue of informal work and the definition of employment policies, and develop and institutionalize comprehensive, intersectoral public policies that involve all those who have an impact on informal work.

Analysis of strategies to achieve the effective protection of workers’ rights also arose in the working groups, particularly as regards compliance with the law and labor inspection, as detailed in section 2 of this report.

5. COOPERATION FOR INSTITUTIONAL STRENGTHENING: THE INTER-AMERICAN NETWORK FOR LABOR ADMINISTRATION (RIAL)

RIAL is a creation of the Conference; it is the tool that the ministers decided to create to complement political dialogue with technical cooperation leading to institution building. Thus, the ministerial declarations and plans of action give guidance to the Network and provide it with grounding, and the documents approved at the XVIII IACML were no exception. The Plan of Action of Medellín devoted one complete section to RIAL (Articles 12 to 16), in which it reiterates, inter alia, its total support for and commitment to this mechanism, confirms the creation of the Voluntary Contribution Fund, and directs the work of the Network toward some specific actions.

This year will mark the tenth anniversary of RIAL, which will be celebrated at the XIX IACML as an initiative that for many has been the most important outcome of the IACML in its recent history.

The most notable results and advances by RIAL over this period are detailed below:

- **Documentation of major impacts of RIAL**: Continuing with the effort begun in 2010, the Technical Secretariat has stepped up its monitoring of the cooperation activities of RIAL in order to identify concrete impacts. To this end, the concept of institutional strengthening was divided into specific components, such as the design or modification of internal procedures and enhancement of programs under way. The RIAL reports presented to the working groups of the Conference and the publication of “10 years of RIAL”, which will be distributed to the XIX IACML, document these impacts, which, in some cases, have been very significant.

- **Acceptance and intensification of bilateral cooperation**: The most active mechanism of RIAL, and the most widely accepted, is bilateral cooperation—or in some cases, multilateral cooperation—which consists of study visits, field visits and expert advisory missions among the ministries of labor directly. These activities are
selected by means of open convocations and, since 2012 have been financed by the RIAL Voluntary Contribution Fund. With each successive convocation (the first was in 2007), there has been greater interest in and knowledge of this tool, which has made for some very rich interchanges: 28 ministries have received or offered specialized assistance to their peers, by means of 90 cooperation missions between 2007 and 2015, sixteen of which took place during the period covered by this report. The largest number of proposals (64) was received for the last convocation, involving 22 ministries of labor—a very positive sign of greater acceptance and recognition within the ministries of cooperation through RIAL. The results of these cooperation activities, as has been documented, are invaluable: their success lies in the fact that they are technical assistance provided by experts and tailored to the interests and needs of the ministry that asks for the assistance.

- Contributions to the Voluntary Contribution Fund are continuing and help it remain sustainable: The creation of this Fund was decided on in the IACML Working Groups in 2010, and was formally adopted at the XVII IACML. From the time of its creation, it has received $487,000 from nineteen OAS member states, including an important contribution from the Government of Canada of $200,000. It is notable that some ministries have included this contribution in their annual budgets. The Fund has financed all of the activities of RIAL over this reporting period, including two hemispheric workshops and sixteen bilateral cooperation activities. The important co-financing by the OAS, which covers the coordination costs of the Network, should also be noted.

- Communications strategy has been enhanced and decisions have been taken to improve on-line tools: RIAL has given major emphasis to its communications strategy and to the use of technology, including a new electronic newsletter, its Facebook page, its Twitter account, and new tools that make it possible to hold virtual meetings. The meetings of the working groups of the IAMCL during this period, in light of the tenth anniversary of RIAL, recognized the progress that has been made, and the need to continue efforts in this area. An ad hoc committee was therefore formed to enhance RIAL’s virtual tools (web page and program portfolio), whose members were the focal points of Argentina, Colombia, Mexico, Guatemala, Trinidad and Tobago, and the United States. The work of this committee is under way, and it will have some proposals to lay before the Conference authorities after the XIX IACML.

- The first webinars, or virtual seminars, were held: RIAL’s first three webinars were held during this period with great success. The first and second took place in order to resolve questions about the convocations for bilateral cooperation. Seventeen and twenty-one countries respectively joined the webinars, and there was a successful ‘match-making’ session to find the best partners for the various cooperation needs. The third webinar launched the webinar series on labor inspection, which it is hoped will continue in 2016, with the presentation of the experience of Trinidad and Tobago. These webinars put RIAL in a new phase that promises to strengthen cooperation among countries by taking advantage of new technologies.
CONCLUSION

Over the past two years, the Inter-American Conference of Ministers of Labor of the OAS has made some important advances in different areas:

- It has embarked on a new subject matter with the study on bilateral and multilateral agreements on social security. The analysis of social security issues had not been explicitly addressed in the Conference’s recent past, and certainly not linked to the phenomenon of migration. The study gives an up-to-date overview of agreements on the matter, the purpose of which is to ensure that workers who had paid into social security during their lives would in fact be able to obtain a pension at the end of their working lives; the study made another great contribution, which was to provide recommendations for negotiation of a possible inter-American convention or agreement on the subject.

- It has continued to demonstrate that it enjoys strong acceptance by the ministries of labor, and that it is an important and pertinent forum that has allowed them to exchange strategies, identify common challenges and solutions, and debate and decide on possible solutions at the hemispheric level, thereby providing solid backing for initiatives carried out nationally. It has also showed that it is an effective means of proposing recommendations and arriving at a regional consensus that go beyond its declarations and plans of action, as demonstrated in the documents on lessons learned and recommendations on articulation between social protection and employment, and on the issue of informal work, which came out of the two hemispheric workshops held by RIAL during this period.

- It has provided regional opportunities for moving forward with intersectoral dialogue and policy coordination, particularly in the area of social protection and employment, with a workshop that brought together officials from ministries of labor, ministries of social development and social security institutes, and dialogues that were held among ministers of labor and of education.

- It has laid a solid basis for the sustainability of the Inter-American Network for Labor Administration (RIAL) and confirmed its commitment to this mechanism by continuing to make fresh contributions to the Voluntary Contribution Fund. Further advances were made by RIAL during this period with the holding of two hemispheric workshops, with an average participation of twenty-three ministries, as well as representatives of workers, employers, international organizations and civil society; sixteen cooperation activities took place; the first webinars were held; impacts were documented; ongoing updates were made to its web page and newsletters, and it was decided to improve its on-line tools for the future. As it celebrates its tenth anniversary at the XIX IACML, RIAL is well equipped with good tools that will enable it to continue with its goal of strengthening the human and institutional capacities of the ministries of labor.
It has demonstrated that its Working Groups are effective places for policy dialogue with broad representation, and that they are very useful in analyzing priority topics and making recommendations to the Conference.

It has continued to strengthen social dialogue at the hemispheric level, consolidating the participation of COSATE and CEATAL in the general assemblies of the OAS. It has also responded to an express request from both the trade union movement and employers to include the topic of formalization of the economy as a priority agenda item—a topic to which one RIAL workshop devoted all of its discussions.

It has broadened considerably the participation of international organizations in its activities, confirming the participation of the ILO, PAHO, ECLAC, IDB and CIM, which play an active and ongoing role in the Conference, and adding the Inter-American Conference on Social Security (CISS), the Inter-American Commission on Human Rights (IACHR), the Organization for Economic Cooperation and Development (OECD) and the Inter-American Center Inter-American Centre for Knowledge Development in Vocational Training (CINTERFOR) as the ILO’s specialized body on the matter.

The Technical Secretariat thanks the Ministry of Labor of Colombia, as Chair of the XIX IACML, for its leadership and guidance over this period, and also thanks the other members of the troika and the authorities of the working groups: the Ministries of Labor of El Salvador, Mexico, Canada, Argentina, Bahamas, the United States, Barbados, and Peru, for their devoted work and commitment. It also applauds the commitment of COSATE and CEATAL and the ongoing partnerships with the ILO, CISS, CIM and other international organizations.

As we celebrate the Tenth Anniversary of the Inter-American Network for Labor Administration (RIAL) and the XIX IACML, looking to the future, the Secretariat reiterates its full commitment to continue to support the ministries of labor in all of their efforts to adapt and respond to emerging trends and new challenges and opportunities that are arising in a context of constant national, hemispheric and worldwide change.

Lastly, the Secretariat acknowledges and applauds the commitment of the ministries of labor of the region to their search for consensus, policy dialogue and hemispheric cooperation on labor and employment. Thanks to their commitment, the IACML continues to be an important dynamic mechanism, and a demonstration of the vibrancy of our democracies that transcend borders in order to join in finding a better future for the millions of workers of the Americas.
APPENDIX III – MEETINGS OF CONSULTATIVE BODIES

- Report of the Meeting of the Permanent Technical Committee on Labor Matters (COTPAL)
- Report of the Meeting of the Permanent Executive Committee of the Trade Union Technical Advisory Council (COSATE)
- Report of the Meeting of the Permanent Executive Committee of the Business Technical Advisory Committee on Labor Matters (CEATAL)
- Report of the Joint Meetings of COSATE and CEATAL
REPORT OF THE MEETING OF THE
PERMANENT TECHNICAL COMMITTEE ON LABOR MATTERS (COTPAL)

The Permanent Technical Committee on Labor Matters (COTPAL) met on December 3, 2015, in Cancún, Mexico, on the occasion of the Nineteenth Inter-American Conference of Ministers of Labor.

The meeting was chaired by Ms. Gloria Gaviria, Head of the Cooperation and International Relations Office of Colombia’s Ministry of Labor, representing the Chair of the Eighteenth IACML.

I. Adoption of the agenda

The Chair welcomed the participants and thanked the Government of Mexico for organizing the Nineteenth IACML. She said that 15 delegations were present, and so the meeting could begin and adopt the draft agenda, but that it could not adopt decisions because it was inquorate. She said the aim was to review and move forward with agreements on the topics set out on the agenda, which would be conveyed to the preparatory session of the Nineteenth IACML for consideration.

The meeting examined and adopted the draft agenda (CIDI/TRABAJO.doc.7/15).

II. Introductory remarks by Ambassador Neil Parsan, Executive Secretary for Integral Development of the OAS

Secretary Parsan thanked the Government of Mexico for its hospitality and for organizing the Nineteenth IACML, and he also thanked the Government of Colombia for its leadership over the past years. He congratulated all the countries for their efforts and commitments, which could be seen in the draft Declaration and Plan of Action of Cancún, and he highlighted the negotiation process for those documents, which was long and highly participatory and reflected one of the Conference’s greatest strengths: ownership by all the member states and their commitment to collectively constructing the region’s working agenda. He said that the topic of the Nineteenth IACML could not be more relevant, given that it was related to the goals of the recently adopted 2030 Agenda for Sustainable Development, and that he was particularly pleased that this ministerial meeting had included Goal 8, economic growth and full and productive employment, as a pillar for its discussions. He concluded by assuring the meeting that the OAS will continue to work to make those goals a reality and to support the agreements reached at the Conference.

III. Final consideration of the Draft Declaration and Plan of Action of Cancún

The Chair provided an overview of the preparatory process, which involved two meetings and an on-line consultation forum. He placed the Draft Declaration (TRABAJO/RTP/doc. 7/15 rev. 3) before the meeting for its consideration, and said that at the second preparatory meeting, paragraphs 1
and 6 had been left pending with the words “and their families” bracketed. After remarks made by several delegations, the meeting proposed deleting “and their families” and replacing the reference to “human rights of migrant workers” with “the human rights of migrants.” At the start of paragraph 29, the participants proposed including the text suggested by Trinidad and Tobago, with which it would read: “Aware that some migrant workers are accompanied by their families, we will promote the development of mechanisms…” The meeting also analyzed the proposal made by the delegation of Bolivia to conclude paragraph 19 with a reference to indigenous workers, or to include the reference as an independent paragraph 19bis. The delegations felt that the original wording of paragraph 19 was sufficiently broad and included indigenous workers and other groups, and so they decided it was not necessary to highlight the contributions made by specific populations.

There were no comments on the Draft Plan of Action (TRABAJO/RTP/doc.8/15 rev. 2).

Since the meeting did not have the quorum needed to adopt decisions, the Chair emphasized that the language agreed on by the delegations in attendance would be conveyed to the preparatory session of the Nineteenth IACML for due consideration by all the delegations.

IV. Election of the Chairs (2) and Vice Chairs (4) of the IACML’s Working Groups and the Chair of the Twentieth IACML

The Chair indicated that Brazil had expressed interest in chairing Working Group 1 and the United States and Panama in serving as Vice Chairs. Chile expressed its interest in serving as Vice Chair and, in accordance with the principle of rotation, the delegation of the United States withdrew its candidacy. The delegations in attendance agreed that those countries would serve as the authorities of WG1.

The delegations then agreed that the three countries that had expressed an interest in serving as the authorities of Working Group 2 should be elected: Paraguay as Chair, and Canada and Costa Rica as Vice Chairs. Paraguay invited other interested countries to participate in WG2.

The Chair asked about the Chair of the 20th IACML. The delegation of Barbados restated its interest in chairing the 20th IACML.

The Chair closed this agenda item with applause for the candidacy of Barbados to host the next IACML and indicated that the troika would comprise Colombia, Mexico, and Barbados.

V. Other business

The member states – including Colombia, Brazil, Uruguay, Chile, the United States, El Salvador, Paraguay, Mexico, Barbados, and Canada – used this opportunity to give homage and wish a fond farewell to the delegate of Argentina, Mr. Julio Rosales, Director of International Affairs at Argentina’s Ministry of Labor, Employment, and Social Security, for 12 years of active engagement with the work of the IACML. In their remarks, they applauded the leading role played by Argentina, and by Julio Rosales and Minister Carlos Tomada in particular, in the IACML, where they held many leadership positions, pursued valuable initiatives, promoted an authentic regional dialogue, and worked for hemispheric consensus in the international arena.
The Chair thanked the delegations and, there being no further business to discuss, declared the meeting closed and indicated that she would be reporting the proceedings to the IACML’s preparatory session.
REPORT OF THE MEETING OF THE PERMANENT EXECUTIVE COMMITTEE
OF THE TRADE UNION TECHNICAL ADVISORY COUNCIL (COSATE)

The Permanent Executive Committee of the Trade Union Technical Advisory Council (COSATE) met on December 3, 2015, in Cancún, Mexico, on the occasion of the 19th IACML. The meeting was attended by representatives of various trade union organizations; also present were the OAS, in its capacity as the Technical Secretariat, and the ILO.

I. Adoption of the agenda

The Chair of COSATE, Luis Alejandro Pedraza, welcomed the participants and presented the draft agenda, which was duly adopted.

II. Report of the Chair of COSATE

The Chair reported on COSATE’s participation in OAS and IACML events since 2013, with particular emphasis on the following: the OAS General Assemblies of 2014 and 2015, at which workers, the private sector, and civil society held discussions with the member states; the two RIAL workshops on formalization and social protection; the working group meetings in Barbados and Cartagena; and the preparatory meetings for the 19th IACML, where the Cancún commitments were negotiated and where, he said, there was broad agreement with the governments on the topics discussed. The Chair said that COSATE’s active participation in the discussions had been acknowledged, including its presentation of proposals, which were endorsed for inclusion in the Declaration and Plan of Action of Cancún. He noted that COSATE continued to receive enormous support from the CSA, ILO, and the OAS, and that over this period it had continued to call for a new model of development based on the precepts of the Development Platform of the Americas.

III. Address by the Technical Secretariat

María Claudia Camacho, Head of the Employment and Labor Section of the OAS Executive Secretariat for Integral Development, congratulated COSATE on its participation at the different events held since the 18th IACML, which evidenced coordinated and strategic efforts to position the key topics of trade unionism on the regional agenda, including trade union freedom, collective bargaining, formalization, social protection, sustainable development, and human rights. She thanked ILO and the CSA for working together with the OAS, and she noted that the CSA’s support had been essential in ensuring COSATE’s strategic efforts. She spoke of the 2030 Agenda, specifically Goal 8, which, along with the Declaration and Plan of Action of Cancún, was the new horizon for labor matters. She noted the creation within the OAS of the Secretariat for Access to Rights and Equity, which was a basic tool adopted by the new Secretary General to ensure “More Rights for More
People” in the Americas, and she expressed her appreciation for the presence of the head of this new Secretariat at this meeting.

Idelí Salvatti, the OAS Secretary for Access to Rights and Equity, said that the creation of her Secretariat was a great challenge in that it entailed placing the agenda for inclusion on an equal footing with the OAS’s other pillars: development, democracy, and security. She remarked that the region was facing a period of crisis that called for alertness lest the workers be left with the bill, and she said that she would work hand-in-hand with SEDI, as the agency formally responsible for work-related issues within the OAS, because it was impossible to speak about rights without guaranteeing work and trade-union rights. She spoke of the meeting between authorities from the CSA and the OAS Secretary General a few months previously, which had underscored the need for progress on an Inter-American social security agreement for migrants, which she considered a priority topic, together with the CSA’s support for restructuring the OAS’s relationship with civil society. She expressed her thanks for the opportunity to address the meeting and reiterated her commitment toward furthering workers’ rights and the Hemisphere’s social agenda.

The Chair of COSATE agreed on the importance of working for the situation of migrants and their families, which is a central topic for the trade union movement.

María Claudia Camacho noted the study conducted by CISS and the OAS on bilateral and multilateral social security agreements, which was to be presented at the 19th IACML; this study, she said, set important foundations toward an inter-American agreement and she urged the members of COSATE to insist on continued progress with this objective within the IACML.

IV. Composition and election of the Executive Committee of COSATE

Laerte Teixeira, the CSA’s Secretary for Social Policies, presented a proposal for the composition of the COSATE Executive Committee arising from discussions within the CSA; the proposal was adopted unanimously.

Chair: Marta Pujadas, General Confederation of Labor (CGT) of Argentina

Vice Chairs:
Luis Alejandro Pedraza, Unitary Workers’ Central (CUT) of Colombia
José Olvera, National Union of Workers (UNT) of Mexico
Cathy Feingold, AFL-CIO of the United States
Antonio Lisboa, Unitary Workers’ Confederation (CUT) of Brazil
Eulogia Família, National Confederation of Trade Union Unity (CNUS) of the Dominican Republic
Francisco Quijano, Autonomous Central of Salvadoran Workers (CATS)
Víctor Irala Del Castillo, Autonomous Workers’ Central of Peru (CATP)

Luis Alejandro Pedraza congratulated the new Chair, Marta Pujadas, noting that this was the first time that COSATE had had a female chair, and he invited her to address the meeting.

In her first address as Chair, Marta Pujadas thanked COSATE and the CSA for her appointment and the representatives of the OAS for their support. She said that this was a very important forum within the OAS for regional trade unionism and she thanked the fraternity of the CSA centrals and the ILO and reiterated her commitment toward working to defend all workers. She
then spoke of the COSATE Declaration to the 19th IACML, which had been drafted over the previous weeks, and she referred briefly to its contents that set down the opinions of the trade union movement regarding priority topics, and she asked the participants at the meeting to share their comments.

The representative of AFL-CIO, Brian Finnegan, underscored the urgency of addressing new hiring methods that imply higher levels of precarity in employment; he spoke in particular of mobile applications (Uber, for example) within what has been called the “on-demand economy” and of the need to continue to work on the relationship between human rights and multinational companies. José Olvera, the representative of UNT Mexico, asked for greater emphasis to be placed on the right of association and for differentiated responsibilities in connection with climate change to be addressed, and he also said that he agreed with the AFL-CIO’s position. Iván González of the CSA highlighted the importance of the trade union movement’s request for the ministers to work toward an inter-American social security agreement.

The Chair thanked the participants for their contributions and said they would be included in the Declaration, which was adopted in those terms. She added that the Declaration was the basis for the presentation she was to give to the ministers and that COSATE was seeking to ensure action, coherence, and a connected structure, in addition to respect for the agreements reached with the governments and employers.

V. Final thoughts and discussion on the Joint Declaration of COSATE and CEATAL

The Chair indicated that negotiations were underway for a joint declaration that would highlight the importance of the IACML, the tenth anniversary of the RIAL, the 2030 Agenda, and ILO’s Lima Declaration, in addition to the importance of respecting basic rights in order to ensure sustainable companies, a concept that, in those terms, warranted particular attention. The inclusion of social dialogue and the transition from informality to the formal economy had also been proposed. The willingness to produce a joint declaration existed, but it depended on the result of the negotiations with CEATAL.

Carmen Benítez, a Specialist with ACTRAV/ILO, congratulated the Chair on her appointment and suggested that the references in the COSATE Declaration to the transition from informality to the formal economy refer to Resolution 204, which was accepted by COSATE.

VI. Other business

There being no further business, the Chair adjourned the meeting.
REPORT OF THE MEETING OF THE EXECUTIVE COMMITTEE OF THE BUSINESS TECHNICAL ADVISORY COMMITTEE ON LABOR MATTERS (CEATAL)

The Permanent Executive Committee of CEATAL met on December 3, 2015, on the occasion of the 19th IACML. Representatives of several employers’ organizations attended the meeting, and the OAS also participated in its capacity as the Technical Secretariat; ACTEMP attended on behalf of the International Labour Organization; and the International Organization of Employers (IOE) participated in its capacity as the coordinator of CEATAL.

I. Adoption of the agenda

Mr. Alberto Echavarría welcomed the meeting participants on behalf of CEATAL Chair Daniel Funes de Rioja, who was unable to attend. He proceeded to read out the proposed agenda, which was adopted with the addition of an item to analyze the possibility of issuing a joint declaration with COSATE.

II. Remarks by the Chair of CEATAL

Alberto Echavarria, representing Chair Funes, thanked the employers’ representatives for their contributions to the IACML and their engagement at all the events held since the Medellín Conference. He highlighted the presence of John Craig at the OAS General Assemblies, which coincided with ILO’s International Conference, and he spoke of the possibility of producing a joint declaration with COSATE.

III. Report of the Coordinator of CEATAL

The Coordinator of CEATAL, María Paz Anzorreguy, submitted a detailed report on the activities carried out over the 2013-2015 period; these, she said, had helped to strengthen dialogue with COSATE and the Ministers of Labor and to bolster relations with the OAS. She reported that the activities scheduled for 2013 to 2015 – including RIAL workshops, working group meetings, and IACML preparatory meetings – had been discharged in full, and she applauded the participation of the OECD, IDB, and other agencies in the discussions. She thanked all the federations that had participated in those undertakings and noted that CEATAL, thanks to its active participation at the preparatory meetings, had succeeded in including, in the Declaration and Plan of Action of Cancún, the concept of sustainable companies and other matters of importance to the employers. She congratulated the RIAL on its tenth anniversary, noting that it had also been of benefit to employers. She reflected on how CEATAL’s influence within the IACML could be strengthened, underscoring the importance of preparing position papers and actively participating in all the activities. In concluding, she emphasized the excellent relations that existed with both the OAS and COSATE,
noting that shared ideas carried greater weight and enjoyed greater acceptance. She thanked the OAS and ACTEMP/ILO for their constant engagement and support.

Alberto Echavarría, John Craig, Anthony Walcott, and Juan José Fraschini noted and expressed their gratitude for the IOE’s work in coordinating the CEATAL delegation for both the IACML and all the activities carried out under its umbrella, in preparing position papers, and in maintaining a fluid, respectful, and constructive dialogue with COSATE, the representatives of the labor ministries, and the OAS.

IV. Comments by the Technical Secretariat

The Director of the OAS Department of Social Inclusion, Betilde Muñoz-Pogossian, emphasized the importance of hearing the employers’ perspective and called for the dialogue to not only focus on the objectives of the IACML, but also to influence other activities within the OAS; she also acknowledged the important role played by the IOE in coordinating the views of the employers of the Americas within CEATAL. She highlighted the creation of the Secretariat for Access to Rights and Equity within the OAS and the presence of its Secretary at this meeting.

The OAS Secretary for Access to Rights and Equity, Idelí Salvatti, said that the creation of this Secretariat was a result of the current process of restructuring within the OAS, the aim of which was to balance its four pillars for action: development, security, democracy, and rights. She spoke of the importance of promoting tripartite action between workers, employers, and governments to foster greater inclusion, noting that social inclusion also benefited employers and the region’s economies. She said that with this vision, her Secretariat was going to work in conjunction with the Executive Secretariat for Integral Development (SEDI) on the topics of work and employment, and she stressed the importance of strengthening synergies among all stakeholders in the world of work in order to benefit the economy, development, and inclusion.

Alberto Echavarría and Juan José Fraschini expressed their thanks for the words from the OAS Secretariat and said that the proposals were in line with the views of the employers; they also recognized the importance of the OAS and the leadership of its Secretary General, Luis Almagro.

V. Composition and election of the Executive Committee

Jorge Illingworth, a Specialist with ACTEMP/ILO, presented the following proposal for the composition of the Executive Committee, which was approved unanimously:

**Chair:** Daniel Funes de Rioja, Argentine Industrial Union (UIA)

**First Vice Chair:** Alberto Echavarría, National Association of Industrialists of Colombia (ANDI) Deputy Vice Chair: Ronnie Goldberg, of the United States

**Second Vice Chair:** Brian Burkett, Canadian Employers Council (CEC) Deputy Vice Chair: Juan Mailhos, National Chamber of Commerce and Services (CNCS) of Uruguay
VI. **Discussion of the statement by CEATAL to be presented to the Ministers of Labor**

Alberto Echavarría invited the participants to comment on the draft CEATAL Declaration and proposed including in the draft a reference to the Global Apprenticeships Network (GAN). The delegates of Panama, Canada, Uruguay, Mexico, and Barbados offered the following contributions: consideration should be given to exemplifying the concept of “investment-friendly climates,” to giving greater importance to the promotion of mentoring programs for young people to enter the business sector, to adding a reference to incentives for business owners who hire young people, and to noting that education systems should be giving young people the methodological tools necessary to equip them with entrepreneurial knowledge.

The Vice Chair thanked them for their comments and assured them that the relevant changes would be made to the draft Declaration.

VII. **Analysis of the possibility of issuing a Joint Declaration with COSATE**

Alberto Echavarría reported that COSATE had made a number of changes to the draft Joint Declaration, including such topics as trade union freedom, with which the members of CEATAL were in agreement. After a few minor changes, the participants adopted the Declaration. They also underscored the importance of issuing this type of documents, given that they have an enormous political significance and help strengthen dialogue with the workers in the Hemisphere.

VIII. **Other business**

There being no further business, the Vice Chair thanked the host country for its hospitality and stated that the new administration of the OAS, under Luis Almagro, offered an opportunity to identify new alternatives and actions for promoting growth and development in the Americas. After noting that the participation of employers would be greater in the future, he adjourned the meeting.
REPORT OF THE JOINT MEETINGS OF THE TRADE UNION TECHNICAL ADVISORY COUNCIL (COSATE) AND THE BUSINESS TECHNICAL ADVISORY COMMITTEE ON LABOR MATTERS (CEATAL)

The Trade Union Technical Advisory Council (COSATE) and the Business Technical Advisory Committee on Labor Matters (CEATAL) held a joint meeting at 11:30 a.m. on December 3, against the backdrop of the XIX Inter-American Conference of Ministers of Labor.

1. Adoption of the agenda and introductory remarks by the OAS General Secretariat

The Executive Secretariat for Integral Development serving as Technical Secretariat, Ambassador Neil Parsan, OAS Executive Secretary for Integral Development, moderated the meeting. He submitted the draft agenda for consideration and it was adopted. Welcoming the delegations, he cited this meeting, as well as the Joint Declarations of COSATE and CEATAL, as an example of dialogue and consensus; and reiterated the OAS’ commitment to continue strengthening these forums for dialogue, as well as stakeholder participation in hemispheric discussions.

2. Statement by the ILO Regional Director for the Americas

ILO Regional Director for the Americas José Manuel Salazar-Xirinachs thanked the OAS for the opportunity, noting the collaboration between both organizations, as well as the support the ILO had consistently provided COSATE and CEATAL. Pointing to the current challenges facing the region, he noted that there was a short-term narrative - mainly characterized by the current economic downturn - that was jeopardizing the progress made on poverty-reduction and unemployment; and a long-term narrative that was more structural and associated with low productivity, affecting wages, inequality, and inclusion. This was on top of the shortage of decent jobs, in which low social security coverage and other challenges featured prominently. He expressed the view that all these factors caused growth in the region to be neither sustainable nor inclusive, which posed serious challenges in terms of meeting the goals of Agenda 2030. Taking this into consideration, he explained that the ILO’s three priority areas for the region were defined as: 1) Policies for productive development and for inclusive growth with more and better jobs; 2) Program to Promote Formalization in Latin America and the Caribbean (FORLAC); and 3) Promoting compliance with labor standards, which includes promoting workers’ rights. He stated his commitment to working together with governments, employers, workers, and other institutions, in order to meet these goals; reiterated his commitment to both advisory bodies as well as to the IACML and the OAS; and stressed that ILO would support follow-up and implementation of agreements arising from this Conference.
3. Remarks by the Chair-elect of COSATE

The Chair of COSATE, Marta Pujadas, said she appreciated the forum that the OAS provides for workers and employers, and noted that COSATE and CEATAL were now advisory bodies that needed to be expanded. She said workers would try to have a greater influence on the IACML and RIAL agenda, in order to deal with priority issues like migration, social security, and fighting discrimination, as well as improving their participation in the inter-American human rights system. She urged the OAS to strengthen its agenda for freedom of association and collective bargaining. Further on, she cited efforts to work out a joint declaration with CEATAL and the need for dialogue to be effective and real, with commitments that would then translate into palpable national realities. She called for an Inter-American Social Security Pact for the region, and urged the labor ministers to ensure that employment remains at the heart of national policies.

4. Remarks by the Chair-elect of CEATAL

Vice Chair Alberto Echavarría, representing the CEATAL Chair, emphasized the importance of youth, entrepreneurship, and education policy issues in the Americas currently, noting CEATAL would be promoting them, through the OAS, by taking specific action to provide conditions for younger generations to develop themselves and contribute to economic and social growth. He stressed the need to coordinate the concepts of efficiency and improvement of social conditions, adding that although the region faced severe challenges, employers still maintained a positive view. Lastly, he explained that one of the purposes of CEATAL was to embark on a productive relationship with the various OAS units.

5. Consideration and final discussion of the joint declaration of COSATE and CEATAL to be presented to the Ministers of Labor

The representatives of both advisory bodies said they would issue a joint declaration shortly; that they would continue working after this meeting concluded; and stressed the importance of dialogue to address the employment challenges facing the Americas.

There being no further business or requests for the floor, Ambassador Neil Parsan, OAS Executive Secretary for Integral Development, thanked those in attendance for their commitment to dialogue; and thanked the ILO for its ongoing support, which has included financial support to enable delegates from these bodies to take part in the IACML. After reiterating the OAS’ commitment to promoting these forums, he adjourned the meeting.
APPENDIX IV – OTHER DOCUMENTS

- Work Schedule
- List of Participants
- List of documents
WORK SCHEDULE

“Advancing decent work with social inclusion and sustainable development in the Americas”

Venue: Hotel Fiesta Americana Grand Coral Beach

Wednesday, December 2nd

15:00 – 18:00 p.m.  Registration and accreditation

Thursday, December 3rd

8:00 – 9:00  Registration and accreditation

PARALLEL AND CONSECUTIVE MEETINGS OF CONSULTATIVE BODIES

9:00 – 12:00  Meeting of the Technical Permanent Commission for Labor Issues (COTPAL)
Gran Coral Ballroom 1 y 2

8:00 – 9:15  Meeting of the Trade Union Technical Advisory Council (COSATE)
Gran Coral Ballroom 3

9:15 – 10:30  Meeting of the Business Technical Advisory Committee on Labor Matters (CEATAL)
Gran Coral Ballroom 3

10:30 – 12:00  Joint Meeting of COSATE and CEATAL
Gran Coral Ballroom 3
Thursday, December 3rd (continued)

12:00 – 12:30  **Preparatory Session** (Art. 31 of the Rules of Procedure)

_Gran Coral Ballroom 1 y 2_

a. Establishment of the Order of Precedence;
b. Decision on rules of procedure;
c. Decision on election of the Chairman of the Conference;
d. Decision on the Agenda;
e. Decision on the Committee on Credentials and the Style Committee;
f. Decision on the working method and the makeup of working groups;
g. Deadline for the presentation of proposals;
h. Consideration of the distribution of documents by working groups and of the drafts that are not clearly related to the topics of the agenda;
i. Decision on the approximate duration of the Conference, and
j. Other business.

12:30 – 12:45  Time Adjustment

12:45 – 13:45  **INAUGURAL SESSION**

- Roberto Borge Angulo, Governor of the State of Quintana Roo
- Luis Eduardo Garzon, Minister of Labor of Colombia and Chair of the XVIII IACML
- José Manuel Salazar-Xirinachs, Regional Director for the Americas of the International Labor Organization (ILO)
- Alfonso Navarrete Prida, Minister of Labor and Social Welfare of Mexico
- Ambassador Neil Parsan, Executive Secretary for Integral Development of the Organization of American States (OAS)

14:00 – 15:45  **LUNCH OFFERED BY THE MINISTRY OF LABOR AND SOCIAL WELFARE OF MEXICO** (To all delegates)

_Venue: Restaurant Viña del Mar_

16:00 - 17:00  **MEETING OF THE MINISTERS OF LABOR WITH THE MEMBERS OF COSATE AND CEATAL** (open to all participants)

_Gran Coral Ballroom 1 y 2_

17:15 – 18:00  **INAGURATION OF EXHIBIT “SECRETS OF LABOR” OF THE REGIONAL INITIATIVE LATIN AMERICA AND THE CARIBBEAN FREE OF CHILD LABOR**

_Venue: Gallery Room_

19:30  **WELCOMING RECEPTION**

Dinner offered by the Governor of Quintana Roo to Ministers of Labor and all delegates

_Gran Coral Ballroom 3_

Friday, December 4th
FIRST PLENARY SESSION – Ratification of agreements adopted during the Preparatory Session
- Ratification – Art.31 of the IACML Rules of Procedure

SECOND PLENARY SESSION - Labor migration: advancing the protection of migrant workers’ rights

Delivery of the Study “Analysis of Bilateral and Multilateral Social Security Agreements as they relate to Pensions” prepared by the OAS and CISS at the request of the IACML, by Betilde Muñoz-Pogossian, Director of the Department of Social Inclusion of the OAS

Introductory presentations:
- Luis Eduardo Garzón, Minister of Labor of Colombia
- Esther Byer Suckoo, Minister of Labour, Social Security and Human Resource Development of Barbados
- Luis Ernesto Carles, Minister of Labor and Labor Development of Panama
- Oswaldo Enríquez, Minister of Labor and Social Welfare of Guatemala

Ministerial dialogue (50 minutes)

THIRD PLENARY SESSION - Equity and labor inclusion: inclusive labor policies and the generation of quality jobs and enterprises

Introductory presentations:
- Ximena Rincón, Minister of Labor and Social Welfare of Chile
- Lori Sterling, Deputy Minister of Labor of Canada

Ministerial dialogue (50 minutes)

PRESIDENTIAL ADDRESS
- Roberto Borge Angulo, Governor of the State of Quintana Roo
- Alfonso Navarrete Prida, Minister of Labor and Social Welfare of Mexico
- Ambassador Neil Parsan, Executive Secretary for Integral Development of the Organization of American States (OAS)
- His Excellency Enrique Peña Nieto, President of Mexico

OFFICIAL PHOTOGRAPH
Venue: Foyer
Friday, December 4th (cont.)

14:15 – 15:30  LUNCH OFFERED BY THE MINISTER OF LABOR AND SOCIAL WELFARE OF MEXICO, ALFONSO NAVARRETE PRIDA
(To all Ministers, Heads of Delegation and Special Guests - By invitation only) Venue: Restaurant La Joya

LUNCH OFFERED BY THE MINISTRY OF LABOR AND SOCIAL WELFARE OF MEXICO (To all delegates)
Venue: Restaurant Viña del Mar

15:30 - 17:00  FOURTH PLENARY SESSION - Education and Labor: integrated public policy making to promote effective inclusion in the labor market

Introductory remarks from the Chair of the Inter-American Council for Integral Development (CIDI), Ambassador Juan Pablo Lira, Permanent Representative of Chile to the OAS

Presentations by Ministers of Education:
- Marcela Paredes de Vásquez, Minister of Education of Panama and Chair of the Inter-American Committee on Education

Presentations by Ministers of Labor:
- Guillermo Sosa, Minister of Labor, Employment and Social Security of Paraguay
- Daniel Maurate, Minister of Labor and Employment Promotion of Peru
- Ariel Henry, Minister of Social and Labor Affairs of Haiti

Inter-Ministerial dialogue (30 minutes)

17:00 – 18:00  FIFTH PLENARY SESSION - Hemispheric cooperation for the strengthening of Ministries of Labor: the Inter-American Network for Labor Administration (RIAL), ten years after its creation

Introductory remarks by Amb. Neil Parsan, Executive Secretary for Integral Development of the OAS

Presentation by Maria Claudia Camacho, Labor and Employment Section Chief and RIAL Coordinator, Department of Social Inclusion, SEDI, OAS

Presentations by Ministers of Labor:
- Shane Gibson, Minister of Labour and National Insurance of the Commonwealth of The Bahamas

Ministerial dialogue (30 minutes)
Friday, December 4th (cont.)

18:00 - 18:30  SIXTH PLENARY SESSION – Adoption of the draft Declaration and Plan of Action of Cancun
- Election of the Chair Pro Tempore of the XX IACML
- Remarks by the Chair Pro Tempore of the XX IACML
- Adoption of the Declaration and Plan of Action of XIX IACML
- Remarks by Minister of Labor and Social Welfare of Mexico

18:30 – 18:45  CLOSING SESSION
LISTA DE PARTICIPANTES /LIST OF PARTICIPANTS

ESTADOS MIEMBROS ANTE LA ORGANIZACIÓN DE LOS ESTADOS AMERICANOS/ MEMBER STATES TO THE ORGANIZATION OF AMERICAN STATES

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Julio Rosales
Director de Asuntos Internacionales
Ministerio de Trabajo, Empleo y Seguridad Social

BAHAMAS

Head of Delegation

David Shane Gibson
Minister of Labour and National Insurance
Ministry of Labour and National Insurance

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Senior Deputy Director of Labour
Department of Labour

Chanelle Brown
Senior Assistant Secretary
Ministry of Labour and National Insurance

Harold Fountain
Minister’s Personal Assistant

BARBADOS

Head of Delegation
Esther Byer Suckoo
Minister of Labour, Social Security & Human Resource Development
Ministry of Labour, Social Security & Human Resource Development

Representative

Victor Felix
Deputy Labour Officer
Ministry of Labour, Social Security & Human Resource Development

BELIZE

Head of Delegation

Kerry Belisle
CEO
Ministry of Labour

Representative

Ivan Williams
Labour Commissioner
Ministry of Labour

BOLIVIA

Jefe de Delegación

Embajador Diego Pary Rodríguez
Representante Permanente
Misión Permanente de Bolivia ante la OEA

BRASIL

Chefe de Delegação

Mario Barbosa
Assessor Especial para Assuntos Internacionais
Ministério do Trabalho e Previdência Social
CANADA

Head of Delegation

Lori Sterling
Deputy Minister of Labour
Labour Program, Employment and Social Development

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Employment and Social Development

Kim Bellem
A/Director, Labour Program
Employment and Social Development

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Senior Desk Officer (OAS), Foreign Affairs
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CHILE

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Ministerio del Trabajo

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Ministerio de Trabajo y Previsión Social

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Chef de Délégation

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Ministère des Affaires et du Travail

Représentants

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Ministère des Affaires et du Travail

Jean Dieudonne Lubin
Membre du cabinet du Ministre

Nesmy Manigat
Ministre de l’Education Nationale et de la Formation Professionnelle
Ministère de l’Education Nationale et de la Formation Professionnelle

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Embajador
Embajada de Haití en México

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Director Regional de la OIT para las Américas

Christian Ramos-Veloz
Consejero principal para las Américas

Thomas Wissing
Director de la Oficina de México

Luis Cordova
Communication and Public Information Officer

Jorge Illingworth
Especialista Regional en actividades para empleadores

Carmen Benítez
Especialista Regional en actividades para trabajadores

Elena Montobbio
Asesor técnico principal del Proyecto Regional contra el Trabajo Infantil

María Olave Berney
Oficial de Programas del Proyecto Regional contra el Trabajo Infantil

Organización Panamericana de la Salud (OPS) / Pan-American Health Organization (PAHO)

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