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Inter-American Council for Integral Development
(CIDI)



**MEETING OF WORKING GROUPS 1 AND 2
 OF THE XX INTER-AMERICAN CONFERENCE OF
 MINISTERS OF LABOR (IACML)**
 September 10 and 15, 2020
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**SUMMARY AND MAIN IDEAS OF THE VIRTUAL MEETING OF WORKING GROUP 1
 OF THE XX IACML**

“Integrated Public Policies for Productive Employment and Decent Work with Social Inclusion”

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I. DESCRIPTION AND PARTICIPANTS

The virtual meeting of Working Group 2 of the XX Inter-American Conference of Ministers of Labor (IACML) of the Organization of American States (OAS) was held September 15, 2020 over Zoom platform. The meeting was jointly organized by the Ministries of Labor of Ecuador (Chair of Working Group 1), Chile and Brasil (Vice-Chairs), with the support of the IACML Technical Secretariat in the Department of Human Development, Education, and Employment of the OAS Executive Secretariat for Integral Development (SEDI).

This Meeting brought together delegations from 27 ministries of labor from OAS member states. Representatives from the advisory bodies –Trade Union Technical Advisory Council (COSATE) and the Business Technical Advisory Committee on Labor Matters (CEATAL)-, specialists from the International Labour Organization (ILO), Inter-American Development Bank (IDB), Ibero-American Social Security Organization (OISS), Pan American Health Organization (PAHO), and the OAS were also in attendance.

All information on this Meeting is available at: www.oas.org/sedi (**click here**)

II. BACKGROUND

The IACML's Working Groups were redefined during the XX IACML held in Bridgetown, Barbados in December 2017, in an effort to reflect the current priorities of the ministries of labor and the spirit of the Declaration and Plan of Action of Bridgetown. The Working Group's officers were also elected at that time:

- Working Group 1 (WG1): “Integrated Public Policies for Productive Employment and Decent Work with Social Inclusion” – Ministries of Labor of Ecuador (Chair), and Brazil and Chile (Vice Chairs)
- Working Group 2 (WG2): “Institutional Strengthening to Protect Workers' and Employers' Rights and Promote Cooperation” – Ministries of Labor of Argentina (Chair), and Canada and Costa Rica (Vice Chairs)

According to the Plan of Action of Bridgetown (XX IACML), the Working Groups were created to "advise the IACML regarding the objectives of the Declaration of Bridgetown of 2017" and, to that end, "will examine in greater depth the topics identified in this Plan of Action, facilitate exchanges of experience, provide pertinent information and studies, and follow up on related hemispheric initiatives".

Furthermore, Article 6 of the Bridgetown Plan of Action states that Working Group 1 will follow up on the following issues contained in the Declaration of Bridgetown: the future of work; equality in the labor market, elimination of employment discrimination, and labor inclusion for vulnerable groups; integration of labor, education, and training policies; and gender equality, among others.

In pursuance of these mandates, at their 2018 IACML Planning Meeting, the authorities of the Conference included in the Conference's 2018-2020 Work Plan a Meeting of the Working Groups that took place in Quito, Ecuador, in December 2019. In May 2020, the authorities decided to hold an additional meeting of the Working Groups in 2020, in order to discuss and share experiences on issues relevant to the world of work in light of the COVID-19 pandemic, considering that the XXI IACML, originally planned for December 2020, was postponed to 2021. This report, provides an account of that meeting.

III. KEY IDEAS FROM THE WORKING GROUP 1 MEETING

In consultation with the authorities of the Working Groups and based on available information on the pandemic's effects on the region, the main topics of this meeting were identified as follows: “Measures by the Ministries of Labor to protect income and promote training and re-skilling of the workforce,” and “Telework and the Platform Economy under COVID-19.” These topics were addressed through thematic panels with introductory presentations and opportunities for dialogue, the key ideas of which are listed below. The Meeting also included an information session where updates were given on gender mainstreaming in ministries of labor.

The Meeting was opened by OAS Executive Secretary for Integral Development, Mrs. Kim Osborne, and the Minister of Labor and Social Partnership Relations of Barbados, Hon. Colin Jordan,

as Chair of the XX IACML. Noting the serious economic and social crisis the region was experiencing, Secretary Osborne stressed that in times like these, countries needed to work together more than ever and involve all social actors to address common challenges and leverage emerging opportunities. She therefore noted the great value of the IACML process as an organized system for bringing the Hemisphere together, and welcomed this meeting. Minister Jordan, meanwhile, stressed the importance of forums such as the Working Groups meetings to spell out strategies and establish commitments to enable labor market recovery while creating a safe, decent, productive, and rewarding work environment that respects human rights. He emphasized that accomplishing this called for a critical analysis of the pre-pandemic labor market, as well as a participatory approach with dialogue and social inclusion. Both speakers thanked the delegations for attending, and wished them every success in their deliberations.

The meeting was moderated by Jorge Olmedo, Undersecretary for Employment and Wages (a.i.), Ministry of Labor of Ecuador, as Chair of IACML Working Group 1. He recalled the objectives of the meeting and stressed the importance of the issues to be discussed, and urged the participants to engage in a productive and open dialogue to find solutions to the grave health, economic, and social crisis the region has been experiencing as a result of the COVID-19 pandemic.

Live surveys were conducted throughout the meeting. The findings are contained in document CIMT-20/GT1-GT2/doc.16/20 and are discussed in the relevant sections of this report.

PANEL 1 - Measures by ministries of labor to protect income and promote training and re-skilling of the workforce

For this panel, introductory remarks were given by Hon. Carlos Madero, Minister of Labor and Social Security of Honduras; David Rosas, Senior Specialist in the Inter-American Development Bank (IDB) Labor Markets and Social Security Division; Alberto Echavarría, Vice Chair of the Business Technical Advisory Committee on Labor Matters (CEATAL); and Marta Pujadas, Chair of the Trade Union Technical Advisory Council (COSATE).

In addition to the presentations, there was a dialogue during which delegates from Brazil, Trinidad and Tobago, United States, Argentina, Colombia, Dominican Republic, and Barbados, and the OAS-DHDEE Director, offered comments.

The following is a summary of the main points raised in the presentations and remarks made during the dialogue:

- The crisis affecting the region as a result of the COVID-19 pandemic is unprecedented and is causing massive destruction of jobs; ECLAC estimates project that GDP will fall 9.1% in 2020, unemployment will climb to 13.5%, and poverty will affect 37.3% of the population. This crisis is also worsening the region's inequality situation, due to structural conditions such as the informal economy, limited social protection coverage, fragile care systems, and unequal home care management – the latter causing a widening employment gender gap.
- During this panel, Delegations shared on short-term measures they have pursued. In line with the IDB representative's presentation, these can be classified as measures to: 1) protect

the health of workers and reduce infections, using biosecurity protocols throughout the region and implementing telework provisions; 2) provide income for workers, through unemployment insurance, cash transfers for lower income groups, or early retirement from pension funds, among others; and 3) preserve jobs, by prohibiting dismissal, reduction of working hours, facilities, or subsidies to companies. Informal workers were helped mainly through conditional cash transfers.

- The pandemic's impact on employment varies according to each country's level of informal economy and the structure of production, among other factors. For instance, countries with a more informal economy and a high proportion of jobs in tourism have suffered more. There has also been a marked difference between countries in terms of the amount of funds allocated to recovery.
- Because the pandemic has lasted longer than expected, the impact on the labor market is stronger. States have taken measures to try to balance reopening the economy (by activity sectors, etc.) with pandemic/infection control.
- Governments, employers, and workers agreed that given the current rapid digital transformation brought about by the pandemic, improving how the workforce, education, and work training interact and coordinate is even more urgent. They also acknowledged that there are significant lags in education and training. The government delegations outlined a number of crucial medium- and long-term initiatives they were pursuing in terms of productive re-skilling and upskilling, including: Strengthening apprenticeship programs, promoting closer partnerships with businesses to define and conduct training, create partnerships with online training providers, and increase economic incentives and scholarships for ongoing knowledge update.
- The digital transformation and the impacts of new technologies on employment, call for new skills to be developed, including digital skills, social skills (empathy among the foremost), and advanced cognitive skills (such as problem solving).
- Some of the actions mentioned at the meeting to effect economic recovery and address the new skills requirements are:
 - To generate market intelligence to identify emerging sectors and to be able to predict skill demand.
 - To facilitate re-skilling for individuals to be able to move into new areas of activity. This involves identifying skills that people already possess, establishing training and transition tracks across sectors, and using technology to expand training.
 - Rethink sectors and companies, incorporating new technologies and processes, especially for micro, small, and medium enterprises.
 - Promote digital transformation by expanding connectivity and developing basic and advanced digital skills, etc.

- The IDB representative indicated efforts should prioritize: 1) strategic sectors with strong multiplier effect, such as infrastructure, digital connectivity, and clean energy generation; and 2) sectors that need to be reconverted, where those most affected are found and for which recovery timelines are longer, such as the service sector, notably tourism.
- The Chair of COSATE noted several proposals from the trade union movement in the Americas to deal with the crisis, including promotion of public policies on employment and training tailored to the new realities; holding formal social dialogue for a new social contract that puts people at the center; and building a model to solve structural inequality problems – one other than the prevailing model. She called for more investment in research and development, and for stronger vocational training systems so that workers affected by the incorporation of new technologies can be retrained, refreshed, and have their skills recognized. Arguing that the region will have to coexist with the pandemic before there can be any talk about post-pandemic, she said this awful situation could very well be an opportunity to consider policies to tie progress to social justice.
- The Vice Chair of CEATAL expressed the view that smooth, ongoing social dialogue must be developed to craft policies to keep businesses operating and preserve jobs; strengthen occupational health and security management systems; and expand employer and worker insurance and protection systems; while tackling major challenges such as the informal economy. He referenced the Global Compact and the guiding principles on business and human rights as an endeavor to collectively see to it that any setbacks experienced can be reversed to meet the sustainable development goals. Furthermore, he called for the relationship between different stakeholders in society to put confrontation aside and find common ground in attracting foreign investment and enabling sustained economic growth.
- OAS-DHDEE Director Jesús Giacoman outlined the initiative to create a Regional Qualifications Framework, led by the ILO, through its Inter-American Center for Knowledge Development in Vocational Training (CINTERFOR), with OAS and UNESCO support. He explained that the objective is to develop a template of contents and levels for a Qualifications Framework, as well as principles for comparing them. These would serve as a regional frame of reference (meta-framework) for countries starting or already in the process of implementing National Qualifications Frameworks (NQFs). The increase in intraregional migration, as well as the fact that several countries have started implementing NQFs, means it is necessary and very useful for this Regional Framework to be developed as soon as possible. Mr. Giacoman said sources of funding were being explored and that CINTERFOR-ILO had already embarked on certain project activities. He went on to state that the OAS was working with partners in and outside the region to continue offering scholarships for virtual short courses to develop skills on an ongoing basis. He made special mention of the partnership with *Structuralia*.

In the live survey conducted during this Panel, respondents were asked “What do countries need the most to strengthen professional training, re-skilling, and upskilling?” 31% answered “Anticipating the demand for new skills,” while 26% selected “Articulate with economic reactivation policies.” Document CIMT-20/GT1-GT2/doc.16/20 contains the complete findings.

PANEL 2 – Telework and the Platform Economy under COVID-19

Introductory remarks for this panel were given by Janine Berg, Senior Economist at the International Labour Organization (ILO) Department of Working Conditions; Ligia Stella Chaves, Colombia's Vice-Minister of Labor Relations; and Fernando Arab, Chile's Vice-Minister of Labor.

In addition to the presentations, there was a dialogue during which delegates from Nicaragua, Argentina, Bolivia, Ecuador, Peru, COSATE, and CEATAL offered comments.

The following is a summary of the main points raised in the presentations and remarks made during the dialogue:

- Telework and working from home increased considerably across the region during the pandemic and have been instrumental in averting further sluggish economic activity by allowing many individuals to continue working during lockdown. In terms of its definition, telework entails an employment relationship.
- Telework was regulated by law in certain countries (e.g., Colombia, Argentina, and Peru), while in others the advent of the pandemic expedited the passage of laws and regulations. These laws set out the teleworking procedures and requirements and, in some cases, procedures for working at home and working remotely, as well as employer and worker responsibilities. Several countries – Colombia, Peru, Chile, and Argentina among them – have bills in the pipeline in Congress to supplement existing laws or to regulate telework by incorporating provisions on such matters as the right to disconnect, working hours, and coverage for occupational risks, among others.
- There was acknowledgment that having telework legislation in place helps to democratize and universalize this work modality, since it provides both employers and workers with guarantees and assurances.
- In addition to having laws and regulations, telework demands organizational change, technological conditions, and sharing of responsibilities for household chores to work correctly. Organizational and technological change includes: commitment and awareness within an organization or company; monitoring of the teleworking implementation model; and determination of the infrastructure and technological platform. Legal requirements, such as legislation on occupational hazards and relations with trade unions, must be abided by.
- Internet coverage is critical; and reference was made to the Economic Commission for Latin America and the Caribbean (ECLAC) action line on building an inclusive digital society. Here, access to high-speed broadband was identified as the key prerequisite to effective participation in the digital era.
- Telework and working from home have also created the need for provisions to be put in place on work-family life balance, as well as on the right to disconnect. Several delegations said they had prepared circulars, regulations, and information material, or were preparing bills to promote this balance, as well as telework more broadly.

- A major challenge with telework is that it entrenches gender gaps because of the unequal burden of responsibilities within the home. The government delegations and the worker and employer representatives alike acknowledged the need for progress in terms of sharing responsibility in the home.
- Delegates acknowledged that telework was concentrated in highly skilled jobs, creating a gap compared to less-skilled jobs; besides, conditions such as overcrowding, health problems, or family dynamics make it very difficult for some people to telework.
- The proportion of people able to telework in a country depends on several factors: that country's economic status; production and occupational structures; Internet access (digital divide); and how offices organize work.
- The meeting also discussed working through digital platforms, drawing a distinction between platforms whereby people can stay in their country and deliver services to platforms and clients in other countries, and on the other, platforms that allow a service to be delivered in a given geographical area, such as those that use drivers or couriers. In the first type of platforms, there is no labor relation, and those who work under this modality are considered independent contractors. For those working in the second type of platforms, most countries consider them as independent workers; however, the existence or not of a labor relation and the rights and protections that apply to them, are the focus of great discussion in different countries.
- The ILO representative reported the findings of ILO studies on working via digital platforms. She outlined some of the opportunities and benefits of this type of work: it enables job creation (there is a heavy Latin American presence on microtask platforms); it enables work to be accessed without having to migrate; it facilitates personal development of new skills; and it offers flexible working hours. Among challenges she cited: surplus labor, which affects income levels; workers not enjoying rights inherent to an employment relationship, since they are considered independent; the difficulty, in practice, in invoking rights given that the relationship is transnational and often multi-party; and, lack of conflict resolution mechanisms.
- A number of important policy recommendations on platform work emerged from the ILO presentation: 1) make a constant effort to adapt regulations and policies in order to guarantee decent work for all, including ensuring social protection (adapting social protection mechanisms to guarantee coverage for any occupational hazard, regardless of contract type) and putting occupational safety and health protections in place; 2) recognize trade union rights; 3) strive for clearer and more transparent platform contracts, involving clear terms of service and notifying workers of any updates; 4) guarantee transparency in payments and commissions charged by the platforms, as well as in the conditions under which workers are furnished with equipment; and, 5) guarantee the right to appeal over non-payment, negative evaluations, or alleged violations of the code of conduct, etc.
- As a general recommendation on telework and work in platforms, the need for more awareness and reliable information was mentioned. There is a need to compile official statistics and examine working conditions; platforms should be asked to provide

administrative data to better understand the reality of working on platforms, and telework information should be added to administrative records.

- The Chair of COSATE insisted that public policy on telework and platform work must be understood as part of the effort to ensure that the transition to a digital economy is just. This should include robust universal social protection systems, training plans, and further public investment to manage digitization's impact on employment, by guaranteeing workers' rights.
- The CEATAL representative underscored the need to continue creating environments conducive to business development, and for real and frank social dialogue where problems are exposed, and meaningful proposals for each country's production system are outlined. He stressed the opportunities afforded by telework and the platform economy during the pandemic and afterwards.
- During the live survey conducted by this Panel, the attendees were asked "When working from home, your working hours are a better / worse or similar fit with your personal activities (family, friends, etc)?" The top reply selected was "Better fit" (49%); followed by "Different from when I was not working from home, but neither better nor worse" (28%). The complete findings are contained in document CIMT-20/GT1-GT2/doc.16/20.

Informative Session: Institutionalization of gender approach in the Ministries of Labor

During this session, Maria Claudia Camacho, Chief of the Labor and Employment Section within the OAS Department of Human Development, Education and Employment, provided an update on the actions included in the IACML 2018 – 2020 Work Plan regarding gender. She complemented the information shared in the Meeting of the Working Groups of 2019, and presented the "Training Proposal for Gender Mainstreaming the Ministries of Labor", included in the document CIMT-20/GT1-GT2/doc.13/20. The main points are listed below:

- The IACML has placed gender equality in the labor market as a priority and has defined gender mainstreaming and institutionalization in the Ministries of Labor as the means to achieve it. The actions undertaken by the IACML have included training and cooperation activities in partnership with the ILO and the Inter-American Commission of Women (CIM).
- The Study "The Institutionalization of a Gender Approach in the Ministries of Labor: An Update", ordered in the IACML Work Plan and preliminary presented in the Meeting of the Working Groups held in Quito, December 2019, was distributed to all Ministries in February, 2020, for comments. The Secretariat prepared a new version of the Study and will especially revise the section of diagnostics and recommendations to consider the new challenges and realities emerged from the pandemic.
- The Workshop on gender institutionalization, also included in the IACML Work Plan and scheduled for May 2020 in Argentina, had to be cancelled due to the pandemic. By request of the Conference's authorities, the Technical Secretariat prepared a proposal to transform the Workshop to a virtual training option, which was sent to all delegations as a document for this Meeting.

- The training Proposal presented by the Secretariat (document CIMT-20/GT1-GT2/doc.13/20), considers three main actions: 1) Regional dialogues among and for gender units to discuss several priority topics; the recommendations of the Study may be completed in the first dialogue, 2) Virtual Course on gender-based Violence at Work, to be developed with the Educational Portal of the Americas and CIM, and 3) Constitution of a network of gender focal points in the Ministries of Labor.

The Delegations of Argentina, Ecuador, El Salvador, and COSATE thanked the Secretariat and endorsed the proposal. The Delegation of the United States expressed its support to work on gender issues, raised some specific questions about the activities proposed, and recommended to have a first virtual dialogue to continue guiding the IACML actions. The Secretariat will revise the proposal and continue to work with the IACML authorities to develop upcoming activities.

IV. CLOSING OF THE MEETING

The Chair of the Meeting, Jorge Olmedo, Undersecretary of Employment and Salaries (a.i.) from the Ministry of Labor of Ecuador, thanked the delegations for their interest and participation in this space that addressed fundamental issues for the Ministries of Labor. He noted that along with the Vice-Chairs and the Technical Secretariat, they would work to prepare the report that captures the richness of the exchange.

The Director of the OAS Department of Human Development, Education and Employment, Jesus Schucry Giacomán, underscored that the IACML is an emblematic process with a long standing tradition of consensus building that has shown its capacity to adapt to different realities. After the pandemic, the IACML authorities rapidly adjusted priorities and actions, including the preparation of this meeting. He noted that these are difficult times for countries in the region: millions of workers, mostly informal workers, have lost their source of income, while governments have made great efforts to control the spread of the virus while allowing for economic activity to continue. He celebrated this event that provided an opportunity to jointly work towards achieving these objectives, and thanked the delegations.