

**3rd ITUC Asia Pacific Conference
Resolution No. 7**

EMPLOYMENT PROTECTION

Conference upholds the Universal Declaration of Human Rights Article 23 (1), “Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment”; however it also admits that the reality is very contradictory in terms of quantity and quality of employment, principles of employment protection, employment creation and rules of employment adjustment; indeed, long term structural changes are reshaping the world of work.

Conference is dismayed that, though globalisation has contributed to fast economic growth in the region and globally, almost 202 million people were unemployed in 2013 around the world; young people continue to be almost three times as likely to be unemployed as adult; the fact that around 600 million new jobs need to be created over the next ten years to those currently unemployed and the expected 400 million additional entrants to labour markets reflects that employment is not expanding sufficiently fast to keep up with the growing labour force. Conference regrets that Social Safety Nets for employment protection are weak in the region.

Conference notes with serious concern that, in the new demographic context, societies in several countries are aging rapidly, while many others are faced with significant challenges in attempting to reap the potential benefits of a youth bulge; in high income economies, more and more young people are forced to take temporary and/or involuntary part-time work; in less-developed countries, large proportions of young people are underemployed or working in the informal economy; much of women’s employment remains less well paid, less secure and lower status than that of men; and labour migration already significant, is expected to increase further.

Conference further expresses its concern that, quality wise, employment has significantly changed, i.e., a surge in informal and precarious work, in some countries informal economy stands nearly 90% and precarious workforce stands at more than 50%; the informal workforce in particular is largely unprotected by labour laws and social protection laws, and importantly, often, outside of the trade union folds; due to rapid restructuring of business, mergers and acquisitions, and privatisation, termination of employment often occurs in the region freely, without justifiable reasons, without consultation with unions and without adequate compensation; unfair labour practices are also committed often taking advantage of employment adjustment.

Conference focuses the question of vulnerable employment – that is, either self-employment or work by contributing family workers – accounts for almost 48% of total employment; persons in vulnerable employment are more likely to have limited or no access to social security or secure income than wage and salaried workers; the number of people in vulnerable employment continues to be on the rise in the region.

Conference urges governments, in order to rectify the current trend of high-level of unemployment, surge in informal and precarious work, and lack of rule of employment adjustment to establish at the national level the fundamental principle of quality employment as stipulated in the ILO Convention 122 (1964) on Employment Policy Article 1, “with a view to stimulating economic growth and development, raising level of living, meeting manpower requirements and overcoming unemployment and underemployment, each member shall declare and pursue, as a major goal, an active policy design to promote full, productive and freely chosen employment”; Global Jobs Pact and Social Protection Floors are also important instrument to secure quality employment, reduce inequality, and elimination of any

forms of discrimination in employment and at work.

Conference believes that on the macro level, there should be coordinated government action by strong tripartism, to support job-rich growth recover from jobless growth, rising unemployment, declining wage share and growing inequality; strengthening capacities for labour administration and labour inspection is an important element in inclusive action on worker protection, social security, labor market policies and social dialogue; a set of employment policy package to realise full, productive and freely chosen employment through the combination of macro-economic, labour market and social policies that include:

- Financing to provide funding for quality employment generation including green investment and green jobs;
- Promotion of an inclusive, efficient and fair labour market and prioritise the integration of young women and men into the labour force and;
- Establishing employment targets and indicators with relevant analysis and recommendation.

The Conference therefore commits the ITUC-AP, working with affiliates and the GUFs to:

- Establish or re-establish principles of employment to promote decent and secured job opportunities that include:
 - Regular workforce should be a pillar of employment structure;
 - Precarious work should be eliminated or limited through legislation and automatic conversion rights shall be ensured;
 - Restrict circumstances by legislation, such as by a restricted labour dispatch law, in which workers can be engaged as casual/fixed term;
 - The principle of equal conditions and remuneration for work of equal value shall prevail in all types of employment and;
 - Social safety nets for employment, with universal coverage, should be established and improved, such as unemployment insurance, skill training, re-training, up grading, job exchange schemes, adequate level of minimum wage leading to living wage, and if necessary, direct cash transfer.
- Build strong employment services to facilitate job placement, career development and address skill mismatch;
- Continue campaigns for a policy design as a Country Jobs Pact based on ILO Global Jobs Pact and ILO Employment Convention No.122 and other recommendations on employment (Nos. 122,169);
- Act to eliminate any forms of discrimination from the work place, with special support to people with disabilities and HIV-positive and indigenous people; and
- Fight against unjustifiable employment adjustment in the light of ILO Termination of Employment Convention No. 158 and Recommendation No. 166.