

## MINISTRY PAPER 50/2021

### **RESOLUTION ADOPTED BY THE ANNUAL LABOUR CONFERENCE OF THE INTERNATIONAL LABOUR ORGANIZATION FOR THE YEAR 2021**

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The House of Representatives is being reminded that Member States of the International Labour Organization (ILO) are obliged under Article 19 of the ILO Constitution to inform their competent legislative authority of the Instruments/Resolutions adopted at the Annual Labour Conferences. The main purpose of this submission is to bring the Instruments before the authority or authorities within whose competence the matter lies for the enactment of legislation or other action.

As such, the House is being asked to take note of the Resolution adopted by the ILO at its 109<sup>th</sup> Session held June 2021 as discussed below. The Resolution is accompanied by a brief statement of its main purpose along with action items.

#### **1. RESOLUTION CONCERNING A GLOBAL CALL TO ACTION FOR A HUMAN-CENTRED RECOVERY FROM THE COVID-19 CRISIS THAT IS INCLUSIVE, SUSTAINABLE AND RESILIENT**

This Resolution is aimed at providing support for a human-centred recovery from the COVID-19 crisis through the focused and accelerated implementation of the ILO Centenary Declaration, thereby advancing progress towards an inclusive, sustainable and resilient development with decent work for all.

The Resolution comprises, among others:

- (a) **Urgent action to advance a human-centred recovery that is inclusive, sustainable and resilient** which sees governments, employers' and workers' organizations committing to:

- i. working individually and collectively with the support of the ILO, for a human-centred recovery from the COVID-19 crisis through the focused and accelerated implementation of the ILO Centenary Declaration.
- ii. addressing the global dimensions of the crisis through enhanced international and regional cooperation.

#### **A. Inclusive Economic Growth And Employment**

- (a) provide for a broad-based, job-rich recovery with decent work opportunities for all through integrated national employment policy responses, recognizing the important role of the private and the public sector and the social and solidarity economy, including:
  - (i) supportive macroeconomic, fiscal and industrial policies that also foster equity and stability; and
  - (ii) appropriate public and private investment in sectors hit hardest by the crisis;
- (b) facilitate a speedy recovery towards a sustainable travel and tourism sector
- (c) promote global solidarity through support for developing countries experiencing crisis-related reductions in fiscal and monetary policy space or unsustainable external debt obligations;
- (d) strengthen national systems of employment services and national policies to provide quality employment services for workers and employers to mitigate crisis induced economic and labour market disruption;
- (e) strengthen public and private investment in skills development and lifelong learning;

#### **B. Protection Of All Workers**

- (a) provide all workers with adequate protection, reinforcing respect for international labour standards.
- (b) redouble efforts to address the increasing fundamental rights violations resulting from the pandemic, with special emphasis on the elimination of child and forced labour;

- (c) provide that workers at higher risk of exposure to COVID-19 and those at greater risk of negative health impacts, such as healthcare workers and all other frontline workers, have access to vaccines, personal protective equipment, training, testing and psychosocial support, and that they are adequately remunerated and protected at work, including against excessive workloads;
- (d) strengthen occupational safety and health measures by cooperating with public institutions, private enterprises, employers, workers and their representatives;
- (e) introduce, utilize and adapt teleworking and other new work arrangements so as to retain jobs and expand decent work opportunities through, among other means, regulation, social dialogue, collective bargaining, workplace cooperation and efforts to reduce disparities in digital access;
- (f) uphold the continued relevance of the employment relationship as a means to provide certainty and legal protection to workers;
- (g) implement, through public policy and enterprise practice, a transformative agenda for gender equality
- (h) execute across the public and private sectors a transformative agenda for equality, diversity and inclusion aimed at eliminating violence and harassment in the world of work and discrimination on all grounds;

### **C. Universal Social Protection**

- (a) achieve universal access to comprehensive, adequate and sustainable social protection, including nationally defined social protection floors, ensuring that, at a minimum, over the life cycle, all in need have access to basic income security and to essential healthcare;
- (b) enhance access to unemployment protection to ensure support for workers who have lost their jobs and livelihoods due to the pandemic and to facilitate transitions;
- (c) provide access to adequate paid sick leave, and sickness benefits and health and care services, family leave and other family-friendly policies for all workers,

ensuring coverage in cases of quarantine and self-isolation and developing faster delivery mechanisms for benefits;

#### **D. Social dialogue**

- (a) build upon the role that social dialogue, both bipartite and tripartite, has played in the immediate response to the COVID-19 pandemic in many countries and sectors, based on respect for and the promotion and realization of the enabling rights of freedom of association and the effective recognition of the right to collective bargaining;
- (b) promote social dialogue in particular to support delivery of the outcomes set out in this global call to action, including through governments consulting with social partners on designing and implementing national recovery plans and policies addressing the need for retention and creation of decent jobs, business continuity, and investment in priority sectors and areas, both public and private, to ensure a job-rich recovery;
- (c) strengthen the capacity of public administrations and employers' and workers' organizations to participate in such dialogue as the means to develop and implement regional, national, sectoral and local recovery strategies, policies and programmes.

## **2. ABROGATION AND WITHDRAWAL OF CONVENTION**

The ILO Constitution (Article 19) makes provisions for the abrogation of Conventions that are obsolete, because they have lost their purpose or make no useful contribution to attaining the objectives of the ILO. At the Conference, eight (8) Conventions were abrogated and ten (10) were withdrawn. Additionally, eleven (11) Recommendations were withdrawn.

Abrogation is applicable only to Conventions and occurs where they are in operation but have become obsolete. Withdrawal on the other hand, applies to both Conventions and Recommendations. As it relates to Conventions, they may be withdrawn if the Conventions were never validated or if they were not in force due

to denunciations. Recommendations however, are withdrawn where they have lost their purpose and are no longer in force.

**2a. Conventions Abrogated at the Annual Labour Conference of the International Labour Organization**

- I. Unemployment Indemnity (Shipwreck) Convention, 1920 (No. 8)
- II. Placing of Seamen Convention, 1920 (No. 9)
- III. Medical Examination of Young Persons (Sea) Convention, 1921 (No. 16)
- IV. Officers' Competency Certificates Convention, 1936 (No. 53)
- V. Medical Examination (Seafarers) Convention, 1946 (No. 73)
- VI. Certification of Able Seamen Convention, 1946 (No. 74)
- VII. Paid Vacations (Seafarers) Convention (Revised), 1949 (No. 91)
- VIII. Continuity of Employment (Seafarers) Convention, 1976 (No. 145)

**2b. Conventions Withdrawn at the Annual Labour Conference of the International Labour Organization**

- I. Minimum Age (Sea) Convention, 1920 (No. 7)
- II. Holidays with Pay (Sea) Convention, 1936 (No. 54)
- III. Hours of Work and Manning (Sea) Convention, 1936 (No. 57)
- IV. Paid Vacations (Seafarers) Convention, 1946 (No. 72)
- V. Wages, Hours of Work and Manning (Sea) Convention, 1946 (No. 76)
- VI. Wages, Hours of Work and Manning (Sea) Convention (Revised), 1949 (No. 93)
- VII. Wages, Hours of Work and Manning (Sea) Convention (Revised), 1958 (No. 109)
- VIII. Recruitment and Placement of Seafarers Convention, 1996 (No. 179)
- IX. Seafarers' Hours of Work and the Manning of Ships Convention, 1996 (No. 180)
- X. Fee-Charging Employment Agencies Convention, 1933 (No. 34)

**2c. Recommendations Withdrawn at the Annual Labour Conference of the International Labour Organization**

- I. Repatriation (Ship Masters and Apprentices) Recommendation, 1926 (No. 27)

- II. Prevention of Industrial Accidents Recommendation, 1929 (No. 31)
- III. Hours of Work and Manning (Sea) Recommendation, 1936 (No. 49)
- IV. Seafarers' Engagement (Foreign Vessels) Recommendation, 1958 (No. 107)
- V. Vocational Training (Seafarers) Recommendation, 1970 (No. 137)
- VI. Employment of Seafarers (Technical Developments) Recommendation, 1970 (No. 139)
- VII. Protection of Young Seafarers Recommendation, 1976 (No. 153)
- VIII. Continuity of Employment (Seafarers) Recommendation, 1976 (No. 154)
- IX. Repatriation of Seafarers Recommendation, 1987 (No. 174)
- X. Recruitment and Placement of Seafarers Recommendation, 1996 (No. 186)
- XI. Seafarers' Wages, Hours of Work and the Manning of Ships Recommendation, 1996 (No. 187)

It should be noted that Jamaica is not a party to any of the Conventions or Recommendations that were abrogated or withdrawn. Additionally, the withdrawal and abrogation of a Convention does not require any action by Jamaica.

The Parliament is being asked to note the Resolution and Instruments that were adopted, abrogated and withdrawn at the Annual Labour Conference held in 2021.



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**MINISTER OF LABOUR AND SOCIAL SECURITY**  
**June 28, 2021**