Negotiating Decent Work in South Asia

Marleen Rueda
International Labour Office
ILO DWT

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1. The general context

- Unstable political environment in some countries
- Large share of the public sector
- Many workers outside the coverage of labour laws
- Multiplicity of trade unions, with political affiliation
1. The general context (contd.)

- Decline in average membership of established unions
- Decrease of unionism in organised sectors – or stagnation due to decline in permanent employment - India exception
- Increased unionization of contract workers, primarily in larger establishments
- Emergence of trade unions in SMEs
- High unionisation rates in public sector
2. Legal framework for FoA

- Legal frameworks restrict the right to FoA
- Many categories of workers excluded from the right to form trade unions – agricultural workers, teachers, civil servants, public sector workers, workers of export processing zones
- Prevented from the right to form federations
- Pakistan: Current number of organized workers in non-agriculture sector 6.3%
2. Legal restrictions on the right to collective bargaining

- Collective bargaining rights restricted for workers in export processing zones, public sector workers (privatization positive impact on collective bargaining?)
- Most workers in the public sector can not engage in collective bargaining –existence of pay commissions displacement effect?
- Minimum wages boards for a number of private sector workers
- Result: very small percentage of employees can actually engage in collective bargaining
3. The changing nature of the employment relationship

- Increasing casualization of work and atypical forms of employment relationship
- India: up to 60-70% of contract workers in many enterprises; public sector big user of contract labour
- Pakistan: 50% regular, 15.5% casual, 32.3% piece rate, 2.1% apprentice
4. Innovative collective agreements

- Productivity not new, but unusual clauses
- New development: collective bargaining for contract workers in India
- Collective bargaining for workers in Export Processing Zones in Sri Lanka
5. The impact of economic liberalization and trade in collective bargaining

- MNCs examples of good practice in CB
- Improvement of industrial relations in EPZs (Sri Lanka and Bangladesh)
- Privatization improves the use of collective bargaining (Pakistan, Sri Lanka)
- Trade preferences encourage improvement of workplace cooperation
6. Other trends

- Towards decentralisation
- Reduction in the periodicity of the agreements
- Disappearance of sectoral bargaining in Sri Lanka, except tea plantations
- Nepal towards a new framework to promote sectoral bargaining
- Decrease of industrial disputes- increase in employers’ militancy
- Weak national social dialogue
Areas for ILO’s assistance

- Strengthening labour administration
- Labour law reform
- Basic HR management - workplace cooperation
- Min wage

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