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voice for business

Geneva, 18 November 2019

Committee of Experts on the Application
of Conventions and Recommendations (CEACR)
International Labour Office (ILO)
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IOE COMMENTS in preparation of the CEACR GENERAL SURVEY 2020 on Employment Instruments

1. Introduction and background information

At its March 2018 session, the ILO Governing Body decided that the 2019 CEACR General Survey for discussion in the Committee on the Application of Standards (CAS) during the 2020 International Labour Conference will examine three Conventions and five Recommendations relating to employment, namely:

1. the Employment Policy Convention 1964 (No. 122),
2. the Vocational Rehabilitation and Employment (Disabled Persons) Convention 1983 (No. 159),
3. the Home Work Convention 1996 (No. 177),
4. the Vocational Rehabilitation and Employment (Disabled Persons) Recommendation 1983 (No. 168),
5. the Employment Policy (Supplementary Provisions) Recommendation 1984 (No. 169),
6. the Home Work Recommendation 1996 (No. 184),
7. the Employment Relationship Recommendation 2006 (No. 198), and
8. the Transition from the Informal to the Formal Economy Recommendation 2015 (No. 204).

Subsequently, the Governing Body agreed on a [questionnaire](#) on these instruments for Governments, workers' and employers' organisations to submit their reporting.

With the present submission, the IOE wishes to contribute to the preparation by the CEACR of the forthcoming General Survey .

The IOE trusts that the CEACR will provide in its forthcoming General Survey in-depth explanations and technical guidance on the scope and the meaning of the provisions contained in the eight instruments; present any difficulties faced by governments and social partners that are standing in the way of their ratification and implementation in law and practice; and indicate possible means of overcoming these obstacles. Most importantly, the General Survey should provide a solid foundation for tripartite examination and discussion in the 2020 CAS, which will determine any necessary action to be taken by the Organization regarding the instruments concerned.

As requested by the Employers' Group in the CAS, the IOE would appreciate that the subsequent comments be made available in the ILO webpage to other ILO constituents and the general public.

2. The strategic objective of Employment

The ILO has adopted more than 28 instruments related to the strategic objective of employment, that regroups those related to the employment policy, skills and employment security.

Employment is a key objective for the ILO because it is one of the pillars of the ILO Decent Work Agenda. Its fundamental importance is underlined by the Sustainable Development Goals (SDG) No. 8, which calls on States to make efforts to ***“promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all”***.

The relevance of the strategic objective of employment has also been addressed by the tripartite Constituents in the recently adopted ILO Centenary Declaration for the Future of Work. This new instrument reaffirms the Organization's values and principles and sets out its short- and long-term vision and objectives in the light of the transformative changes in the world of work.

In the text of the Declaration, the ILO Constituents underlined the following:

1. The importance of the role of sustainable enterprises as generators of employment, and promoters of innovation and decent work (Preamble of the Declaration);
2. The necessity to harness the fullest potential of technological progress and productivity growth as one of the areas where the ILO must direct its efforts (Section II, A (ii));
3. The need to promote the acquisition of skills where the ILO needs to become a global leader in providing concrete key policy guidance to address skills gaps (Section II, A (iii));
4. The need for the ILO to support the role of the private sector as a principal source of economic growth and job creation by promoting an enabling environment for entrepreneurship and sustainable enterprises, in order to generate decent work, productive employment and improved living standards for all (Section II, A (ix));
5. The focus on promoting the transition from the informal to the formal economy (Section II, A (xiv));
6. The need to promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all (Section III, C).

Employment is core for economic development, social cohesion and political stability. In this regard, formulating, strengthening, and implementing effective employment policies and regulations is important to enhance economic growth and development, improve the standards of living, reduce unemployment, underemployment, and working poverty. Any discussion about improvements in working conditions is meaningless without effective policies aimed at creating employment and stimulating private enterprises as a precondition for countries to realise their economic and social potential.

Efforts by public authorities to promote employment such as making employment-intensive public investments need to take into account that the sustainable long-term solution will rely on private sector investment and growth.

Policies at different levels and in different areas, including but not limited to macroeconomic and labour market policies, are intertwined and dependent on each other. To be effective; they must, therefore, come together in a coherent and complementary manner to create a conducive business environment for private investment and sustainable enterprise development, which are essential to generate productive employment and decent work.

The Committee of Experts' analysis of the selected ILO instruments included in the General Survey must take into account these elements, as well as the priorities underlined in the ILO Centenary Declaration for the Future of Work. It should also consider that the application and implementation of ILO standards is a balancing exercise that must take into account both the needs for workers' protection as well as the needs of sustainable enterprises.

As was set out in the 2010 General Survey, the employment Conventions are interdependent, as well as being intrinsically linked both to the fundamental Conventions and other important instruments. An additional common feature is the necessity and importance of tripartite consultations.

3. Employment policy Convention 1964 (No. 122) and Employment Policy (Supplementary Provisions) Recommendation 1984 (No. 169)

Convention No. 122 is the most important instrument on the strategic objectives of employment. It is a Governance (Priority) Convention, ratified by 113 countries. 40 years after its adoption in 1964, it was followed by a Recommendation with supplementary provisions. Convention No. 122 was designated as one of the four "priority" Conventions in view of its importance for the functioning of the international labour standards system, the ILC identified it as a part of the four Conventions that are "most significant from the viewpoint of governance" in the 2008 ILO Declaration on Social Justice for a Fair Globalization; and recognized the commitments of Members and the Organization "to place full and productive employment and decent work at the centre of economic and social policies".

The Convention takes its inspiration from the ILO Constitution and the Declaration of Philadelphia, notably from the need to further programmes that could achieve full employment, raise standards of living and guarantee a decent wage for the workers.

The Convention is a promotional instrument requiring ratifying countries to "*declare and pursue, as a major goal, an active policy designed to promote full, productive and freely chosen employment*". The employment policy shall aim at "*stimulating economic growth and development, raising levels of living, meeting manpower requirements and overcoming unemployment and underemployment*" (Article 1, para 1).

There is no detailed indication on the content or type of the employment policy, which are to be determined at the national level. However, Convention 122 further indicates that the "*employment policy shall aim at ensuring that:*

- a) *there is work for all who are available for and seeking work;*
- b) *such work is as productive as possible;*
- c) *there is freedom of choice of employment and the fullest possible opportunity for each worker to qualify for, and to use his skills and endowments in, a job for which he is well suited, irrespective of race, colour, sex, religion, political opinion, national extraction or social origin*".

Additionally, *“the said policy shall take due account of the stage and level of economic development and the mutual relationships between employment objectives and other economic and social objectives and shall be pursued by methods that are appropriate to national conditions and practices”* (Article 1 paragraph 3).

Therefore, compliance with the Convention is ensured when there is an employment policy that effectively pursues the above-mentioned objectives and is balanced in its content.

The implementation of this provision is important as it ensures overall coherence in that. This is because all ILO standards, even if they pursue other objectives than full employment, should nevertheless be conducive of, or at least not, impair the achievement of full and productive employment.

Emphasis on this goal has been included in the ILO Centenary Declaration and must be taken into account by the Experts when preparing their observations and direct requests. Indeed, the Centenary Declaration of the 2019 International Labour Conference stipulates that *“in discharging its constitutional mandate, taking into account the profound transformations in the world of work, and further developing its human-centred approach to the future of work, the ILO must direct its efforts to: iv) developing effective policies aimed at generating full, productive and freely chosen employment and decent work opportunities for all, and in particular facilitating the transition from education and training to work, with an emphasis on the effective integration of young people into the world of work”*.

Article 2 of the Convention refers to the importance of reviewing the measures adopted regularly to coordinate economic and social policies. Finally, the Convention makes a particular point on social dialogue and calls for workers’ and employers’ representatives to be fully consulted on the employment policies, *“with a view to taking fully into account their experience and views and securing their full co-operation in formulating and enlisting support for such policies”* (Article 3).

Since its adoption in 1964, this Convention remains very relevant today, given that full, productive and freely chosen employment is the basis for economic growth, decent work, and social justice. As the economic crisis has demonstrated, in order for a country to continue creating employment, multiple challenges need to be overcome. For instance, an enabling environment for enterprises needs to be in place, together with policies to boost investment and productivity growth.

In this regard, the text of the Convention clarifies that employment policies shall aim at ensuring that *“work is as productive as possible”*. Productivity is a crucial determinant of investment, job creation, standards of living and wealth creation. Requesting the ILO to renew its efforts, the ILO Centenary Declaration, called for *“harnessing the fullest potential of technological progress and productivity growth, including through social dialogue, to achieve decent work and sustainable development, which ensures dignity, self-fulfilment and a just sharing of the benefits for all”* (Section II, A, ii)).

Employment that is not productive has the potential to undermine competitiveness; cause the loss of skills and motivation for workers and weaken economic and social stability of a country.

The global productivity slowdown¹ is a worrying sign of a gloomy outlook for the global economy with serious labour market repercussions that should be avoided by promoting policies and regulatory frameworks that provide an enabling environment for productivity growth.

Sustained productivity growth is the main driver of the development process², including employment and decent work creation, and the transition to the formal economy. Productivity measures how efficiently enterprises and economies use their available resources in producing goods and services. Productivity growth translates into better financial performance, which enables enterprises to retain and hire more workers, invest in machinery and equipment, research and development of innovation, and workers' skills development, improve working conditions and expand the production of goods and services. At the same time, productivity growth allows enterprises to be competitive, have access to finance and reap the benefits of international trade. It is the engine of a country's sustainable growth and a key factor to increase long-term living standards.

As productivity is determined by a wide range of factors³, some of which are within-enterprise control (internal factors) while others are external (relating to a conducive business environment, the structure of the industry in which enterprises operate and compete, and foreign markets), a comprehensive and coherent approach is required. Therefore, the promotion of sustained productivity growth through an integrated strategy is of paramount importance. This strategy must be aimed at aligning and coordinating institutions, regulatory frameworks, and public and private policies to create an enabling environment while boosting enterprise-level productive efficiency.

Internal factors⁴, on one hand, relate to managerial decisions on the allocation of available resources and to the organization and management of the production process to make the most efficient use of the installed productive capacity. Productive efficiency can be achieved through a series of internal improvements. For instance, in the administration of inputs, through workers' skills development, allocation of financial resources in areas where the returns on investments are higher, by identifying activities that do not add value, simplifying processes and eliminate deficiencies to improve overall performance. Another important factor has to do with dynamics of innovation (intrapreneurship), that is how enterprises can improve employees' motivation and creativity to encourage innovation.

Moreover, enterprise-level productivity is the main determinant of the wage level that an enterprise can afford to pay. This is why Convention N. 131, article 3, recognized the centrality of productivity growth (and enterprises' ability to pay) as one of the two important criteria in minimum-wage setting. A conducive productivity eco-system in addition to providing an enabling environment for enterprises

¹ Andrews, D., Criscuolo, C., and Gal, P. (2016). The global productivity slowdown, technology divergence and public policy: a firm level perspective. In Background Paper for OECD Global Forum on Productivity. See also: Eichengreen, B., Park, D., and Shin, K. (2017). The global productivity slump: Common and country-specific factors. *Asian Economic Papers*, 16(3), 1-41.

² Cirera, X., and Maloney, F. (2017). *The Innovation Paradox: Developing-Country Capabilities and the Unrealized Promise of Technological Catch-Up*. Washington, DC: World Bank; Cusolito, A. P., and Maloney, W. F. (2018). *Productivity Revisited: Shifting Paradigms in Analysis and Policy*. Washington, DC: World Bank; Grover G. A., Medvedev, D., and Olafsen, E. (2019). *High-Growth Firms: Facts, Fiction, and Policy Options for Emerging Economies*. Washington, DC: World Bank.

³ Grifell-Tatjé, E.; Lovell, C. K. (2015). *Productivity Accounting. The Economics of Business Performance*. Cambridge University Press.

⁴ Grifell-Tatjé, E.; Lovell, C. K. (2015). *Productivity Accounting. The Economics of Business Performance*. Cambridge University Press.

to increase their productivity facilitates workers and capital to shift from sectors with lower productivity to sectors with higher productivity. In doing so, it expedites growth-enhancing structural change⁵.

While internal decisions of an enterprise affect its level of productivity, the environment in which enterprises operate and compete plays a crucial role. External factors that affect productivity, on the other hand, relate to intertwined macroeconomic policies, regulatory frameworks, investment climate and labour market institutions, demographic changes, sectoral policies, physical and digital infrastructure, educational policy and workforce development programs, allocation of public resources through development banks to support SMEs and productive entrepreneurship, private-sector financing through the financial system and alternative financing options⁶, development of local innovation systems⁷ and investment in research and development, protection of property rights, domestic market development, trade policies, antitrust and competition policies.

Furthermore, factors that relate to foreign markets – which are beyond government and enterprise control – can also have an effect on productivity through prices and exchange rate volatility. Among these factors are: international demand and supply of goods and services, reserves (stock) of natural resources, commodity prices and prices of imported intermediate goods, international financial volatility and capital flows. The wide range of productivity drivers outlined above reveals the need to design an integrated strategy to unlock productivity growth.

The issue of productivity is high on the agenda for the employers, because the ILO currently does not have a comprehensive strategy on productivity growth. The ILO could and should support governments and enterprises to devise such strategy and ensure that the policies and programmes it promotes complement what governments and enterprises do. Convention No. 122 helps to address this matter in its reference to employment policies aiming to ensure “work is as productive as possible”. This is very much aligned to the global efforts in achieving SDG8, that aims at creating an enabling environment at all levels for sustainable development.

Employability of workers has become especially relevant for the tripartite constituents. A pragmatic approach in today’s world of work has led to focus more on the development of skills to enable workers accessing the labour market, than on the aspirational ideals of the right to work and job security. How can employment be ensured? Who would be in charge of providing this “right” to workers? This can be done only if the right mix of policies is in place,. In this regard, government action must focus on integrated labour market policies for employment creation and employability, to include economically inactive persons into the labour force, to make work pay, and to encourage labour market mobility.

4. The Home Work Convention 1996 (No. 177) and the Home Work Recommendation 1996 (No. 184)

These two instruments focus on improving the situation of “homeworkers” who conduct their work at home or outside the workplace of the employer. The Home Work Convention is a poorly ratified instrument with only 10 ratifications to date. The most recent ratification was in 2012. This Convention

⁵ McMillan, M. and Rodrik, D. (2014). Globalization, structural change, and productivity growth with an Update on Africa. *World Development*, Vol 63. Pp 11-32.; Borio, C. Kharroubi, E., Upper, C., and Zampolli, F. 2015. Labour reallocation and productivity dynamics: financial causes, real consequences. BIS Working Papers No. 534.

⁶ Oricchio, G., Crovetto, A., Lugaresi, S., and Fontana, S. (2016). SME Funding: The Role of Shadow Banking and Alternative Funding Options. Springer.

⁷ Evers, H. D. (2008). Knowledge hubs and knowledge clusters: Designing a knowledge architecture for development. ZEF Working Paper Series 27.

has been included in the initial programme of work of the Standard Review Mechanism (SRM) Tripartite Working Group for review and classification.

The two-year standard-setting process for these instruments was highly controversial. Due to opposing views on key matters, the Employers' group did not participate in the second discussion of the Convention. Hence, it should be noted that the Convention was developed on a bipartite basis between Workers and Governments only. This lack of support would explain the low ratification rates.

Among the various contested issues, article 1 provides an overly broad definition of home work as "*work carried out by a person, to be referred to as a homeworker, (i) in his or her home or in other premises of his or her choice, other than the workplace of the employer; (ii) for remuneration; (iii) which results in a product or service as specified by the employer, irrespective of who provides the equipment, materials or other inputs used*". Furthermore, it defines broadly employers as "*a person, natural or legal, who, either directly or through an intermediary, whether or not intermediaries are provided for in national legislation, gives out home work in pursuance of his or her business activity.*"

Of concern is also para. 7 of the Recommendation, which places a list of onerous duties on Employers, including to notify the competent authorities when they give out homework for the first time, to keep a register of all homeworkers to whom they give work, and a record of work assigned to a homeworker providing various and detailed work-related information. Such inflexibility and unnecessarily bureaucratic provisions bear a risk of discouraging job-creation.

Working time flexibilities matters for all, employees and employers Working time must be seen within a perspective of a new world. A world that is being digitalized, automatized, robotized, and that is also impacting at a different pace and in different manners in each region of the world.

Nowadays we are facing and accelerated transformation of the occupations and of the skills required for work, as well as a greater demand for mobility and flexibility. All this has resulted in the creation of new business models and new forms of work. Emerging contract models based on the new production schemes are changing the way we work and the way working time impacts labour relations. Decent working time in an era of digitalization faces new and dynamic realities.

To this day, the Employers' group maintain their position that the adoption of this Convention in 1996 was both premature and inappropriate. The text of the Convention does not fully address the complexity of the issues, it is not clear, including on the various forms of home work in industrialised and developing countries, the informal character of home work, as well as the triangle relationship between homeworkers, employers and intermediaries. These issues are now even more complex than ever as more workers demand for more work flexibility in the future of work and potentially many more workers could be home workers.

While the Committee of Experts have made 35 direct requests and observations on this Convention to date, none of them have been discussed before the CAS or addressed in a General Survey in the past.

5. The Employment Relationship Recommendation 2006 (No. 198)

This Recommendation is a complementary instrument that emerged from the general discussion on the scope of the employment relation that took place in 2003. The instrument is divided into four parts covering i) the elements of a national policy and measures for implementation; ii) the determination of the existence of an employment relationship; iii) the monitoring and implementation of measures and roles of the social partners; and iv) the need for international exchange of information. While this

Recommendation does not require ratification, it nevertheless provides important guidance to national courts and tribunals in determining disputes concerning these areas.

The main objective of R. 198 is to offer protection under “national laws and regulations and collective agreements which are linked to the existence of an employment relationship between an employer and an employee”. The Recommendation also recognises that national policy in this regard “should promote economic growth, job creation and decent work” (Preamble).

During the standard-setting discussion, the Employers’ Group held reservations on the suitability of this instrument given that employment relationship is viewed differently in diverse contexts based on cultural and historical traditions. There were concerns that an international definition would cause rigidity into labour markets and push workers out of the formal economy. Furthermore, there were other concerns on the language for the indicators and criteria, as well as the presumption of employment relationships. In particular, there are risks that many independent contractor relationships may be mischaracterised as employment relationships, which open up new uncertainties and threaten many businesses in the service industry. In the Employers’ view, the Recommendation went beyond disguised employment relationships and the wording interfered with legitimate commercial relationships.

These issues are still relevant and pertinent now, especially in the light of the new ways of working that (digital) technology allows, including in the platform and gig-economy. In this respect, the correct classification of work relationship is crucial. But the rigidity of the criteria for classification in the Recommendation are unsuitable. It is in evident conflict with the unambiguous competence that the Recommendation provides to shape the regulatory framework on employment relationships at national level. Using the criteria in the Recommendation affects labour administration and hinders new and innovative job creation. It also increases the potential for labour disputes and litigation, as well as the overall costs of public administration.

Of particular importance is para. 8 of the Recommendation which mentions that “*National policies for protection of workers in an employment relationship should not interfere with true civil and commercial relationship*”. Indeed, classification of employees versus self-employed workers greatly differ from one country to another. National legislations and practices, as well as national judicial decisions have adopted different approaches. The Experts must take into account national contexts and realities.

When there are no legal definitions of employees or independent contractors, the debate over the definitions has been solved mainly by judges called to decide “ex post” the status of the independent contractors or employees.

For instance, for the case of platform workers, in some countries, after judicial intervention, they have been categorized in the majority of countries as self-employed workers, in others as employees (Switzerland, South Africa) while in the UK they are “workers” that is a mid-category between employees and self-employed with a specified set of rights.

In any case, when national courts are set to determine whether a worker is an employee or self-employed, they usually make an assessment using a wider range of factors than the ones mentioned in the Recommendation, including financial dependence, degree of control and subordination, ownership of tools and machineries, regularity of payments, extent to which the workers bears financial and entrepreneurial risks and degree of discretion over the continuation of relationship.

National courts can therefore establish whether the classification given to the worker with an employment contract or a contractual arrangement reflect or not the reality. This question is not new, but the status of the gig economy workers is now one of the main topics for decision on reclassification by national courts.

.For instance, some courts have determined that factors indicating subordination include the lack of self-determination to decide how the work should be done; the control of hours of work; and the obligation to present reports and to observe previously established targets. For example, in a the Court found that platform drivers are not employees, but independent contractors. It held that subordination is not defined by the driver's need to remain active on the platform. The company has no interference in the evaluation made by the users of the platform and therefore it is a risk assumed by both contracting parties. In the same way, Courts have confirmed that platform workers are independent contractors in two separate cases. In one case a Court of Appeal held that riders of the platform cannot be classified as employees as they have wide freedom to choose when they want to work. It held that the existence of disciplinary power and actions to the rider was not sufficient to be characterised as a subordinate relationship. Similarly, in another case, the Court ruled out employee status because the company had no control of the workers' working hours and the driver was under no obligation of presence or duration of the connection. Also, Courts in certain European countries had generally adopted the principle of dependence in determining whether an individual should be considered an employee or an independent contractor. The assessment is based on the scope of instructions which the client/employer may give on the content, type, time, duration and place of the performance. In other words, the more the client/employer may determine the work performance of the contractor, the more likely that the contractor is an employee.

It is for this reason that the Employers have demonstrated their disagreement with the text of this Recommendation. As demonstrated by the variety of national legislations and practices, as well as the courts' decisions, the Recommendation is already obsolete and does not correspond to the advisory needs and support of governments.

6. The Transition from the Informal to the Formal Economy Recommendation 2015 (No. 204)

The adoption of this Recommendation was an important milestone for the ILO as it is the first international instrument to comprehensively address the scope of informality in its entirety. At the time of adoption, the informal economy constituted about half of the global workplace. By now, this figure has even risen to 60 percent.

Although not legally binding, Recommendation No. 204 aims to provide guidance for the: i) facilitation of the transition from the informal to the formal economy; ii) promotion of the creation and sustainability of enterprises and decent jobs; and iii) prevention of the informalisation of formal jobs (Article 1).

In particular, Part III (Legal and policy frameworks), Part IV (Employment policies), and Part VI (Incentives, compliance and enforcement) address relevant issues on this matter. These include the institution of an inclusive growth strategy that facilitates the expansion of the formal economy and promotes the creation of decent and productive jobs; the development of conducive business and investment environments; greater access to land and property rights; and the harnessing and development of the entrepreneurial spirit of informal economy operators. In addition, these parts aim at the reduction of barriers to the transition to the formal economy, such as those related to registration, authorization and compliance with laws and regulations. It also calls for measures that

support the promotion of MSMEs and incentivizing them to grow; improved access to education, lifelong learning and skills development; better access to financial services, to business development services and to markets; and, above all, enhanced access to infrastructure and technology. These concerns remain highly relevant and important nowadays with the transformative changes in the world of work.

For the transition from informal to the formal economy also productivity growth is crucial, as pointed out both in Convention No. 122 and in Recommendation No. 204. In this respect, four actions need to happen at the same time and side by side. First, productivity of micro and small economic units has to steadily grow so that they can afford to operate and compete in the formal economy. Second, costly bureaucratic and administrative procedures and formalities need to be minimized in order to facilitate registration and licensing processes for enterprises. Third, tax incentives or alike need to be revamped in order to make operating in the formal economy affordable, attractive and beneficial. Incentives may have the effect of reducing the opportunity cost of formalization by offering better profit and business expansion opportunities. Fourth, a better allocation of public resources is required, particularly of resources allocated to encourage entrepreneurship as a second-best occupational choice because of poor labour-market prospects to find a job as a wage worker in the formal economy. Public resources ought to be allocated to encourage productive entrepreneurship buttressed by skills development programmes that support individuals willing to, or those who already opted to, set up and run microbusiness or a sole proprietorship.

The benefits of transition to the formal economy will be enormous for governments, employers' and workers' organisations and for the overall global community. It may lead to phenomenal growth in job creation, availability of capital, acknowledgement of property rights, provision of cheaper goods and services, sustainable development and social stability.

Overall, transitioning from the informal to the formal economy rests on development. The transition must be gradual and progressive, taking into account the national circumstances, as well as the relevant instruments listed in the Annex to the Recommendation.

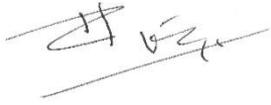
7. Conclusion

The IOE underlines the **relevance of Convention 122 and Recommendation 204** and acknowledges the importance they have in shaping the social, labour and business landscapes of today and tomorrow. In particular, the IOE recognises the central importance of the involvement of social partners in the implementation of both instruments, as well as the financial support from governments, employers and employees in funding these recommended measures. The implementation of both instruments requires sound macroeconomic policies to generate wealth and employment, effective labour market policies, the necessary fiscal space and sustainability.

With regard to the other instruments that are the object of this General Survey, the IOE underlines the **lack of relevance of C177 and R184, as well as of Recommendation 198, owing to the changes that have been occurring in the world of work**. These instruments do not correspond to present needs and seem to enjoy little support at national level.

Finally, the IOE appreciates the opportunity to contribute its views on this topic to the ILO CEACR General Survey 2019 and affirms its strong commitment to working with its members in participating in the national implementation of Convention No. 122 and Recommendation No. 204.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Roberto Suarez Santos', written over a horizontal line.

Roberto Suarez Santos

IOE Secretary-General