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Office
Geneva

GUIDE TO INTERNATIONAL LABOUR STANDARDS AND RIGHTS AT WORK CONCERNING YOUNG PEOPLE

International
Labour
Standards
Department

Employment
Policy
Department

Guide to International Labour Standards and Rights at Work concerning Young People

INTERNATIONAL
LABOUR STANDARDS
DEPARTMENT

EMPLOYMENT
POLICY
DEPARTMENT

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Preface

Ensuring full and productive employment and decent work for all is central to the ILO's mandate and is embodied in Sustainable Development Goal 8 of the 2030 Agenda for Sustainable Development. The achievement of this global objective necessarily involves improved youth employment prospects, as young people are disproportionately affected by decent work deficits, unemployment and low-quality jobs.

The resolution and conclusions concerning “The youth employment crisis: A call for action”, adopted by the International Labour Conference in 2012, underlined the urgent need for immediate and targeted measures to tackle the unprecedented youth employment crisis that is affecting most countries worldwide. The Call for Action provides guiding principles to support action on youth employment: it advocates a multi-pronged approach to fostering pro-employment growth and the creation of decent jobs through macroeconomic policies, education, employability, labour market policies, and the promotion of youth entrepreneurship and self-employment and labour rights for young people.

As stressed in the Call for Action, “Tackling youth unemployment should not disregard and weaken the protection to which young workers are entitled. Reflecting the universal strong support to core international labour standards, policies facilitating access to jobs should not lead to discrimination at work ... Youth employment policies should also encourage the transition from temporary to more stable jobs.”

In this respect, social dialogue at the national level is instrumental in developing normative and policy frameworks that offer protection to all young workers; at the same time, adequate practices, supervision, and monitoring and evaluation systems must be in place for the relevant norms to be effectively applied and monitored.

International labour standards are essential to protect the rights of young workers. While covering different thematic areas, this Guide focuses on the key provisions of Conventions and Recommendations, in particular those of special relevance to young people, based on the 2012 Call for Action. It touches on specific labour-related problems affecting youth which have been raised in the context of the application of international labour standards. Examples of good practices at the country and regional level are included.

Guide to International Labour Standards and Rights at Work concerning Young People

This Guide is intended for ILO constituents and other stakeholders concerned with promoting youth employment, and in particular ensuring decent work for young people. It is also aimed at ILO staff and project managers engaged in youth employment initiatives at country level. For young people it provides the necessary information on their rights at work, as a relevant complement to the ILO's "Rights@Work for Youth" toolkit.

It is hoped that users will find this Guide to be a useful reference for the development and implementation of policies and measures aimed at enhancing labour market outcomes for young women and men worldwide.

CORINNE VARGHA

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Introduction

1

The International Labour Organization (ILO) was created by the Treaty of Versailles of 1919 to promote peace through social justice. Its Constitution calls for an improvement in employment conditions, such as the regulation of hours of work and of labour supply, the provision of an adequate living wage and equal remuneration for work of equal value, and the protection of children, young persons and women. Though the world of work has evolved since then as the ILO approaches its centenary, its purpose has not changed, and its role is increasingly relevant to such issues as unemployment, rights at work, and the social dimension of globalization.

The ILO aims to achieve decent work for all through the promotion of social dialogue, extended social protection, employment generation, and respect of fundamental principles and rights at work and international labour standards, a set of concepts referred to as the Decent Work Agenda.

A key concern for the ILO is promoting decent work for young people. The International Labour Conference (ILC), the supreme decision-making body of the ILO, in 2005 adopted a resolution and [conclusions on promoting pathways to decent work for youth](#), which concern the youth employment challenge and the strategy needed to address it. This includes the ILO Plan of Action to promote decent work for young people, which takes into consideration the special needs and challenges that they face. Following the outbreak of the global financial and economic crisis, in 2009 the ILC adopted the Global Jobs Pact, which is a global policy instrument that calls on member States in particular to support youth, who are among the hardest hit by the crisis.

In 2012 the ILC adopted the [conclusions concerning “The youth employment crisis: A call for action”](#), which supplement the conclusions concerning youth employment adopted by the ILC in 2005. The 2012 Call for Action stresses the importance of promoting pro-employment growth and decent work for young people by adopting a multi-pronged, rights-based approach to youth employment. The Call for Action also states that international labour standards play an important role in protecting the rights of young workers.

In 2015 the United Nations adopted the [2030 Agenda for Sustainable Development](#). Under Goal 8, “Promote inclusive and sustainable economic growth, employment and decent work for all”, States are called on to make efforts to reduce youth unemployment and increase the participation of young people in education and training. Progress towards Sustainable Development Goal (SDG) 8 is to be measured by a set of global targets that reflect the labour market challenges of countries at different levels of development. Several priorities of the Decent Work Agenda are included as targets under SDG 8 (8.5, 8.6 and 8.b), while others are mentioned as targets under other Goals.¹

Even as some countries have recovered from the financial and economic crisis, young people continue to face a wide range of difficulties in the labour market.² Overall, two in five economically active young people are either unemployed, or working yet living in poverty. In some cases, young persons are trapped in involuntary part-time, casual, seasonal, and other forms of temporary employment with limited prospects of career advancement. Other problems affecting young workers include low wages,³ informal work arrangements, and exclusion from social security coverage. Many young people perform unpaid internships, traineeships, or work under similar arrangements, hoping that such experiences will be a stepping stone to future employment. The employment prospects of young people vary according to age, sex, ethnicity, education level, family background, health status and disability. Some groups of young persons therefore face particular disadvantages in securing and retaining decent work.

Regardless of their age, all workers have the same rights under international labour standards. In many instances the ILO bodies responsible for supervising compliance with international labour standards have commented on issues affecting young people by reference to standards aimed specifically at young people, as well as standards that have a general scope of application.

1. Specific SDG targets for youth employment are –

4.4: “By 2030, increase the number of young people and adults who have relevant skills, including technical and vocational skills, for employment, decent jobs and entrepreneurship”;
8.5: “By 2030, achieve full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value”;

8.6: “By 2020, substantially reduce the proportion of youth not in employment, education or training”;

8.b: “By 2020, develop and operationalize a global strategy for youth employment and implement the Global Jobs Pact of the International Labour Organization”.

2. ILO, [Global Employment Trends for Youth, 2015](#).

3. ILO, [Minimum Wage Systems, General Survey, 2014](#), para. 188.

In recent decades regional and international treaties concerning youth have also been adopted, including the 2005 Iberoamerican Convention on the Rights of Youth, which reaffirms the right to work of youth, and the 2006 African Youth Charter, which recognizes the right of young people to gainful employment. Employers' and workers' organizations and human rights advocates have also devoted special attention to the needs of youth.

Against this background, it is timely and appropriate to present this *Guide to International Labour Standards and Rights at Work concerning Young People*, which explains the standards relevant to young people and the way in which they contribute to the attainment of decent work. It provides an overview of those standards, underlining the provisions which set out the basic conditions required for the creation of good quality jobs, and instruments which contain youth-specific provisions. The Conventions, Protocols and Recommendations which provide practical guidance and facilitate the full and productive integration of young people in the job market cover a wide spectrum of topics, including the minimum age of admission to employment, wages, working time, occupational safety and health, labour inspection, and discrimination. In order to illustrate the application in both law and in practice of international labour standards issues affecting youth, a sample of comments adopted by the Committee of Experts on the Application of Conventions and Recommendations (CEACR) has been included. Member States provide the ILO with information regarding youth policies and youth employment measures, the application of which is supervised by the ILO supervisory bodies.

1.1 Purpose and structure of the Guide

This Guide describes international labour standards relevant to young persons. While covering different thematic areas, it focuses on the key provisions of Conventions and Recommendations, in particular those of special relevance to youth in terms of the 2012 ILC resolution (Call for Action).

The main purpose of this Guide is to help ILO constituents, in particular decision-makers and practitioners at national and local levels, to better understand the multi-faceted dimensions of the youth employment challenge, and to devise and implement coherent and coordinated measures to address this challenge. The Guide also aims to provide young persons with the necessary information on their rights at work. In so doing, it touches on specific labour-related problems affecting youth that have been raised in the context of the application of international labour standards. Examples of country-level and regional good practices are included.

The first part of the Guide introduces the various definitions that will be used throughout the text and explains the purpose of the publication. The second part of the Guide explains the general framework of international labour standards, indicating how they address the particular needs of young people. The third part addresses standards applicable to specific groups of young workers with special protection needs. In conclusion, the fourth part provides a brief summary along with some thoughts on the future of youth employment.

1.2 Definitions

(a) Young persons

The definition of a young person for the purpose of employment is based on age. There is no universally accepted international definition of “youth”. Global and regional statistical estimates apply an age definition of 15 to 24,⁴ and there is a growing momentum to increase the upper age-limit to reflect increasing educational attainment and the postponement of labour market entry beyond the age of 24. In practice many employment policies directed at youth normally cover persons within this age group, and some may extend policies to 29 years of age. [YouthSTATS](#), a statistical database on youth labour market indicators produced by the ILO, considers young persons to be those within the 15 to 29 age range.

Some international labour standards include young persons among the categories regarded as vulnerable due to the difficulties they often encounter in obtaining decent jobs. The ILO has therefore been attentive to the impact of measures adopted by governments to guarantee the respect and promotion of rights of young persons at work.

(b) International labour standards

Since 1919 the ILO has developed and maintained a system of international labour standards aimed at promoting opportunities for women and men to obtain decent and productive work, in conditions of freedom, equity, security and dignity.⁵ The ILO’s Constitution confers upon the International Labour Conference the capacity to adopt international Conventions, Protocols to existing Conventions, and Recommendations covering social and economic issues of concern in the world of work. International labour standards are

4. *Global Employment Trends for Youth 2015*, ILO, 2015.

5. [Rules of the Game](#), ILO, 2014 ed., p. 7.

essential in maintaining decent working conditions. In the present context of globalization, they serve the aim of ensuring that all benefit and prosper from the expanding economy. International labour standards range from freedom of association and labour conditions to employment policies and social security. Conventions, Recommendations and Protocols set norms (international labour standards) covering all workers. Some of these instruments address the needs of those requiring special protection (persons with disabilities, indigenous peoples, migrant workers, etc.) and those employed in specific sectors (rural workers, mineworkers, seafarers, etc.).

Conventions and Protocols are treaties in international law which, once ratified by member States, create legal obligations as part of national law. They lay down basic principles, rights and obligations, and compliance with their provisions is supervised by the ILO on a regular basis. Recommendations are non-binding guidelines, which in many cases offer further guidance on the implementation of a Convention. Information on international labour standards is available on the ILO website (www.ilo.org).⁶

(c) The social partners

The ILO has a unique tripartite structure allowing for governments and employers' and workers' organizations to have a voice, and ensuring that all views are reflected in shaping labour standards, policies and programmes. Employers' and workers' organizations, usually referred to as the "social partners", actively participate in the formulation and adoption of international labour standards, and in the supervision of their application.

The social partners also play a fundamental role in the implementation of international labour standards at the national level. Most international labour Conventions require governments to consult with the most representative organizations of employers and workers in the design and evaluation of programmes and measures to implement them. In addition, the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), requires consultations between representatives of the government, of employers and of workers on certain actions, such as on the re-examination of unratified Conventions and of Recommendations to which effect has not yet been given, to consider what measures might be taken to promote their implementation and ratification as appropriate.

6. See the ILO, Introduction to International Labour Standards website at: www.ilo.org/normes.

(d) ILO supervisory system

Regular supervisory system: In accordance with the ILO Constitution,⁷ once a member State ratifies an ILO Convention, it is obliged to report regularly on measures taken to effectively implement it, both in law and in practice. Governments are also required to submit copies of their reports to employers' and workers' organizations, which may provide their own observations on the application of Conventions to the ILO. The **Committee of Experts on the Application of Conventions and Recommendations (CEACR)** and the **Conference Committee on the Application of Standards (CAS)** are both responsible for examining compliance with ratified Conventions. The CEACR also conducts a General Survey each year of standards on a specific subject.

When examining government reports on ratified Conventions, the CEACR can formulate two types of comments: observations and direct requests. Observations contain comments on fundamental questions arising from the application of a particular Convention by a member State. Direct requests relate to more technical questions or seek further information. On the basis of observations made by the CEACR, the CAS holds a tripartite discussion and adopts conclusions addressed to governments for better compliance. This Guide presents the comments and conclusions adopted by the CEACR and the CAS, respectively, addressing different issues affecting youth.

Complaints before the Committee on Freedom of Association: Freedom of association and effective recognition of the right to bargain collectively are founding principles of the ILO. The Committee on Freedom of Association (CFA) is a tripartite committee of the ILO's Governing Body, appointed from among its Government, Employer and Worker members. It is responsible for examining complaints concerning violations of these principles, whether or not the country concerned has ratified the Conventions concerning freedom of association and collective bargaining. Complaints may be brought against a member State by employers' and workers' organizations. If the CFA admits a complaint, it establishes the facts in dialogue with the government concerned. If it finds that there has been a violation of freedom of association or collective bargaining principles, it issues a report through the Governing Body and makes recommendations on how the situation could be remedied.

7. Article 22.

Representations: The ILO Constitution⁸ enables any organization of employers or workers to present to the ILO a representation against any member State which, in its view, “has failed to secure in any respect the effective observance within its jurisdiction of any Convention to which it is a party”. If declared receivable, the ILO Governing Body appoints a three-member tripartite ad hoc committee (composed of Governing Body members) to examine the representation and the government’s response. The ad hoc tripartite committee adopts a report which is then submitted to the Governing Body. The report analyses the legal and practical aspects of the case, examines the information submitted, and concludes with recommendations. Individuals cannot make representations directly to the ILO, but can pass on relevant information to their workers’ or employers’ organization, as applicable.

Complaints: The ILO Constitution⁹ also provides for a complaints procedure. A complaint may be filed against a member State drawing attention to persistent and serious violations of a ratified Convention. The complainant can be a member State that has ratified the same Convention, a delegate to the International Labour Conference, or the Governing Body in its own capacity. Upon receipt of a complaint, the Governing Body may appoint a Commission of Inquiry consisting of three independent members. The Commission of Inquiry is responsible for conducting a full investigation of the complaint, ascertaining all the facts of the case and making recommendations. There have been twelve Commissions of Inquiry in the ILO so far.

8. Articles 24 and 25.

9. Articles 26 to 34.

General framework of international labour standards applicable to young persons

2

2.1 Fundamental Conventions and related instruments

The 1998 [ILO Declaration on Fundamental Principles and Rights at Work](#) reaffirms the constitutional obligation of every ILO member State to respect, promote and realize four fundamental principles and rights at work —

- (a) freedom of association and the effective recognition of the right to collective bargaining;
- (b) the elimination of all forms of forced or compulsory labour;
- (c) the effective abolition of child labour;
- (d) the elimination of discrimination in respect of employment and occupation.

The ILO Governing Body accordingly identified eight Conventions as “fundamental”, covering each of the above subjects, and these are discussed below. There are currently over 1,392 ratifications of these Conventions, representing more than 93 per cent of the total possible number of ratifications.

(a) Freedom of association

Freedom of association and the effective recognition of the right to bargain collectively are fundamental principles and rights at work. By exercising their right to associate and to bargain collectively, workers and employers, including young workers and employers, are able to effectively defend their social and economic interests, to determine mutually acceptable conditions of employment and to ensure that their voice is being heard in the definition of public policies.

The [Freedom of Association and Protection of the Right to Organise Convention, 1948 \(No. 87\)](#), establishes that –

Workers and employers, without distinction whatsoever, shall have the right to establish and, subject only to the rules of the organisation concerned, to join organisations of their own choosing without previous authorisation.

The right to freedom of association is intertwined with other internationally recognized human rights,¹ which include the right to freedom and security of the person, freedom of opinion and expression, freedom of assembly, and the right to protection of property.

In accordance with Convention No. 87, the right to freedom of association also entails the right of workers and employers and their organizations to draw up their constitutions and rules, to elect their representatives in freedom, to organize their administration and activities and to formulate their programmes. For instance, workers' and employers' organizations should be able to hold meetings freely for the discussion of matters of relevance to members, including the defence of their social and economic interests, without the need for previous authorization and without interference by the public authorities. Furthermore, they should enjoy freedom of opinion and expression at their meetings, in their publications, and in the course of other activities.

(i) Freedom of association applied to young persons

Convention No. 87 provides that workers and employers shall enjoy their right to associate without distinction or discrimination of any kind, including on the basis of age. The CEACR has emphasized the need to guarantee that minors who have reached the minimum legal age for admission to employment, both as workers and as apprentices, can exercise their trade union rights without parental authorization. With regard to the conditions of eligibility of trade union representatives, the CEACR has considered incompatible with the Convention the requirement that candidates for trade union office should have reached the age of majority. For example, in its 2013 comments on Chad under Convention No. 87, the CEACR expressed its trust that the Government guarantees the right to organize to minors, as either workers or apprentices, who have reached the minimum age to work.

1. These include the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the African Charter on Human and Peoples' Rights, the European Convention on Human Rights, and the American Convention on Human Rights.

2. General framework of international labour standards applicable to young persons

The journey of a young trade union leader

Bernice Johanna Coronacion is a young trade union leader in Quezon City, Philippines, who participated in the ILC in 2014 as a Worker member of the Committee on the Recurrent Discussion on Employment. In her native Philippines, she participated in a training programme offered by the Alliance of Progressive Labor (APL), a local association comprising trade unions and other labour organizations, being selected as one of the four youth organisers.

Eventually, Bernice transitioned from youth organiser to being a member of the Executive Committee of Sentro ng mga Nagkakaisa at Progresibong Manggagawa (SENTRO), the labour confederation of which APL is a member. She was the youngest member of the Executive Committee. In early 2014 the Ministry of Labor of the Philippines invited SENTRO to nominate one representative to be part of the Workers' delegation. SENTRO nominated Bernice with the support of the co-leaders of the organization. Previously, Bernice had participated as a young leader at the [ILO Youth Employment Forum](#).

Bernice believes that investing in young people is what all organizations should do through the allocation of funding for youth programmes and their inclusion in decision-making processes. She affirms that the role of youth movements is crucial to the sustainability of labour movements.

Source: ILO, [Organizing young workers, 2014](#).

(ii) Freedom of association and young rural workers

Member States should ensure that young rural workers are able to exercise their right to freedom of association. According to the [Rural Workers' Organizations Convention, 1975 \(No. 141\)](#), rural workers are persons engaged in agriculture, handicrafts or a related occupation in a rural area whether as a wage earner or as a self-employed person. Convention No. 141 guarantees the principles of freedom of association of rural workers. Rural workers' organizations must be independent and voluntary in character and must remain free from all interference, coercion and repression.

The CEACR considers that special measures should be taken to ensure that young rural workers can form and join organizations to enable them to participate in economic and social development. Furthermore, the [Rural Workers' Organizations Recommendation, 1975 \(No. 149\)](#), includes, among the means of encouraging organizations of rural workers, programmes of workers' education specially adapted to national and local conditions and to the social, economic and cultural needs of the various categories of rural workers, including the special needs of young persons.

Promoting rural youth associations in Malawi and Tanzania

In 2011 the Food and Agriculture Organization (FAO) and the ILO collaborated to start a programme on decent rural employment in Malawi and Tanzania, which aimed to strengthen the role of young farmers in improving food security. An important component of the project was the promotion of youth entrepreneurship and the development of capacities of rural youth associations. In 2011 some 28 girls and 32 boys engaged in rural activities received trade union training.

Source: FAO, *Policy support on decent rural employment in Malawi and Tanzania*, 2012.

(iii) Protection against anti-union discrimination

The [Right to Organise and Collective Bargaining Convention, 1949 \(No. 98\)](#), provides that workers, including young workers, shall enjoy adequate protection against acts of anti-union discrimination in respect of their employment. Acts of anti-union discrimination include acts calculated to –

- (a) make the employment of a worker subject to the condition that he shall not join a union or shall relinquish trade union membership;
- (b) cause the dismissal of or otherwise prejudice a worker by reason of union membership or because of participation in union activities outside working hours or, with the consent of the employer, within working hours.

(b) Collective bargaining

The right to collective bargaining goes hand in hand with the right to freedom of association, as workers and employers exercise first and foremost their right to associate in order to be able to bargain collectively. According to the [Collective Bargaining Convention, 1981 \(No. 154\)](#), the term “collective bargaining” extends to all negotiations which take place between an employer, a group of employers or one or more employers’ organizations, on the one hand, and one or more workers’ organizations, on the other, for –

- (a) determining working conditions and terms of employment; and/or
- (b) regulating relations between employers and workers; and/or
- (c) regulating relations between employers or their organizations and a workers’ organization or workers’ organizations.

Convention No. 98 requires governments to take appropriate measures to – encourage and promote the full development and utilisation of machinery for voluntary negotiation between employers’ organizations and workers’ organizations, with a view to the regulation of terms and conditions of employment by means of collective agreements.

2. General framework of international labour standards applicable to young persons

The promotion of voluntary collective bargaining in this sense should be carried out with due regard for the independence and autonomy of the parties. This principle must guide the recognition of representative organizations, the endeavours of the parties to engage in negotiations in good faith to reach an agreement, and mutual respect of the commitments made by the parties through collective bargaining.

Position of the Committee on Freedom of Association concerning the exclusion of young workers from the coverage of collective agreements (CFA Case No. 2820)

In October 2010 the Greek General Confederation of Labour (GSEE) submitted a complaint to the Committee on Freedom of Association (CFA), alleging that Act No. 3845/2010, a measure adopted by the Greek Government in the context of the crisis in the euro zone, was intended to exclude young workers from the scope of national general collective agreements. In particular, the GSEE indicated that Act No. 3845/2010 excluded workers up to 24 years of age from the generally binding provisions on minimum wages and conditions of work.

The CFA observed that measures concerning special wage remuneration for young workers had been introduced on the grounds that such workers would otherwise face long-term unemployment due to unfamiliarity with the labour market. The CFA trusted that such measures would be temporary and would not restrict the collective bargaining rights of young workers as regards their remuneration for a longer period than that announced by the Government. [[CFA, Case No. 2820](#)]

(c) Protection of workers' representatives

The [Workers' Representatives Convention, 1971 \(No. 135\)](#), calls for workers' representatives in an undertaking to enjoy effective protection against any act prejudicial to them, including dismissal based on their status or activities as workers' representatives. The Convention does not impose an age limitation on workers to be elected as representatives. Thus, young workers may also perform representation functions. According to Convention No. 135, "workers' representatives" means –

... persons who are recognised as such under national law or practice, whether they are –

- (a) trade union representatives, namely, representatives designated or elected by trade unions or by members of such unions; or
- (b) elected representatives, namely, representatives who are freely elected by the workers of the undertaking in accordance with provisions of national laws or regulations or of collective agreements and whose functions do not include activities which are recognised as the exclusive prerogative of trade unions in the country concerned."

(d) The elimination of all forms of forced and compulsory labour

In 2012 the ILO estimated that 21 million people were victims of forced labour, of whom 5.5 million (26%) were below the age of 18. The [Forced Labour Convention, 1930 \(No. 29\)](#), and the [Abolition of Forced Labour Convention, 1957 \(No. 105\)](#), are the key fundamental instruments ensuring the suppression of forced or compulsory labour in all its forms. Forced labour is defined by Convention No. 29 as –

[...] all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.

Nevertheless, for the purposes of the Convention, some exclusions are provided for, including compulsory military service, court ordered work, work in cases of emergency, and communal services with a direct interest for the community.

Regrettably, forced labour is not a phenomenon of the past. In June 2014 the ILC adopted the [Protocol of 2014 to the Forced Labour Convention, 1930](#), and its accompanying Recommendation, the [Forced Labour \(Supplementary Measures\) Recommendation, 2014 \(No. 203\)](#), aiming to advance prevention, protection and compensation measures, and to intensify efforts to eliminate contemporary forms of forced or compulsory labour.

Forced labour affects youth worldwide in many ways and forms. Though children are protected under the [Worst Forms of Child Labour Convention, 1999 \(No. 182\)](#), when children have been subject to the worst forms of labour, they often continue to be exposed as young adults.

In recent years, the CAS and the CEACR have raised concern and underlined the efforts of member States with regard to youth in relation to forced labour, notably in the following areas:

(i) Use of conscripts for non-military purposes

In Eritrea young people are systematically mobilized for forced labour. In 2015 the Conference Committee on the Application of Standards discussed the case of Convention No. 29 in Eritrea, relating to the large-scale and systematic practice of imposing compulsory labour on the population for an indefinite period of time within the framework of the national service programme, which encompassed all areas of civilian life and was therefore much broader than military service. The Committee urged the Government to amend or revoke its legislation and to bring to an end forced labour associated with the national service programme, and ensure the cessation of the use of conscripts in practice in line with Convention No. 29. [[Eritrea, CAS, C29, 2015](#)]

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In an Observation addressed to the Government of Egypt regarding the use of conscripts for non-military purposes, the CEACR noted that, according to Act No. 98 of 1975 concerning general (civic) service of young persons, young men and women who have completed their studies and who are surplus to the requirements of the armed forces may be directed to work. The CEACR stated that these provisions were incompatible both with both Conventions No. 29 and No. 105, which provides for the abolition of any form of compulsory labour as a means of mobilizing and using labour for purposes of economic development. [[Egypt, CEACR, Observation, C29, 2015](#)]

In response to comments received from trade unions in Colombia regarding compulsory military service, the CEACR recalled that, according to the statistics provided previously by the Government, there are more conscripts (*bachilleres*) than regular soldiers, and expressed the firm hope that the Government would take the necessary measures to review the legislation governing compulsory military service and bring it into line with the Convention, under which any work exacted in virtue of compulsory military service laws shall be of a purely military character. [[Colombia, CEACR, Observation, C29, 2014](#)]

(ii) Trafficking in persons for the purposes of labour or sexual exploitation, including children

In 2014 the CEACR noted that the Government of Argentina had taken a number of measures to strengthen its legal and institutional framework to combat trafficking in persons for labour and sexual exploitation, and was pursuing efforts to strengthen coordination between the actors involved in combating trafficking in persons so as to ensure a better judicial response and better protection of victims. [[Argentina, CEACR, Observation, C29, 2014](#)]

The Government of Niger has strengthened its legislative and institutional framework to combat trafficking in persons, and has established the National Committee to Coordinate Action against Trafficking in Persons (CNCLTP) and the National Agency to Combat Trafficking in Persons (ANLTP), respectively. The CNCLTP has adopted its rules of procedure, and the National Action Plan to combat trafficking in persons is being drafted. The Government also refers to activities to combat trafficking in children (young persons' brigades within the national police force and training and awareness-raising seminars organized for the police force and magistrates). [[Niger, CEACR, Observation, C29, 2015](#)]

The trafficking and smuggling of children, particularly to the Dominican Republic, persist in Haiti, and include cases of sexual abuse of women and young girls trafficked, the theft of their possessions and violence, and in some cases involving murder. The CEACR noted concerns at the absence of

legislation that would make it possible for those responsible for trafficking in persons to be brought to justice. The Committee noted with interest that in April 2014 the Act on Combating Trafficking in Persons was adopted, and hoped that the adoption of the Act would allow this scourge to be more effectively combated, and that the Government would take all necessary measures to implement all aspects of the Act. It asked the Government to indicate the manner in which it guarantees the protection of victims and gives them the assistance provided for in the Act. Finally, recalling that, in accordance with Article 25 of the Convention, the exaction of forced labour shall be punished with criminal penalties that are adequately enforced, the Committee requested the Government to provide information on the investigations and the judicial proceedings under way and on any convictions pronounced. [[Haiti, CEACR, Direct Request, C29, 2015](#)]

(iii) Economic development

The National Service for Development is a programme for which any citizen of Burkina Faso between 18 and 30 years of age may be called up. The time spent in the programme is regarded as time spent in military service, thereby releasing the citizen from any other military obligation. The Committee reminded the Government that any service, whether as part of compulsory military service, instead of it, or as part of civic service, which entails young persons' compulsory participation in activities geared to the economic development of their country, must be compatible with the Convention, and therefore hoped that national legislation would be reviewed. [[Burkina Faso, CEACR, Direct Request, C105, 2014](#)]

Another example where young persons may be mobilized by the State for purposes of economic development is the case of Turkmenistan. In 2015 the Committee recalled that, although certain forms of compulsory work or service (such as work that is part of the normal civic obligations of citizens and minor communal services) are explicitly excluded from the scope of the forced labour Conventions, these exceptions do not include work with a certain quantitative significance and used for the purposes of economic development. [[Turkmenistan, CEACR, Observation, C105, 2015](#)]

(e) The elimination of child labour and the protection of children and young persons

An estimated 85 million children under 18 years old are doing work which may pose a physical, psychosocial or moral danger to them. Of these, some 48 million are young people whose work could be considered in compliance with international labour standards if there was minimal risk or if they were

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well-trained and well-protected from the hazards involved.² A large proportion of employed adolescents aged 15 to 17 years are in hazardous work.³ There is a need for an integrated approach to ensure that children remain in education until at least the minimum age of employment, and steps should be taken to facilitate the transition of children from education to decent work. The ILO has long advocated children's rights, especially in the world of work. The Minimum Age Convention (No. 138) and Recommendation (No. 146), 1973, set the general minimum age for admission to employment or work at 15 years, 13 years in the case of light work, with the minimum age for hazardous work being set at 18 years, and under certain strict conditions at 16 years.⁴ The ratification of Convention No. 138 requires a member State to undertake to pursue a national policy on the effective abolition of child labour and to progressively raise the minimum age for admission to employment or work to a level consistent with the fullest physical and mental development of young persons. Complementary to Convention No. 138, the Worst Forms of Child Labour Convention, 1999 (No. 182), and the Minimum Age Recommendation, 1999 (No. 190), were later adopted, defining the word "child" for the purposes of the Convention and establishing the worst forms of child labour, which comprise –

- (a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;
- (b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;
- (c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;
- (d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

Convention No. 182 defines a child as a person under 18 years of age and requires member States, *inter alia* –

- to prevent the engagement of children in the worst forms of child labour
- to take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labour as a matter of urgency

2. <http://www.ilo.org/ipec/areas/Safeworkforyouth/lang--en/index.htm>

3. ILO, *World Report on Child Labour 2015: Paving the way to decent work for young people*.

4. Prior consultations with employers' and workers' organizations are required by the Convention where the types of employment or work to which the Convention apply are to be determined, where employment or work is authorized as from the age of 16 years, and where it is proposed to lower the minimum age for admission to employment to 14 where the economy and educational facilities are insufficiently developed.

- to establish or designate, in consultation with the social partners, appropriate monitoring mechanisms
- to design and implement, in consultation with the social partners, programmes of action to eliminate the worst forms of child labour
- to ensure access to free basic education and, whenever possible, vocational training, for all children removed from the worst forms of child labour.

Furthermore, member States are also required to assist one another in giving effect to the provisions of the Convention through enhanced international cooperation and assistance.

The protection of young persons has clearly been of paramount importance among its Members: Convention No. 138 has been ratified by 170 member States, while Convention No. 182 has seen 181 ratifications, making it the most ratified Convention of the ILO. In this context, a number of member States have been recognized by the CEACR within the context of these Conventions for their efforts towards the elimination of child labour and the protection of children and young persons. The following cases are illustrative.

The Government of Argentina officially raised the minimum age for admission to employment or work from 15 to 16 years. Under Act No. 26.390 on the prohibition of child labour and the protection of adolescent workers, the national minimum age was raised to 16 years. The 16-year minimum age has also been incorporated into Act No. 26.727 on the regimen of agricultural work, and into Act No. 26.844 on the regimen of special contracts for workers in special cases, such as domestic work. [[Argentina, CEACR, Observation, C138, 2014](#)]

In Armenia the Government took measures, through amendments to the Law on Education of 1999, to provide free and compulsory education to all children up to the minimum age for employment, which is 16 years, as a means of combating and preventing child labour. [[Armenia, CEACR, Direct Request, C138, 2015](#)]

In Austria the Employment of Children and Adolescents Act (ECYPA) was amended, raising the minimum age for light work activities from 12 to 13 years. [[Austria, CEACR, Observation, C138, 2014](#)]

The Government of Bahrain adopted a new Labour Law No. 36 of 2012 which contains a prohibition on the employment of minors under the age of 18 years in hazardous or dangerous work and work endangering their health and morals (section 27). The Ministry of Labour promulgated Order No. 23 of 2013, which contains a list of 34 occupations and industries prohibited to children under the age of 18 years, including work underground and in mines; work in smelting ovens and minerals; and the manufacture of explosives; etc. [[Bahrain, CEACR, Observation, C182, 2014](#)]

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The Government of Kuwait adopted a list of some 25 types of hazardous work prohibited for children under the age of 18 years. The list includes exposure to dangerous chemicals such as pesticides, cement and asbestos; work in quarries, drainage and sewage; manufacturing and handling explosives and fireworks; work with dangerous machines; drilling; extracting and refining oil and petrol; carrying, pushing or pulling heavy objects; work at high heights; work with lead, arsenic and benzene; work near furnaces; slaughtering of animals; and work with products listed as causing diseases. [[Kuwait, CEACR, Observation, C138, 2015](#)]

The Government of Bangladesh enacted the Prevention and Suppression of Human Trafficking Act No. 3 of 2012 (Trafficking Act, 2012) which contains provisions prohibiting the trafficking of children under 18 years for both labour and sexual exploitation. According to the Act, any person who commits the offence of selling, buying, recruiting, receiving, deporting, transferring or sending inside or outside of the territory of Bangladesh a child (defined as persons under the age of 18 years according to section 2(14)) for the purpose of sexual exploitation, labour exploitation or any other form of exploitation shall be punished with rigorous imprisonment of not less than five years and with a fine of 50,000 takas. [[Bangladesh, CEACR, Observation, C182, 2014](#)]

The Government of Kenya adopted in 2014 Regulations which contain a list of hazardous activities in which a child under 18 years of age shall not be employed. The list includes a wide range of hazardous types of work in 18 sectors covering 45 types of occupations. These sectors include agriculture (for example, working with machinery, chemicals, moving and ferrying heavy loads); deep lake and sea fishing; mining and stone crushing; domestic work; transport; herding of animals; building and construction work; urban informal sector and street work etc. [[Kenya, CEACR, Observation, C182, 2015](#)]

(f) Equality and non-discrimination in employment and occupation

The [Discrimination \(Employment and Occupation\) Convention, 1958 \(No. 111\)](#), calls for the protection of all workers, including young workers, against direct and indirect discrimination⁵ on the basis of race, colour, sex,

5. Direct discrimination occurs when less favourable treatment is explicitly or implicitly based on one or more prohibited grounds, whereas indirect discrimination refers to apparently neutral situations, regulations or practices which in fact result in unequal treatment of persons with certain characteristics. It occurs when the same condition, treatment or criterion is applied to everyone, but results in a disproportionately harsh impact on some persons on the basis of characteristics such as race, colour, sex or religion, and is not closely related to the inherent requirement of a particular job.

religion, political opinion, national extraction and social origin and additional grounds that may be determined by the ratifying State, after consultation with representative employers' and workers' organizations, where such exist, and with other appropriate bodies, in respect of all aspects of employment and occupation – including remuneration, through the concrete and progressive development of equality of opportunity and treatment in law and in practice. Age does not figure among the grounds for discrimination listed in the Convention, but steady and rapid progress in the adoption of legal provisions, including in Constitutions, labour legislation or specific legislation prohibiting discrimination on the basis of age, has been noted by the CEACR in a number of countries.⁶ The CEACR also closely follows the practical application of vaguely formulated legislative provisions, for example allowing discrimination “which has a just cause” or provisions in collective agreements permitting different treatment of persons under the age of 18 in respect of remuneration, as such provisions may lead to unjustified restrictions based on age.

To eliminate discrimination, Convention No. 111 requires ratifying member States to develop and implement a multi-faceted national equality policy. Such a national equality policy often combines legislative and administrative measures, collective agreements, public policies, affirmative action measures, dispute resolution and enforcement mechanisms, specialized bodies, practical programmes and awareness-raising activities. Within the framework of the Convention, governments have developed national equality policies which contain provisions targeting youth in the context of employment.

In many countries young people experience higher levels of unemployment. Some countries have introduced affirmative measures in their Constitution or labour legislation, in accordance with the Convention, which provides that –

... any Member may, after consultation with representative employers' and workers' organisations, where such exist, determine that other special measures designed to meet the particular requirements of persons who, for reasons such as sex, age, disablement, family responsibilities or social or cultural status, are generally recognised to require special protection or assistance, shall not be deemed to be discrimination.

Affirmative measures are part of a broader effort to eliminate all inequalities, and are an important component of a national equality policy. Such measures must genuinely pursue the objective of equality of opportunity, be proportional to the nature and scope of the protection or assistance needed or of the existing discrimination, and be examined periodically in order to ascertain whether they are still needed and remain effective.

6. See examples in ILO, [General Survey on the Fundamental Conventions, 2012](#), paras. 813–815.

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Measures taken by member States that have ratified Convention No. 111

In Austria measures taken by the Public Employment Service to ensure equality of opportunity in employment include counselling centres for youth and young adults with a migrant background to help them integrate into the labour market. [[Austria, CEACR, Direct Request, C111, 2012](#)]⁷

In Burkina Faso measures taken to promote equality of access to employment between women and men include measures targeting young persons such as: (i) the subprogramme to increase income and promote decent employment for women and young persons (PARPED) through better access to vocational training and credits for businesses; (ii) the special job creation programme for youth and women (PSCE/JF); (iii) the youth employment and skills development project (PEJDC) which aims to offer immediate job opportunities to over 30,000 unskilled or low-skilled young persons and women, including over 15,000 in rural areas through work of public utility, and to improve the skills of at least 8,000 young persons and women and to provide support for self-employment; (iv) social measures to support the installation of young persons trained in trades; (v) support for economic initiatives by women and young persons through the emergency transition socio-economic programme (PSUT), adopted to support the initiatives of young persons and women and to reinforce education and health infrastructure; and (vi) the adoption of preferential conditions for women in access to credit with a view to promoting entrepreneurship by young persons and women. [[Burkina Faso, CEACR, Direct Request, C111, 2016](#)]

In Cabo Verde several measures have been adopted in the framework of the Decent Work Country Programme (DWCP), such as measures to promote entrepreneurship among young people, rural women and heads of families, to improve their education and living conditions and to assist women and young persons in the establishment of their businesses [[Cabo Verde, CEACR, Direct Request, C111, 2016](#)]

In the context of its national policy on equality of opportunity, the Government of Côte d'Ivoire has made efforts to promote access and maintenance of girls in schools through awareness-raising activities for parents in rural areas, construction of schools and vocational training centres for young girls, and free distribution of school equipment and study grants for young girls in secondary and higher education [[Côte d'Ivoire, CEACR, Direct Request, C111, 2012](#)]. More recently, measures have been taken in: (i) education, particularly for girls (the increased supply of education and

7. See also: Youth Education and Employment Coordination Unit, [Arbeitsmarktservice \(AMS\)](#).

robust measures to combat illiteracy among girls, for example); (ii) vocational training (access to all vocational courses without distinction on the basis of sex, gender training for all actors and partners in education, development of non-discriminatory training and education systems, awareness raising in communities about the need to support girls in their choice of occupation, the increase in the number of study grants for girls to facilitate their access to technical and vocational training, placements for women trainees in sectors dominated by men and monitoring of their career development to ensure their integration in these sectors, promotion of further training for girls, etc.). [[Côte d'Ivoire, CEACR, Direct Request, C111, 2016](#)]

In Ecuador the Government adopted measures to support access of young Afro-Ecuadorian persons to university. [[Ecuador, CEACR, Observation, C111, 2009](#)]

In Honduras the conclusion of the Broad National Agreement between the Government and the social partners was noted to confer special protection to vulnerable groups. Within the framework of the Agreement, the Government has adopted measures to support training of young persons. [[Honduras, CEACR, Observation, C111, 2013](#)]

(g) Equal remuneration for men and women for work of equal value⁸

Besides the general protection against non-discrimination in employment and occupation, the [Equal Remuneration Convention, 1951 \(No. 100\)](#), sets forth the obligation of ratifying States “to ensure the application to all workers of the principle of equal remuneration for men and women workers for work of equal value”.

The principle of equal remuneration for men and women for work of equal value applies to all workers, including young women and men workers.

In order to capture all elements that a worker may receive for his or her work, the Convention defines broadly the term “remuneration” as –

the ordinary, basic or minimum wage or salary and any additional emoluments whatsoever payable directly or indirectly, whether in cash or in kind, by the employer to the worker and arising out of the worker's employment.

8. See considerations on wage gender differentials of young wage and salaried workers in section IV (vulnerable workers, p. 40) of the ILO's W4Y gender report of 2016: [Young and female – A double strike? Gender analysis of school-to-work transition surveys in 32 developing economies](#).

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While equal remuneration for men and women for work of equal value is a principle that is widely accepted, the scope of the concept and its application in practice have been more difficult to grasp and apply in some countries. Convention No. 100 does not provide a definition of the concept of “work of equal value” or of the term “value”, which refers to the worth of a job for the purpose of computing remuneration. To clarify the concept of “work of equal value”, the CEACR issued a general observation in 2006:

“Work of equal value” includes but goes beyond equal remuneration for “equal”, the “same”, or “similar” work, and also encompasses work that is of an entirely different nature, which is nevertheless of equal value. Furthermore, the application of the Convention’s principle is not limited to comparisons between men and women in the same establishment or enterprise. It allows for a much broader comparison to be made between jobs performed by men and women in different places or enterprises, or between different employers.

Jobs have to be evaluated using an objective job evaluation method that includes the use of objective criteria such as skills and qualifications, effort, responsibilities, and working conditions. Objective job evaluation is concerned with evaluating the job itself on the basis of the work to be performed, not the individual worker. To avoid gender bias when setting wages, including minimum wages, the choice of factors for comparison, the weighting of these factors and the actual comparison carried out should not be inherently discriminatory. Furthermore, it needs to be ensured that certain skills considered to be “female” are not undervalued or even overlooked, in comparison with traditionally “male” skills.

2.2 Governance Conventions and employment instruments

The [2008 ILO Declaration on Social Justice for a Fair Globalization](#) designates four priority Conventions that relate to tripartism, employment policy and labour inspection as “most significant from the viewpoint of governance” (also referred to as the “governance Conventions”). These are –

- (a) the [Labour Inspection Convention, 1947 \(No. 81\)](#);
- (b) the [Employment Policy Convention, 1964 \(No. 122\)](#);
- (c) the [Labour Inspection \(Agriculture\) Convention, 1969 \(No. 129\)](#); and
- (d) the [Tripartite Consultation \(International Labour Standards\) Convention, 1976 \(No. 144\)](#).

In the context of follow-up to the Social Justice Declaration, a specific plan of action to achieve widespread ratification and effective implementation of the governance Conventions (2010–16) was designed to implement a relevant

Governing Body decision, which considered that these Conventions were of particular importance for the functioning of the international labour standards system.

The economic and financial crisis particularly affected vulnerable workers, including young people. The 2009 Global Jobs Pact recognizes that a number of international labour Conventions and Recommendations are relevant to recover from the crisis, including the ILO instruments concerning employment policy, labour inspection, and social dialogue mechanisms. The Global Jobs Pact recognized the above Conventions and related Recommendations as being among those of relevance to crisis recovery.

(a) Employment policy

The 2012 ILC Call for Action states that –

“Governments should give serious consideration, as appropriate, to:

- (a) implementing policies that promote full, productive and freely chosen employment, informed by the Employment Policy Convention, 1964 (No. 122).

In line with the recognition of the existence of a human right to work in the Universal Declaration of Human Rights, the Employment Policy Convention, 1964 (No. 122), establishes under Article 1 the obligation of member States to –

... declare and pursue, as a major goal, an active policy designed to promote full, productive and freely chosen employment.

2. The said 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.

Convention No. 122 does not require member States to guarantee everyone a job within any given length of time. However, member States have an obligation to make ongoing efforts to promote and achieve full, productive and freely chosen employment through an active employment policy. Such policy has to be regularly revisited, revised and reoriented in order to achieve the objectives identified by Convention No. 122, in accordance with national conditions and practices. In this regard, the Convention requires governments to decide and keep under review, in a manner appropriate to national conditions

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and within the framework of a coordinated economic and social policy, the measures adopted for attaining employment objectives.

It should be noted that, under Convention No. 122, not only salaried labour but also self-employment and cooperative work is to be promoted. What is important is that workers have freedom of choice of employment.

Convention No. 122 provides for consultations with the social partners and representatives of the persons affected by employment policies, which would also include young workers, with the objective of taking full account of their experience and views and securing their full cooperation in formulating and enlisting support for such policies. The scope of such consultations should not be limited to employment policy measures in a narrow sense, but should extend to all aspects of economic policy that affect employment. These include labour market and skills training programmes, as well as more general economic policies that have a bearing on youth employment promotion.

The Employment Policy (Supplementary Provisions) Recommendation, 1984 (No. 169), contains specific standards addressing young people experiencing difficulties in finding lasting employment. The Recommendation provides for specific measures to be adopted to support the employment of young workers having difficulties in finding lasting employment. Such measures include, *inter alia*, youth-oriented vocational guidance and training programmes; employment services that take into account the needs of young people living in both urban and rural areas; assistance for the vocational mobility of young workers; and measures aimed at engaging youth in community-based programmes.

Youth employment in the EU

In 2013, the Council of the European Union adopted a recommendation proposing measures to tackle youth unemployment based on a Youth Guarantee Scheme. Under this scheme member States should ensure that, within four months of leaving school or losing a job, young people under 25 can either find a good-quality job suited to their education, skills and experience; or acquire the education, skills and experience required to find a job in the future through an apprenticeship, traineeship, or continued education.

Source: European Commission (Employment, Social Affairs and Inclusion), [Youth Guarantee](#).

The CEACR devotes special attention to the issue of youth employment when supervising compliance with Convention No. 122. Specifically, it has noted difficulties encountered by young people transitioning from school to work, shifting from temporary or short-term employment to permanent jobs, as well as finding jobs that match their qualifications and skills.

Voluntary peer review of youth employment policies in the CIS and Georgia

In 2013, in response to a call to resolve the youth employment crisis in Eastern Europe and Central Asia, the ILO launched a project in the Commonwealth of Independent States (CIS) countries and Georgia, with a view to developing effective solutions to reduce youth unemployment. A regional Youth Employment Network, including representatives from Azerbaijan, Armenia, Georgia, Kazakhstan, Kyrgyzstan, Russian Federation, Tajikistan, Turkmenistan and Uzbekistan, was established to address that challenge. In this context, voluntary peer reviews, in which countries assess one another's youth employment policies and share good practices, have been put into place.

Source: [ILO, Voluntary peer review of youth employment policies.](#)

In its comments on Convention No. 122, the CEACR has requested governments to report on the impact of measures aimed at creating job opportunities for young people, particularly for those with lower qualifications. Aware that in many countries young people are increasingly working under short-term or flexible employment contracts, the CEACR also requests governments to provide information on the efforts made to ensure lasting employment for young people.

Measures taken by member States that have ratified Convention No. 122

Measures reported by governments to promote youth employment include –

- comprehensive policies and action plans on employment promotion, including labour market reforms that remove structural obstacles to job creation and income generation
- wage subsidies for employers hiring young people without work experience
- apprenticeship programmes and paid internships
- vocational training in which theory alternates with practice
- measures to facilitate the integration of young people into the labour market, e.g. the Youth Guarantee Scheme for EU countries.⁹

The promotion of full, productive, freely chosen employment and decent work is stated in the SDGs and in ILO instruments, including Convention No. 122, as well as in its most recent instrument. At its 106th Session in June 2017, the International Labour Conference adopted the [Employment and Decent Work for Peace and Resilience Recommendation, 2017 \(No. 205\)](#), which states –

9. ILO Employment Policy Brief, 2013: [Youth guarantees: a response to the youth employment crisis?](#)

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In responding to crisis situations, Members should seek to provide income-generation opportunities, stable employment and decent work for young women and men, including through:

- (a) integrated training, employment and labour market programmes that address the specific situations of young persons entering the world of work; and
- (b) specific youth employment components in disarmament, demobilization and reintegration programmes that incorporate psychosocial counselling and other interventions to address anti-social behaviour and violence, with a view to reintegration into civilian life.

(b) Job creation in small and medium-sized enterprises

Small and medium-sized enterprises play an essential role in creating job opportunities and, ultimately, in the attainment of full, productive and freely chosen employment for young persons. The 2012 ILC Call for Action states –

Youth entrepreneurship can be a pathway to decent work and sustainable enterprise for some young people and should be a component of national efforts to address the youth employment crisis.

The Call for Action lists some of the ingredients necessary to make youth entrepreneurship programmes successful, in line with the [Job Creation in Small and Medium-Sized Enterprises Recommendation, 1998 \(No. 189\)](#).

Entrepreneurship promotion: Start and Improve Your Business

The ILO's Start and Improve Your Business (SIYB) programme is a management training programme with a focus on starting and improving small businesses as a strategy for creating more and better employment in developing and transitional economies. The SIYB programme is a system of interrelated training packages and supporting materials for small-scale entrepreneurs. The programme is designed by the ILO and implemented with support from certified trainers in partner institutions in more than 100 countries, with an estimated outreach of 6 million trainees. Initially developed in the 1980s, it has now been translated into more than 40 languages. The Start Your Business (SYB) package provides a five-day training course for potential entrepreneurs with concrete and feasible business ideas, and proposes a follow-up programme including counselling sessions. SYB assists participants to develop a business plan with a marketing strategy, a staffing plan and a cost plan.

The 2011 SIYB Global Tracer Study found that in new businesses started after the training, on average three jobs were generated. In Uganda a randomized control trial (Fiala, 2014) providing mainly young business owners with loans, cash grants and the SYB training module or a combination of these components showed that, six and nine months after the interventions, men with access to loans with business skills training reported 54 per cent greater profits.

Sources: adapted from Kluge, Puerto, Robalino, Romero, Rother, Stöterau, Weidenkaff and Witte, 2016; and based on information available at: www.ilo.org/siyb; van Lieshout, Sievers & Aliyev, 2012; Fiala, 2014; Majurin, 2014.

(c) Cooperatives

Youth employment can also be fostered through the establishment of cooperatives owned and operated by young workers. The [Promotion of Cooperatives Recommendation, 2002 \(No. 193\)](#), sets standards on the promotion and operation of cooperatives. A cooperative is defined in Recommendation No. 193 as –

an autonomous association of persons united voluntarily to meet their common economic, social and cultural needs and aspirations through a jointly owned and democratically controlled enterprise.

Recommendation No. 193 requires States to promote the creation and development of cooperatives and to assist them in creating income-generating activities and sustainable decent employment. In this regard, measures must be adopted to develop human resource capacities and knowledge of the values, advantages and benefits of cooperatives and to facilitate cooperatives' access to markets and institutional finance.

Cooperative entrepreneurship training in Panama and Morocco

Since 2010 national youth employment programmes in Panama have promoted the access of persons within the age group of 18 to 29 to cooperative entrepreneurship training. Similarly, in Morocco the Government offers young graduates capacity building and access to credit to facilitate the establishment of cooperatives.

Source: ILO, [Information note: A better future for young people: What cooperatives can offer](#), 2012.

(d) Vocational guidance and vocational training

Technical and vocational education and guidance are key elements in the realization of the right to work: the link between education and vocational training and employment opportunities for young people cannot be overlooked. To ensure that young people meet the competencies needed to obtain employment, the [Human Resources Development Convention, 1975 \(No. 142\)](#), requires member States to –

adopt and develop comprehensive and co-ordinated policies and programmes of vocational guidance and vocational training, closely linked with employment, in particular through public employment services.

These policies and programmes must encourage and enable all persons, on an equal basis, to develop and use their capabilities for work in their own best interests and in accordance with their own aspirations. In this regard, governments must ensure that information concerning employment and vocational guidance are available to all children, young persons and adults.

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Access to vocational training for disadvantaged youth in Austria

Since 1998, the “Youth Safety Net” has operated in Austria, providing failed apprenticeship-seekers and disadvantaged young persons with the possibility of “[supra-company training](#)”. Under this scheme, young persons can learn practical skills in companies that match their vocational interests, in addition to taking part in regular vocational schools.

Source: [Austrian labour market service, Überbetriebliche Lehrausbildung](#)

A more recent standard, the [Human Resources Development Recommendation, 2004 \(No. 195\)](#), calls on States to promote access to education and vocational training for young persons, taking into account their special needs. Vocational education and training systems must aim at the development of skills relevant to the labour market. To this end member States should promote, with the involvement of the social partners, the ongoing identification of trends in the competencies needed by individuals, enterprises, the economy and society as a whole.

Measures taken by member States that have ratified Convention No. 142

In Egypt, where the unemployment rate of young people reached 25 per cent in 2014, measures were taken to provide entrepreneurship training for young persons. [[Egypt, CEACR, Direct Request, C142, 2014](#)]

In the Republic of Korea, the Youth Employment Academy was launched in 2011 to provide education and vocational training for young people, while focusing on teaching practical skills required by potential employers. In 2012 some 2,726 enterprises and 349 universities participated in the project, benefiting 8,002 participants. [[Republic of Korea, CEACR, Direct Request, C142, 2013](#)]

In Lithuania youth employment centres offer vocational guidance as well as occupational counselling to young people under 21 years of age. [[Lithuania, CEACR, Direct Request, C142, 2014](#)]

(e) Employment services

An essential element in pursuing full, productive and freely chosen employment for young persons are employment services. International standards relating to the provision of employment services are laid down in two main Conventions: the [Employment Service Convention, 1948 \(No. 88\)](#), which prescribes the obligation of governments to establish and maintain free public employment services; and the [Private Employment Agencies Convention, 1997 \(No. 181\)](#), which allows the operation of private employment agencies and confers protection to the workers who make use of their services.

Training and skills development: *Juventud y Empleo* in the Dominican Republic

The Youth and Employment Programme, *Juventud y Empleo* (Youth and Jobs) in the Dominican Republic represents an innovative model of an active labour market policy to improve the employability and human capital of young people between the ages of 16 and 29 who did not complete high school. The programme provides young people with vocational training (150 hours) and basic or life skills training (75 hours) combined with internships in private sector firms (240 hours). The programme is managed by the Ministry of Labour in cooperation with the National Institute of Technical and Vocational Training (Instituto Nacional de Formación Técnico Profesional), with financial support from the Inter-American Development Bank. Training services are provided by private training institutions.

The programme began in 2001 and was the first such programme in Latin America and the Caribbean to incorporate a randomized evaluation component in its design. The first impact evaluation showed limited impacts on employment and wages, which led to changes in the programme to focus on working more closely with the private sector and providing a stronger life skills component. Further evaluation results showed that the programme had a positive impact on job formality for men and a positive effect on monthly earnings among those who were employed. In addition, the programme was effective in reducing teenage pregnancy and showed a positive impact in various measures of non-cognitive skills.

Sources: adapted from Kluge, Puerto, Robalino, Romero, Rother, Stöterau, Weidenkaff and Witte, 2016; Card, Ibarrarán, Regalia, Rosas-Shady and Soares, 2011; Ibarrarán, Ripani, Taboada, Villa and García, 2014.

Employment services are increasingly deploying a mix of preventive (career guidance to students in partnerships with schools) and curative (skills training, traineeship and subsidized job opportunities) strategies to address the different barriers young people face in the labour market.

Berufsinformationszentren

In Germany an occupational information system for young jobseekers involves 180 information centres (Berufsinformationszentren, BiZ), which are run by the Federal Employment Agency. Young jobseekers can find printed information on every occupation and also access further online channels. The website offers information on every profession including working conditions, employment prospects and alternative related occupations. This is accompanied by a [website](#) with more than 350 videos on apprenticeships and other occupations, including those with university education. More in-depth information is provided on apprenticeships or university education after every video, and it is possible to search directly for open vacancies and apprenticeships, as the national job database (JOBBÖRSE) is linked. Apps for smartphone and tablets are also available.

Source: <http://www.berufe.tv/en/ueber-berufe-tv/>

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In September 2014 a workshop was held at the ILO on “[What works on employment services for youth](#),” which was structured as a mutual learning event to provide a platform for sharing knowledge on strategies that work for young people and on how they might be replicated by countries. Many employment services that participated in the workshop operate in a context of low labour demand, high youth unemployment rates and skills mismatches.

Country example: Argentina – Youth with a Future Programme

The Youth with a Future Programme was launched in 2007 and targets youth at risk of social exclusion between ages 18 and 24 without secondary education, qualifications or relevant work experience in the formal sector. The programme is the result of a public-private partnership between 27 leading enterprises promoting corporate social responsibility. The programme combines classroom and workplace training for up to 10 months. Depending on the needs of the employer, workplace training may represent 80 per cent of the total programme, or time can be equally divided between theoretical and practical learning.

Source: ILO, [Note on Public Employment Services in Argentina](#), 2015.

According to Convention No. 88, the essential duty of **public employment services** is to –

ensure, in co-operation where necessary with other public and private bodies concerned, the best possible organisation of the employment market as an integral part of the national programme for the achievement and maintenance of full employment and the development and use of productive resources.

With respect to young people, Convention No. 88 provides that –

special arrangements for juveniles shall be initiated and developed within the framework of the employment and vocational guidance services.

Benin: Job Saturdays (Les Samedis des Métiers)

The Job Saturdays Programme aims to influence the career choice of young people. They are part of the national strategy for the 2012–2015 period to reduce poverty and expand job opportunities by developing a skilled workforce. The monthly events are coordinated by the PES (Agence National pour l’Emploi, ANEP) but are based on collaboration with employers and education institutions. Career choices in Benin are strongly influenced by the cultural context and family expectations. The event provides information on career options in dynamic economic sectors in occupations that may be underestimated or not even considered by youth. The monthly event has an average of 1,000 registered visitors, including young people, parents, teachers, and others. The events on Saturdays with professionals from the selected panels include discussion panels and round tables.

Prior to this, exhibition stands from employers, training providers, and others are available for two days. On-site individual sessions and further guidance at employment offices follow the main event.

Source: Andersen, T., Feiler, L.: Guide to skills anticipation and matching – volume 4: The role of employment service providers. Luxembourg: Publications Office. Jointly published by Cedefop, ETF and ILO, 2013.

Measures taken by member States that have ratified Convention No. 88

In Ghana the establishment and operation of youth employment centres throughout the country was noted by the CEACR in 2012 and 2016. The Government indicated that such centres had been created to cater to the needs of youth. [[Ghana, CEACR, Observation, C88, 2012](#)]

In Nicaragua a National Youth Employment Committee is involved in social dialogue on the operation of the public employment service. [[Nicaragua, CEACR, Direct Request, C88, 2011](#)]

For the purposes of Convention No. 181, a **private employment agency** is defined as –

Any natural or legal person, independent of the public authorities, which provides one or more of the following labour market services:

- (a) services for matching offers of and applications for employment, without the private employment agency becoming a party to the employment relationships which may arise therefrom;
- (b) services consisting of employing workers with a view to making them available to a third party, who may be a natural or legal person (referred to below as a “user enterprise”) which assigns their tasks and supervises the execution of these tasks;
- (c) other services relating to jobseeking, determined by the competent authority after consulting the most representative employers and workers organizations, such as the provision of information, that do not set out to match specific offers of and applications for employment.

Convention No. 181 guarantees that workers recruited by private employment agencies are not restricted from exercising their fundamental rights at work. Private employment agencies could provide special services or targeted programmes designed to assist the most disadvantaged workers in their job-seeking activities. According to the [Forced Labour \(Supplementary Measures\) Recommendation, 2014 \(No. 203\)](#), in order to prevent forced labour of migrant workers, States should take measures to regulate, license and monitor labour recruiters and employment agencies, and eliminate the charging of recruitment fees to workers to prevent debt bondage and other forms of economic coercion. Young people may be particularly dependent on such agencies.

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Private employment agencies and youth employment in Morocco

In Morocco some leading private employment agencies are involved in improving youth employment opportunities by providing labour market services to the Government, training and education institutions, jobseekers, and employers. Some firms have even concluded collaborative agreements with technical schools to help identify job opportunities for new graduates.

Source: ILO, [Private Employment Agencies in Morocco](#), 2011.

The general rule stipulated in Convention No. 181 is that private employment agencies cannot charge directly or indirectly, in whole or in part, any fees or costs to workers. In the interest of the workers concerned, and after consulting the most representative organizations of employers and workers, exceptions to this rule can apply in respect of certain categories of workers, as well as specified types of services provided by private employment agencies.

Ratifying member States must also promote cooperation between the public employment service and private employment agencies, in accordance with national law and practice and after consulting the most representative organizations of employers and workers.

Employment services: Counselling and job placement for young graduate jobseekers in France

In France the government agency *Pôle Emploi* matches jobseekers with potential employers and provides benefits and job counselling to the unemployed. In 2007, the Government decided to experiment with subcontracting employment services to private providers for young graduates who had been unemployed for at least six months. The jobseeker assistance programme aimed to help jobseekers find work and to support them in retaining the job or finding a new job. For the first six months of the programme, the private employment agency counselled the jobseeker and helped to find a job with a contract duration of at least six months. During the first six months of employment, the client continued to be supported and advised by the agency.

A randomized experiment measured the direct and indirect (displacement) impact of job-placement assistance on the labour market outcomes of young people. The evaluation found that the reinforced counselling programme had a positive impact on the employment status of young jobseekers eight months after assignment to the treatment group, compared to untreated jobseekers. However, these positive effects appeared to have been achieved partly at the expense of eligible workers who did not benefit from the programme, particularly in labour markets where they were competing mainly with other educated workers and in weak labour markets.

Sources: adapted from Kluge, Puerto, Robalino, Romero, Rother, Stöterau, Weidenkaff and Witte, 2016, and based on information available at: www.youth-employment-inventory.org; Crépon, Duflo, Gurgand, Rathelot and Zamora, 2013.

(ii) Tripartite consultations

Social partners play a fundamental role in standard setting, in the application, and in the supervision of compliance with ratified ILO Conventions. The Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), establishes the obligation of member States to undertake consultations with the most representative organizations of employers and workers on issues concerning international labour standards. Such issues include proposals for new international labour standards, measures taken to promote the ratification of ILO Conventions, and any issue arising out of reports on the application of ratified Conventions submitted to the ILO. In 2011 the CEACR noted that the question of youth employment had been addressed in tripartite meetings held in Gabon.

In applying Convention No. 144, governments and social partners have established bodies for tripartite consultations. While the Convention does not explicitly require this, the social partners may be encouraged to include representatives of young people among their delegates in tripartite consultation bodies, particularly when issues affecting young people are under consideration, as foreseen in paragraph 49 of the 2012 ILC Call for Action.

(f) Labour administration and inspection

(i) Labour administration

The Labour Administration Convention, 1978 (No. 150), aims to ensure the organization and effective operation of labour administration, the functions and responsibilities of which are properly coordinated.

The Labour Administration Recommendation, 1978 (No. 158), emphasizes that the system of labour administration should include a system of labour inspection, as well as a free public employment service.

A solid labour administration system provides the groundwork for achieving decent work. Convention No. 150 defines labour administration as public administration activities in the field of national labour policy.¹⁰ In order to complete this task successfully, the system of labour administration, i.e. all public administration bodies responsible for and/or engaged in labour administration¹¹ must be organized in an effective manner and dispose of

10. See Article 1(a) of Convention No. 150.

11. In accordance with the Convention, they may be organized in the form of ministerial departments or public agencies, parastatal and regional or local agencies or any other form of decentralized administration.

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the necessary human and material means for this purpose.¹² Labour-related agencies such as public employment services (PES) and vocational training institutions can contribute, if properly regulated, supervised and coordinated by the labour ministry, to more efficient and higher quality services, including for young workers.

Since many young workers are found in the informal economy, member States are required to make efforts to extend labour administration services to workers who do not have a formal employment contract but who have the right to protection, as envisaged in ILO Convention No. 150.¹³ The adoption of relevant labour legislation and the enforcement by labour inspectors of such provisions are needed to bridge the gap in the application of labour standards and to prevent abusive working conditions.

(ii) Labour inspection

The labour inspectorate ensures that laws and regulations are respected and encompass a vital element of any labour administration system. They play an important role in promoting decent work and ensuring its respect in a number of areas, such as occupational safety and health, wages, child labour, and working time.

The objective of Convention No. 81 is the establishment of a system of labour inspection responsible for securing the enforcement of the legal provisions relating to conditions of work and the protection of workers while engaged in their work (Article 3(1)(a)). Labour inspectors also supply technical information and advice to employers and workers concerning the most effective means of complying with the legal provisions (Article 3(1)(b)); they also bring to the notice of the competent authority defects or abuses not specifically covered by existing legal provisions (Article 3(1)(c)).

An effective labour inspection system is necessary to ensure the protection of young workers and the enforcement of their due rights. This is particularly important where young workers are not in a position to assert their rights themselves (such as where they are unaware of their rights or of the duties of their employers, their inexperience with regard to the occupational risks they are exposed to, their lack of occupational safety and health (OSH) training, or employment by subcontractors without the responsible employer being clearly determined, etc.). Furthermore, effective labour inspection is

12. See Article 10 of Convention No. 150.

13. Article 7 of Convention No. 150 gives labour administrations a mandate to extend services beyond the formal economy and engage in activities for the benefit of all working people. In this regard, the ILO Employment Relationship Recommendation, 2006 (No.198), offers guidance for national labour administrations.

essential where young workers often work in sectors with a high incidence of occupational deaths (such as agriculture, forestry, mining, and construction) or where there is a risk that they are bound by contractual arrangements that have the effect of depriving them of the protection to which they are entitled (such as social protection and benefits, adequate wages and working time, etc.)¹⁴ Labour inspectors can also help identify child labour or cases in which young people are victims of human trafficking.

Convention No. 129 provides that, after ratification, each member State shall maintain a system of labour inspection in agriculture, which shall apply to agricultural undertakings in which employees or apprentices work, however they may be remunerated and whatever the type, form, or duration of their contract.¹⁵

The promotion of the ratification of the two labour inspection Conventions, i.e. the [Labour Inspection Convention, 1947 \(No. 81\)](#), and the [Labour Inspection \(Agriculture\) Convention, 1969 \(No. 129\)](#), has been a priority for the ILO, particularly since the adoption of the 2008 Social Justice Declaration, which emphasized that a functioning labour inspection system is a prerequisite for the effective implementation of international labour standards and national legislation on working conditions and the protection of workers.

These Conventions are complemented by –

- the [Protocol of 1995 to the Labour Inspection Convention, 1947](#), which provides for the extension of the application of the provisions of the Labour Inspection Convention, 1947, to activities in the non-commercial services sector;
- the [Labour Inspection Recommendation, 1947 \(No. 81\)](#), which calls for labour inspectors to play a preventive role in the field of safety and health in new establishments, activities or processes of production, and for arrangements to be made for cooperation between employers' and workers' groups. It also recommends that the function of conciliation and arbitration in labour disputes should not be entrusted to labour inspectors, and provides guidance on the content to be included in the annual reports on the activities of the labour inspection services;

14. The Committee of Experts on the Application of Standards and Recommendations has indicated, in paragraph 76 of its 2006 General Survey on Labour Inspection that it is the labour inspectorate that is responsible for verifying whether the conditions in which the contract of employment is concluded and fulfilled comply with the applicable provisions, in particular in the case of vulnerable workers such as young persons or people with certain disabilities.

15. In this regard, it should be emphasized that the ratification of Convention No. 129 does not require the establishment of a separate inspection system, i.e. labour inspection in agriculture may be exercised within the existing labour inspection structures covering other sectors.

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- the [Labour Inspection \(Mining and Transport\) Recommendation, 1947 \(No. 82\)](#), which calls on member States to apply to the mining and transport industries appropriate systems of labour inspection;
- the [Labour Inspection \(Agriculture\) Recommendation, 1969 \(No. 133\)](#), which provides that the functions of the labour inspectorate in agriculture should be enlarged so as to include collaboration with the competent technical services with a view to helping the agricultural producer improve his holding and the conditions of life and work of the persons working on it.

Labour inspection has played an important role in the elimination of child labour, as well as the evaluation of the impact of government programmes and policies relating to youth employment. Illustrations of recent impacts of the labour administration and labour inspection Conventions on youth include the following.

In the Dominican Republic a pilot programme to strengthen the labour administration in various regions of the country was implemented, between 2010 and 2013, in coordination with the Ministry of Labour and with the technical and financial assistance of the ILO. Its principal achievements include the establishment of the local offices of the National Technical and Vocational Training Institute (INFOTEP) and the Labour Skills School; the introduction by the INFOTEP of modules in a secondary school providing training for young persons in the hotels and electricity sectors as an option for their entry into the local labour market; the opening of the Youth and Adult Training Institute, under the responsibility of INFOTEP; and the establishment of the Committee for the Eradication of Child Labour and the training of its representatives. [[Dominican Republic, CEACR, Direct Request, C150, 2014](#)]

The Government of Guatemala indicated that in 2013 the first plan of focused and regional inspections was implemented, as a consequence of which 54,989 interventions were carried out. In the course of these interventions, verification was obtained separately in respect of payment of the minimum wage, social security registration, and the worst forms of child labour in various sectors, including the agricultural sector. Interventions were carried out in 1,561 agricultural, export and *maquiladoras* (export processing zones) enterprises, during which ten young persons between 14 and 17 years of age, and no children under this age were identified. [[Guatemala, CEACR, Observation, C129, 2014](#)]

In Mali the recruitment and initial training of senior public administration officials, including labour inspectors, is henceforth entrusted to the National School of Administration (ENA). This training includes both an academic and a practical stage, and is delivered over a period of 18 months.

The Government also reports on a national workshop on the capacity building of labour inspectors on the worst forms of child labour, which was organized in 2012 by the national unit to combat child labour, and on a workshop in 2013 on the protection of migrant workers, organized by the International Organization for Migration. According to the Government, these training programmes have contributed towards the capacity building of inspectors with respect to supervising the work of young people and migrant workers. [[Mali, CEACR, Direct Request, C81, 2014](#)]

2.3 Technical Conventions

(a) Wages

(i) Protection of wages

The [Protection of Wages Convention, 1949 \(No. 95\)](#), defines wages as –

“remuneration or earnings, however designated or calculated, capable of being expressed in terms of money and fixed by mutual agreement or by national laws or regulations, which are payable in virtue of a written or unwritten contract of employment by an employer to an employed person for work done or to be done or for services rendered or to be rendered”.

Young people are often among those whose conditions of employment are precarious, casual, or informal. For this reason they are more likely than other workers to suffer non-payment of wages.

Convention No. 95 ensures the regular and direct payment of wages to all workers in legal tender. Payment in the form of promissory notes, vouchers or coupons or in any other form alleged to represent legal tender is prohibited. In addition, the Convention recognizes the right of the worker to dispose of his wage. Deductions from wages only apply when national laws or regulations prescribe them or when collective agreements or arbitration awards fix them.

Young persons often encounter challenges with their remuneration. For example, in its 2012 comments on Poland under Convention No. 95, the CEACR, observing that young people are often employed on civil law contracts, which do not offer the same protection as that afforded by labour contracts issued under the labour legislation, requested the Government to specify how it is ensured that such workers enjoy protection of their wages in accordance with the Convention. [[Poland, CEACR, Direct Request, C95, 2012](#)]

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(ii) Minimum wage fixing machinery

The Minimum Wage Fixing Convention, 1970 (No. 131), requires States to establish and maintain minimum wage-fixing machinery in consultation with the social partners. The term “minimum wage” should be understood as “the minimum amount of remuneration that an employer is required to pay wage earners for the work performed during a given period, which cannot be reduced by collective agreement or an individual contract.”¹⁶

Convention No. 131 and its accompanying Recommendation (the Minimum Wage Fixing Recommendation, 1970 (No. 135)) seek to ensure that the amount of the minimum wage covers the needs of workers and their families, taking into account the general level of wages in the country, including cost of living and social security benefits. The social partners must participate in both the establishment and operation of minimum wage systems.

Measures taken by member States that have ratified Convention No. 131

In its 2014 General Survey on Minimum Wage Systems, the CEACR noted that –

- Azerbaijan, Cameroon, Côte d’Ivoire, Central African Republic, Cuba, Gabon, Mali, Romania and Togo recognize the principle of equal remuneration for work of equal value, with no distinction on grounds of age.
- In Honduras, the national legislation prohibits any age-related difference in wages and specifies that no wage classification may be based on the criterion of age. In Benin, workers aged 14 to 21 enjoy the same rights as other workers in their occupational category and may not have their wages reduced or assigned to a lower occupational category on grounds of their age under any circumstances.
- In Belarus, Ecuador, Latvia, Niger and Peru, young workers must not receive remuneration that is lower than that paid to other workers of the same occupational category occupying a similar post.¹⁷

The CEACR has also observed that a number of ILO member States have introduced lower minimum wage rates for young workers under a certain age. In the United Kingdom and the Netherlands for example, a different minimum wage for young workers has been implemented, seeking to ensure youth remain in school as long as possible and do not drop out before they complete their curriculum.

16. CEACR, 2014 General Survey on Minimum Wage Systems, para. 68.

17. *ibid*, paras. 168–171.

The CEACR has noted that, rather than using the criterion of age in determining minimum wages for young workers, it might be preferable to take account of their qualifications and working experience.¹⁸

(ii) Wages for apprentices and trainees

The 2012 ILC Call for Action encourages ILO member States to regulate and monitor apprenticeship, internship and other work-experience schemes, including through certification, to ensure they allow for a real learning experience and do not replace regular workers.

Much attention has been paid to the question of whether young people enrolled in apprenticeship or internship programmes are entitled to a minimum wage. In this respect the CEACR has noted that apprenticeships tend to increase the relevance of young people's skills to labour market requirements, and are thus of particular interest in the current climate of massive youth unemployment. However, in 2014 it was noted that problems have been raised in several countries in relation to unpaid internship programmes and other similar arrangements, when they are used to evade the payment of applicable minimum wages and to curtail employment opportunities. The CEACR has indicated that persons covered by apprenticeship or traineeship contracts should only be paid at a differentiated rate where they receive actual training during working hours at the workplace. In general, the quantity and quality of the work performed should be taken into account in determining the wage paid.

Minimum wage regulations for apprentices

Under the French Labour Code, apprentices are entitled to a percentage of the national minimum wage rate that varies in accordance with the age of the apprentice and the number of years of apprenticeship completed. This rate varies from 25 per cent of the national minimum wage rate for apprentices between 16 and 17 years of age in the first year of the apprenticeship to 78 per cent of the national minimum wage rate for apprentices over 21 years of age in the third year of their apprenticeship.

Young workers employed under a *contrat de professionnalisation* (training contract) that they are required to complete in order to obtain a professional qualification are entitled to be paid a percentage of the national minimum wage. This percentage can vary from 55 per cent (65 per cent if holder of the "Baccalauréat") of the national minimum wage for workers under 21 years of age to 70 per cent (80 per cent if holder of the "Baccalauréat") of the national minimum wage for workers over 21 years of age

Source: ILO, [Working Conditions Laws Database](#) (last visited February 8, 2016)

18. *ibid.*, para. 178.

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In Chad a Decree containing provisions concerning the minimum wage of young workers was adopted in 2011. Under the Decree, persons between the ages of 14 and 18 under an apprenticeship contract cannot be paid less than 80 per cent of the minimum wage earned by a professional in regular employment.

Source: ILO, [NATLEX](#) (last visited February 8, 2016)

The CEACR has noted that problems have been raised in several countries relating to unpaid internship programmes and other similar arrangements, when they are used to evade the payment of applicable minimum wages and to curtail employment opportunities, particularly for young persons. It considers that persons covered by apprenticeship or traineeship contracts should only be paid at a differentiated rate where they receive actual training during working hours at the workplace. In general, the quantity and quality of the work performed should be the decisive factors in determining the wage paid.¹⁹

In a number of countries, various programmes have also been introduced to help people, particularly young people, access work, particularly young persons, by combining employment and training outside an apprenticeship framework. In Italy beneficiaries of employment access contracts receive remuneration that may not be lower than the wage fixed in the national collective agreement for the sector concerned for jobs two grades on the wage scale below the post they occupy. In France vocational training contracts are alternative contracts aimed at enabling the workers concerned to acquire certain qualifications and to help them to join or return to the labour market. Unless agreements or contracts contain more favourable provisions, employees aged under 26 years of age receive a minimum wage calculated on the basis of their age and level of training during the training contract period.

In Argentina legislation authorizes apprentices to be paid below the minimum wage. However, the use of apprenticeship contracts is closely regulated. In particular, they must be intended to provide theoretical and practical training, which must be precisely described as part of a programme of the same length as the contract. The contract must be concluded in writing between an employer and an unemployed young person aged between 16 and 28, and must last from three months to one year. Persons who have previously been in an employment relationship with the same employer cannot be engaged as apprentices, and a new apprenticeship contract cannot be concluded when the first expires.¹

Source: ILO, [General Survey: Minimum wage systems](#), 2013, paras. 185–187.

19. ILO, [General Survey: Minimum wage systems](#), 2013.

(b) Employment relationship

In some cases young persons perform work in the context of a disguised employment relationship. This occurs when the employer treats an individual as other than an employee in a manner that hides his or her true legal status as an employee. In such cases, the protection of workers' labour rights is at risk, as they are excluded from the scope of national labour legislation. The Employment Relationship Recommendation, 2006 (No. 198), therefore recommends member States to adopt a national policy which includes measures to combat disguised employment relationships and to ensure that labour standards are applicable to all forms of contractual arrangements, including those involving multiple parties, so that workers have the protection to which they are entitled.

According to Recommendation No. 198, indicators of the existence of an employment relationship include –

- (a) the fact that the work: is carried out according to the instructions and under the control of another party; involves the integration of the worker in the organization of the enterprise; is performed solely or mainly for the benefit of another person; must be carried out personally by the worker; is carried out within specific working hours or at a workplace specified or agreed by the party requesting the work; is of a particular duration and has a certain continuity; requires the worker's availability; or involves the provision of tools, materials and machinery by the party requesting the work;
- (b) periodic payment of remuneration to the worker; the fact that such remuneration constitutes the worker's sole or principal source of income; provision of payment in kind, such as food, lodging or transport; recognition of entitlements such as weekly rest and annual holidays; payment by the party requesting the work for travel undertaken by the worker in order to carry out the work; or absence of financial risk for the worker.

Recommendation No. 198 calls on States to take action –

to ensure effective protection to workers, especially affected by the uncertainty as to the existence of an employment relationship, including women workers, young workers, workers in the informal economy, migrant workers and workers with disabilities.

Furthermore, it requires the establishment of specific national mechanisms in order to ensure that employment relationships can be effectively identified within the framework of the transnational provisions of services.

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(c) Hours of work and weekly rest

Hours of work means the time during which the persons employed are at the disposal of the employer. It does not include rest periods during which the persons employed are not at the disposal of the employer.

(i) Hours of work and weekly rest in industry

Within the meaning of the Hours of Work (Industry) Convention, 1919 (No. 1), industry comprises –

- (a) mines, quarries, and other works for the extraction of minerals from the earth;
- (b) manufacturing industries; including shipbuilding and the electricity industry;
- (c) industries dedicated to construction work;
- (d) the transport of passengers or goods.

As a general rule, whether public or private, working time in industry shall not exceed eight hours in the day and forty-eight hours in the week. Exceptions to this rule may apply in case of accident, actual or threatened, or in case of urgent work to be done to machinery or plant, or in case of “force majeure”, but only so far as may be necessary to avoid serious interference with the ordinary working of the undertaking. The limit of hours of work in industry may also be exceeded in those industrial processes which need to be carried on continuously by a succession of shifts, subject to the condition that the working hours shall not be in excess of 56 on average in a week.

In addition, the Weekly Rest (Industry) Convention (No. 14), prescribes a twenty-four consecutive hour rest period in the week, which is applicable to the whole staff employed in the industry. This period of rest shall be fixed to coincide with the days already established by the traditions or customs of the country or district. States may authorize total or partial exceptions to the granting of rest days on humanitarian and economic considerations. In such cases States are required, as far as possible, to provide for compensatory periods of rest.

(ii) Hours of work in commerce and offices

The Hours of Work (Commerce and Offices) Convention, 1930 (No. 30), provides for limits to the working time of people employed in commerce and offices, including retail establishments, administrative services, mixed commercial, and industrial establishments. This Convention, however, does not apply to persons working in health-care institutions, hotels, restaurants, clubs, cafés, theatres or other places of public amusement, who may be covered by special rules.

As in the case of Convention No. 1, hours of work in commerce and offices shall not exceed, in principle, forty-eight hours in a week and eight hours in a day. Though special arrangements may be permitted to fix another working schedule, in no case should the daily working time exceed ten hours. Working time which is interrupted as a result of local holidays or accidents in the undertaking shall not be made up on more than thirty days in the year and shall not add more than one hour of work daily. Convention No. 30 permits both permanent and temporary exceptions to the working time limits, subject to the control of a competent public authority.

Permanent exceptions apply in cases where work has necessarily and regularly to be carried out outside normal hours to address the permanent necessities of an undertaking. Permanent exceptions may be allowed for –

- persons whose work is inherently intermittent, such as caretakers and persons employed to look after working premises and warehouses;
- persons directly engaged in preparatory or complementary work which must necessarily be carried on outside the limits laid down for the hours of work of the rest of the persons employed in the establishment;
- persons working in shops and other establishments where the nature of the work, the size of the population or the number of persons employed render inapplicable the working hours fixed by the Convention.

Temporary or periodical exceptions apply in cases where work has to be carried out outside normal hours to address the temporary necessities of an undertaking, and where the exact period at which such work has to be carried out cannot be foreseen. “Overtime” covers only additional hours that are worked in cases of temporary exceptions, which include –

- (a) situations of accident, actual or threatened, force majeure, or urgent work to machinery or plant, but only so far as may be necessary to avoid serious interference with the ordinary working of the establishment;
- (b) work that has to be carried out to prevent the loss of perishable goods or avoid endangering the technical results of the work;
- (c) special work such as stocktaking and the preparation of balance sheets, settlement days, liquidations, and the balancing and closing of accounts;
- (d) situations of abnormal pressure of work due to special circumstances, in so far as the employer cannot ordinarily be expected to resort to other measures.

The Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106), provides for the workers’ right to an uninterrupted weekly rest period, comprising not less than twenty-four hours in the course of each period of seven days. This rest period shall be granted simultaneously to all the persons concerned in each establishment and, wherever possible, coincide with the day

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of the week established as a day of rest by the traditions or customs of the country or district. The traditions and customs of religious minorities shall be respected, as far as possible.

The Weekly Rest (Commerce and Offices) Recommendation, 1957 (No. 103), states that young persons under 18 years of age should, wherever practicable, be granted an uninterrupted weekly rest of two days.

Regulations on the working hours of young workers in Sweden

In 2012 Sweden introduced regulations on working hours of particular relevance for young workers. Under these regulations, if a young person has different employers, the total working time must be calculated. This means that when employers calculate working time for a young person, they must deduct the time that the person works for someone else. When a young person is hired, it is therefore necessary to ask whether he or she is working for someone else, either as a worker, intern or apprentice.

In cases of performances and rehearsals within cultural and artistic activities that demand extra hours of work, and during sporting and advertising events, the Swedish Working Environment Authority can make exceptions to the application of working hours limits.

Source: [Swedish Work Environment Authority, Working hours for young people](#).

(iii) Part-time work

Recourse to part-time work is increasing in the modern world for a variety of reasons. The impact of this phenomenon on young people can mean enlarging the types of employment available, but it can also include increasing instability of employment in developed countries, and deterioration in job quality in developing countries.²⁰

The Part-Time Work Convention, 1994 (No. 175), defines the minimum rights of part-time workers. This Convention takes into account the importance of part-time work in facilitating additional employment opportunities and the need to ensure protection for part-time workers in the areas of access to employment, working conditions and social security. A part-time worker means an employed person whose normal hours of work are less than those of full-time workers.

States are required by Convention No. 175 to take measures to ensure that part-time workers receive the same protection afforded to full-time workers,

20. On these issues, see ILO, [Global Employment Trends for Youth 2015](#), sections 3.5.1 and 3.5.2.

particularly in respect of freedom of association and the right to collective bargaining, occupational safety and health, and in terms of non-discrimination in employment and occupation. Part-time workers are entitled to a basic wage, calculated proportionally to the rate applicable to full-time workers, and to social security schemes.

Measures must be taken by governments to facilitate access to productive and freely chosen part-time work for persons undergoing education or training. The transition of a worker from a full-time to a part-time work scheme, or vice-versa, should occur with the worker's agreement. In order to prevent the overuse of part-time work schemes, the [Part-Time Work Recommendation, 1994 \(No. 182\)](#), requires that employers consult the representatives of the workers concerned when introducing or extending part-time work on a broad scale.

*Measures taken by member States
that have ratified Convention No. 175*

The Government of Finland has indicated: “part-time work is a positive opportunity in terms of promoting employment and lengthening working careers, especially for young workers, child-caring parents, and long-term unemployed. In other areas, however, there is a significant amount of involuntary part-time work owing to factors such as strong fluctuation in demand.” [[Finland, CEACR, Direct Request, C175, 2013](#)]

In Italy the Government's initiatives were noted to transform full-time contracts of persons reaching pensionable age into part-time contracts for the recruitment of young people. In this respect, the CEACR requested the Government to provide information on any measures designed to improve job opportunities for those trapped – notably women and young persons – in involuntary part-time work. [[Italy, CEACR, Direct Request, C175, 2013](#)]

Part-time work in the Netherlands

In the Netherlands part-time work has largely expanded since the 1980s. According to Eurostat, by 2014 about 70 per cent of all employed persons aged 15 to 24 worked on a part-time basis. Differences in job and social security rights between part-time and full-time workers have been reduced over time due to concerted attempts to promote equal treatment for part-time workers through legislation and collective agreements.

Source: Eurostat; ILO, [In search of good quality part-time employment](#).

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(iv) Night work

The [Night Work Convention, 1990 \(No. 171\)](#), applies to persons who perform work during the night, including the interval from midnight to 5 a.m., except those employed in agriculture, stock raising, fishing, maritime transport and inland navigation. It stipulates the obligation of the State to take measures to protect the health of night workers, assist them to meet their family and social responsibilities, provide opportunities for occupational advancement, and compensate them appropriately.

The [Night Work Recommendation, 1990 \(No. 178\)](#), establishes that normal hours of work for night workers should not exceed eight in any 24-hour period. The normal hours of work of night workers should generally be less on average than, and in any case not exceed on average, those of workers performing the same work to the same requirements by day in the branch of activity. Work should be organized in such a way as to avoid, as far as possible, overtime by night workers.

When performing shift work, night workers should not perform two consecutive full-time shifts, except in cases of force majeure or of actual or imminent accident. A rest period of at least 11 hours between two shifts should be guaranteed to night workers.

Daily periods of work, which include night work, should include breaks to enable workers to rest and eat. The scheduling and total length of these breaks should take account of the demands placed on workers by the nature of the night work.

In principle, night workers should be entitled to appropriate financial compensation. Such compensation should be additional to the remuneration paid for the same work performed to the same requirements during the day.

Recommendation No. 178 calls on employers of night workers to take the necessary measures to enable workers performing night work to obtain meals and beverages, which may include –

- (a) making available, at appropriate places in the undertaking, food and beverages suitable for consumption at night;
- (b) providing access to facilities where workers may, at night, prepare or heat and eat food which they have brought.

Measures should be taken to limit or reduce the time spent by night workers in travelling between their residence and workplace to avoid or reduce additional travelling expenses and to improve their safety when travelling at night. Such measures may include –

- (a) co-ordination between the starting and finishing times of daily periods of work which include night work and the schedules of local public transport services;

- (b) provision by the employer of collective means of transport for night workers where public transport services are not available;
- (c) assistance to night workers in the acquisition of appropriate means of transport;
- (d) the payment of appropriate compensation for additional travelling expenses;
- (e) the building of housing complexes within a reasonable distance of the workplace.

At their request, night workers shall have the right to undergo a health assessment free of charge and to receive advice on how to reduce or avoid health problems associated with their work.

(d) Termination of employment

The Termination of Employment Convention, 1982 (No. 158), provides that –

Adequate safeguards shall be provided against recourse to contracts of employment for a specified period of time the aim of which is to avoid the protection resulting from this Convention.

The Termination of Employment Recommendation, 1982 (No. 166), provides guidance in that respect. See para. 3:

- (1) Adequate safeguards should be provided against recourse to contracts of employment for a specified period of time the aim of which is to avoid the protection resulting from the Termination of Employment Convention, 1982, and this Recommendation.
- (2) To this end, for example, provision may be made for one or more of the following:
 - (a) limiting recourse to contracts for a specified period of time to cases in which, owing either to the nature of the work to be effected or to the circumstances under which it is to be effected or to the interests of the worker, the employment relationship cannot be of indeterminate duration;
 - (b) deeming contracts for a specified period of time, other than in the cases referred to in clause (a) of this subparagraph, to be contracts of employment of indeterminate duration;
 - (c) deeming contracts for a specified period of time, when renewed on one or more occasions, other than in the cases mentioned in clause (a) of this subparagraph, to be contracts of employment of indeterminate duration.

Many young workers hold temporary or part-time employment contracts.²¹ The Government of Sweden, for example, indicated in its 2011 report to the

21. For more on this phenomenon, see ILO, Non-standard employment around the world: Understanding challenges, shaping prospects, 2016, section 3.2, pp. 134–143.

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CEACR on Convention No. 158, that fixed-term contracts can constitute an important passage into working life for young people and for those with or without limited work experience. [[Sweden, CEACR, Observation, C158, 2012](#)]

However, the misuse of short-term contracts may result in the exclusion of young workers from the protection afforded in cases of unfair dismissal. Governments and social partners are hence required to make efforts to ensure productive and lasting employment for young persons in the context of their employment policy. For example, in 2014 the CEACR requested the Government of Germany, in the context of Convention No. 122, to provide information on the measures taken, in consultation with the social partners, to promote lasting employment for workers in “mini-jobs” and non-regular workers. [[Germany, CEACR, Observation, C122, 2014](#)]

(e) Home work

The [Home Work Convention, 1996 \(No. 177\)](#), defines the term:

- (a) the term *home work* means work carried out by a person, to be referred to as a homemaker,
 - (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,

unless this person has the degree of autonomy and of economic independence necessary to be considered an independent worker under national laws, regulations or court decisions.

Conditions for night work carried out by youth in Sweden

In Sweden there are special rules concerning night work for young people below 18 years of age. According to the 2012 Minors Working Environment Regulations (Minderårigas arbetsmiljö (AFS 2012:3), föreskrifter), young people cannot work between 20:00 and 06:00. They should have a non-interrupted rest time of 14 hours for every 24 hour period. When studying, they are only allowed to work two hours per school day, and on Saturday and Sunday they are to work at most seven hours for those two days combined.

Source: EU, STYLE, [Strategic Transitions for Youth Labour in Europe](#), 2015.

In some countries, particularly in Asia, young women undertake home work for the industry. Given that homeworkers are isolated from other workers, away from the public, they are particularly vulnerable to violation of their

fundamental labour rights. Such women also face the challenge of the principle of inviolability of one's home, making it difficult for labour inspectors to evaluate their working conditions. In this respect Convention No. 177 requires States to adopt, implement and periodically review a national policy on home work aimed at improving the situation of homeworkers, in consultation with the most representative organizations of employers and workers and, where they exist, with organizations concerned with homeworkers and those of employers of homeworkers. The main objective of this policy is the promotion of equality of treatment between homeworkers and other wage earners, taking into account the special characteristics of home work.

Equality of treatment must be promoted, in particular, in relation to the exercise of freedom of association, protection against discrimination in employment and occupation, protection in the field of occupational safety and health, remuneration, social protection, access to training, minimum age for admission to employment, and maternity protection.

(f) Occupational safety and health

As stated in the Preamble to the ILO Constitution, “the protection of the worker against sickness, disease and injury arising out of employment” is a fundamental element of social justice. This right to decent, safe and healthy working conditions and environment was reaffirmed in both the 1944 Declaration of Philadelphia and the 2008 Declaration on Social Justice for a Fair Globalization.

“Every 15 seconds, a worker dies from a work-related accident or disease. Every 15 seconds, 153 workers have a work-related accident ...”²²

In the face of these staggering figures, ensuring the safety of young workers is vital, as young people are more vulnerable to harm in the workplace, since they lack the experience, and at times the training to perform the tasks assigned to them. The ILO has adopted a number of instruments relating to occupational safety and health (OSH), chief among them being the [Occupational Health and Safety Convention, 1981 \(C.155\)](#), its [Protocol of 2002](#), and the [Promotional Framework for Occupational Safety and Health Convention, 2006 \(No. 187\)](#).

Convention No. 155 applies to all workers in all branches of economic activity. It calls on all States to formulate, implement and periodically review,

22. For more information, see ILO's report [on Safety and Health at Work: a Vision for Sustainable Prevention](#), 2014 World Congress on Safety and Health at Work, and the CEACR's [2017 General Survey](#) on the occupational safety and health instruments concerning the promotional framework, construction, mines and agriculture.

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in consultation with the most representative organizations of employers and workers, a coherent national policy on occupational safety, occupational health and the working environment. The aim is to prevent accidents and injury to health arising out of, linked with, or occurring in the course of work, by minimizing, so far as is reasonably practicable, the causes of hazards inherent in the working environment. The Convention not only calls for action at the national level, but also at the level of the enterprise, placing duties on both employers and workers to ensure a safe and healthy workplace. Articles 5 and 19 of the Convention are particularly relevant for young workers. Article 5(c) provides for national policy to take into account “training, including necessary further training, qualifications and motivations of persons involved, in one capacity or another, in the achievement of adequate levels of safety and health”, while article 19 refers to “appropriate training in occupational safety and health” at the level of the undertaking. Training is particularly important in hazardous work (construction, mining, agriculture) and when working with hazardous substances (asbestos, ionizing radiation, benzene, chemicals).

The 2002 Protocol to Convention No. 155 on recording and notification is intended to strengthen the provisions of Article 11(c) and 11(e) of the Convention which contain elements of a national OSH policy. The Protocol provides for the creation and periodical review, in consultation with the most representative organizations of employers and workers, of the requirements and procedures for recording and notification of occupational accidents (including commuting accidents), diseases and dangerous occurrences. Keeping track of dangerous occurrences, which are events that may cause injury or disease, can enhance the possibility of preventing injuries and disease caused by such events. Accurate, reliable and comparable data on occupational diseases and accidents are essential to identify the main problems and to take the necessary corrective measures.

The Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), emphasizes the importance of implementing a national policy on occupational health and safety, as provided in Convention No. 155, and further promotes a national preventative culture of safety and health, by formulating and implementing a national system for OSH, as well as a national programme, in consultation with the most representative organizations of employers and workers. Convention No. 187 has been instrumental in promoting the monitoring of OSH at the national level and ensuring the coherent and uniform promotion of preventive actions driven by analysis of the national OSH system.

The ILO has also adopted a number of instruments referencing specific branches of industry or working with hazardous substances in relation to

OSH, such as the [Maximum Weight Convention, 1967 \(No. 127\)](#), the [Safety and Health in Construction Convention, 1988 \(No. 167\)](#); the [Safety and Health in Mines Convention, 1995 \(No. 176\)](#); and the [Safety and Health in Agriculture Convention, 2001 \(No. 184\)](#).

All these Conventions contain specific Articles on training. According to Article 33 of Convention No. 167:

Workers shall be adequately and suitably –

- (a) informed of potential safety and health hazards to which they may be exposed at their workplace;
- (b) instructed and trained in the measures available for the prevention and control of, and protection against, those hazards.²³

Over the years, the CEACR has made a number of comments on the application and implementation of OSH instruments specifically in relation to young people:

In Mexico the Committee noted two particular cases by the National Union of Workers of the Federal Roads and Bridges Access and Related Services (SNTCPF). The first concerned the Boker small-scale mine, where two young coalminers aged 19 and 21 years died on 27 March 2014 as a result of falling to the bottom of the mine when a cable taking them to a depth of over 85 metres broke. According to the union, the mine did not have an emergency exit; it had been inspected on ten consecutive occasions, but when the Secretariat of Labour and Social Security (STPS) withdrew, it continued to operate without any safety measures. The Boker mine closed, and then re-opened as an emergency exit for a new small-scale mine. The second case concerns the Charcas mine in San Luis de Potosí, where five workers died on 12 February 2014, even though the mine had been inspected four times with violations of safety and health standards reported. The Committee requested the Government to indicate whether the labour inspectorate detected situations of imminent and serious danger to the safety of the workers in the mines referred to above, and to specify the reasons why these mines were not closed, or why other immediately enforceable measures were not taken. [[Mexico, Observation, CEACR, C155, 2015](#)]

In India, the guidance contained in Model Rule 64 prescribes maximum weights for young persons between the ages of 15 and 18 years (male and female), and for young persons aged 14 and 15 years. The Government is in the process of developing legislation to amend the Child Labour (Prohibition and Regulation) Act, 1986. The guidance contained in the Maximum Weight Recommendation,

23. The ILO's [Safe Work for Youth Kit](#) contains materials designed for administrators, employers and young people on the occupational hazards and risks faced by young workers and what to do about them.

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1967 (No. 128), states that where the minimum age for assignment to manual transport of loads is less than 16 years, measures should be taken as speedily as possible to raise it to that level, and that the minimum age for assignment to regular manual transport of loads should be raised, with a view to attaining a minimum age of 18 years. [[India, CEACR, Direct Request, C127, 2015](#)]

(g) Social security

The ILO acknowledges access to social security as a universal human right, to protect all persons, young and old, from social risks and contingencies over the life-cycle by guaranteeing a secure, healthy and decent standard of living for every individual. The main challenge with respect to young persons is to facilitate their entry into the labour market and provide them with consequent access to social security benefits. Once they enter the labour market, young persons become eligible in principle for the entire range of social security benefits covering employees. In practice, however, a large number of young persons fail to qualify for social insurance benefits as a result of their work record, or sometimes decide to opt out where possible with regard to certain contingencies that they consider too remote, such as old age. Consequently, young persons are more likely to depend on parental support or social assistance benefits when they live independently.

The ILO has developed a strategy on the extension of social protection which is two-dimensional and aims, first, at the rapid implementation of national social protection floors offering basic social security guarantees to ensure universal access to essential health care and income security, at least at a nationally defined minimum level (horizontal dimension), in line with the [Social Protection Floors Recommendation, 2012 \(No. 202\)](#). Secondly, the strategy aims at the progressive achievement of higher levels of protection (vertical dimension) within comprehensive social security systems, according to the [Social Security \(Minimum Standards\) Convention, 1952 \(No. 102\)](#).

Recommendation No. 202 defines national social protection floors as “nationally defined sets of basic social security guarantees which secure protection aimed at preventing or alleviating poverty, vulnerability and social exclusion”. They should comprise at least the following four social security guarantees, as defined at the national level:

- access to essential health care, including maternity care;
- basic income security for children, providing access to nutrition, education, care and any other necessary goods and services;
- basic income security for persons in active age who are unable to earn sufficient income, in particular in cases of sickness, unemployment, maternity and disability;
- basic income security for older persons.

Without targeting young persons as such, Recommendation No. 202 suggests that these four guarantees should be provided to all residents and all children, as defined in national laws and regulations, subject to existing international obligations.

Bolsa Família Programme, Brazil

Bolsa Família is a government programme created in 2003 which provides income assistance to families in situations of poverty or extreme poverty, subject to their compliance with certain educational (school attendance) and health (vaccination) requirements for their children. The programme offers special financial assistance to families with children aged between 16 and 17 years (*Benefício Variável Jovem*). By 2015 some 13.9 million families throughout the country had benefited from the programme. In recent comments, the CEACR has noted that the Bolsa Família Programme has included indigenous families among its beneficiaries. [[Brazil, CEACR, Observation, C169, 2015](#)]

Source: [Caixa, Federal Government of Brazil](#).

Moving away from social assistance, young persons who have started participating in the labour market in many countries become eligible for the entire range of social security benefits as established by Convention No. 102: medical care, sickness benefit, unemployment benefit, old-age benefit, employment injury benefit, family benefit, maternity benefit, invalidity benefit, and survivors' benefit.

International social security standards do not use age as a criterion for social security coverage, but rather apply to employees, the economically active population and residents. The term "child" is defined in Convention No. 102 as a person under school-leaving age or under 15 years of age. Most national legislations extend that definition also to the years of higher education, which results in longer payment of family benefits and health coverage of young adults deriving from their parents' coverage.

Special focus: Unemployment benefits

Limited insurance coverage means that social assistance is in many cases the main source of state income support for unemployed young people – at least in the countries that operate comprehensive social assistance systems. The contingency of unemployment is defined by ILO standards as the suspension of earnings due to inability to obtain suitable employment in the case of a person protected who is capable of, and available for work. However, the [Employment Promotion and Protection against Unemployment Convention, 1988 \(No. 168\)](#), extends protection beyond workers who have lost their jobs and also covers those, such as young persons, who do not have or never

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have had a job. Convention No. 168 calls for the adoption of “special provisions for new applicants for employment”, including young persons who have completed their vocational training, studies, or compulsory military service. States are required to grant “social benefits” to at least three of the ten categories of such persons identified by the Convention and to endeavour to extend protection progressively to a greater number of categories. With regard to the means of protection against unemployment, Convention No. 168 broadens the range of benefits and of employment and social services for unemployed persons, including special programmes to promote additional job opportunities and employment assistance for identified categories of disadvantaged persons, including young workers. The CEACR has highlighted that Convention No. 168 offers protection not only to workers who have lost their jobs, but also to those who are not or never have been employed, as is often the case with young people.

Unemployment benefits for young people in Germany

In Germany, young people between the ages of 15 and 25 can benefit from full unemployment assistance (*Grundsicherung für Arbeitsuchende*), which covers, among others, accommodation and heating. The provision of these benefits is subject to the prior approval by the local public employment agency after verification of the existence of important reasons preventing the young person from living in their parental residence. Such reasons include domestic violence, educational or labour market purposes.

Source: [German Federal Employment Agency](#)

Specific groups of young workers

3

3.1 Young women

International labour standards apply to young women in the workplace. Equality between women and men in employment and occupation is established as a fundamental right and principle at work and, as indicated above, the [Discrimination \(Employment and Occupation\) Convention, 1958 \(No. 111\)](#), requires States to undertake to declare and pursue a national policy designed to promote equality of opportunity and treatment in respect of employment and occupation, with a view to eliminating any discrimination on the basis of sex, among other grounds. Furthermore, the [Equal Remuneration Convention, 1951 \(No. 100\)](#), requires ratifying States to ensure the application to all workers, including young men and women workers, of the principle of equal remuneration for men and women workers for work of equal value.¹

In addition, specific standards have been adopted to protect the health and welfare of women during pregnancy and after delivery, as well as their employment, the most recent being the [Maternity Protection Convention, 2000 \(No. 183\)](#) (see 3.1(c) below).

(a) Occupational gender segregation

Protective labour regulation and workplace structures are still based on the assumption that men are the primary wage earners, while many women are fenced into low-paid, unskilled and undervalued work or sectors. Horizontal and vertical occupational segregation between men and women on the labour market, which takes place in almost every country, has been identified as one of the underlying causes of pay inequality. Due to historical attitudes and stereotypes regarding women's aspirations, preferences and capabilities, certain jobs are held predominantly or exclusively by women, such as jobs in caring professions, and others by men, such as in construction, (horizontal occupational segregation).

1. For further details, please see section 2.1(f) above on equality and non-discrimination in employment and occupation.

Vertical occupational segregation also often affects women, in particular young women, who are concentrated at the lower levels of certain enterprises, sectors and occupations. Efforts with respect to education and vocational guidance and training can overcome gender stereotypes and prejudice, and can address occupational gender segregation effectively. In this respect the CEACR regularly emphasizes the need to adopt measures to promote secondary and higher education for girls and boys in non-traditional areas of study and to combat gender stereotypes, as well as specific measures to improve the access of women to a wider range of job opportunities at all levels, including sectors in which they are currently absent or under-represented, and in occupations performed predominantly by men, including at senior and management levels.

To prevent the segregation of women in the labour market and to facilitate the application of the principle of equal remuneration for men and women workers for work of equal value, the Equal Remuneration Recommendation, 1951 (No. 90), calls on States to take appropriate action to raise the productive efficiency of women workers by such measures as –

- (a) ensuring that workers of both sexes have equal or equivalent facilities for vocational guidance or employment counselling, for vocational training and for placement;
- (b) taking appropriate measures to encourage women to use facilities for vocational guidance or employment counselling, for vocational training and for placement;
- (c) providing welfare and social services which meet the needs of women workers, particularly those with family responsibilities;
- (d) promoting equality of men and women workers as regards access to occupations and posts.

*Measures taken by member States
that have ratified Convention No. 100 and Convention No. 111*

Under both Convention No. 100 and Convention No. 111, ratifying member States must adopt measures aimed at promoting equal opportunity and treatment between men and women and eliminating discrimination based on sex, including measures to raise awareness and combat gender stereotypes.

Recalling that, in the Czech Republic, the employment rate of women remains low and the labour market remains significantly segregated by gender, the CEACR welcomed the adoption of the Government's Strategy for Equality of "Women and Men for 2014–20, which constitutes the basic framework for the yearly Updated Measures for Priorities and Policies of the Government in Promoting Equal Opportunities for Women and Men".

3. Specific groups of young workers

The Strategy identifies a number of issues, such as low employment of women; high number of women threatened by poverty, high horizontal and vertical gender segregation of the labour market, discrimination of women as a result of childcare, lack of knowledge of employers in the area of gender equality, the low number of women entrepreneurs, and the existence of harassment and sexual harassment at the workplace, and sets a number of goals and comprehensive measures to address them through support to gender non-stereotyped education and employment, the promotion of employment of women, and the reconciliation of work and family responsibilities. The CEACR noted from the Government's report that the Labour Office continues to implement projects to promote employment of women and men with family responsibilities, with counselling and vocational training measures. [[Czech Republic, CEACR, Direct Request, C111, 2016](#)]

In Germany the Government has indicated that tackling the structural causes of the gender pay gap should be a matter of priority, including women's low representation in certain occupations, and the failure of individual and collective negotiations to make a substantial contribution to efforts to address the undervaluation of work typically done by women. With regard to measures taken to reduce horizontal occupational segregation, the Government has instituted both a Girls' Day and a Boys' Day, during which young women and men are provided with information on employment opportunities in sectors where they are under-represented. [[Germany, CEACR, Direct Request, C100, 2013](#)]

The CEACR noted that the New Zealand Human Rights Commission's Caring Courts pointed out the underpayment and undervaluation of thousands of women working in the aged residential care sector. To address this problem a programme was launched in 2013 by the Ministry of Women's Affairs to address the female concentration in lower paid occupations, in particular of Maori and Pacific Island women [[New Zealand, CEACR, Observation, C100, 2014](#)]

In Rwanda, in relation to access to education and training, various measures and initiatives have been adopted to encourage girls to take subjects that lead to jobs in the scientific and technical sectors traditionally occupied by boys, thereby effectively combating horizontal and vertical occupational gender segregation. Positive results were obtained in terms of school attendance by children from poor families, especially girls, based on the nine years of free school and the measures taken to build adequate sanitary facilities in schools in order to avoid lateness, absenteeism and students dropping out of school. [[Rwanda, CEACR, Direct Request, C111, 2016](#)]

In Togo, discrimination against girls and women still exists, for example, in traditional practices such as dowries, early marriages, forced marriages

and even the placement of young girls in traditional convents for extended periods. The CEACR has requested the Government to take the necessary measures to repeal the discriminatory provisions against women in national legislation. It also requested the Government to carry out information and awareness-raising activities with a view to eliminating sexist stereotypes surrounding, inter alia, the role of women in the family and in society, and their occupational aspirations, preferences and skills. [[Togo, CEACR, Direct Request, C111, 2014](#)]

(b) Protection against sexual harassment

Sexual harassment undermines equality at work by calling into question the integrity, dignity and well-being of workers. It also damages the enterprise by weakening the bases upon which work relationships are built and impairing productivity. Over the years, the CEACR has consistently expressed the view that sexual harassment, as a serious manifestation of sex discrimination and a violation of human rights, is to be addressed within the context of Convention No. 111. Under this Convention, the CEACR has urged member States to take appropriate measures to prevent and prohibit all forms of sexual harassment against both male and female workers in employment and occupation. Such measures should address any physical, verbal or non-verbal conduct of a sexual nature and other conduct based on sex affecting the dignity of women and men which is unwelcome, unreasonable and offensive to the recipient; and where a person's rejection of, or submission to, such conduct is used explicitly or implicitly as a basis for a decision which affects that person's job (*quid pro quo*); or any conduct that creates an intimidating, hostile or humiliating working environment for the recipient. Progress has been made in a number of countries through legislative measures regarding sexual harassment in employment and occupation, as well as the adoption of codes of conduct and guidelines to prevent and address such discriminatory practice.²

The range of practical measures adopted by governments to address *quid pro quo* and hostile environment sexual harassment includes help lines, legal assistance and support units to assist victims, structures mandated to institute labour-related administrative proceedings regarding cases of sexual harassment, and training for the social partners and labour inspectors.

2. For examples, please see ILO, [General Survey on the Fundamental Conventions, 2012](#), paras. 789–794.

(c) Maternity protection

Due to their temporary unavailability for work, young pregnant women often face discrimination in finding or retaining employment compared to other young counterparts. Discrimination on the basis of pregnancy is addressed as discrimination on the basis of sex under the Discrimination (Employment and Occupation) Convention, 1958 (No. 111). Even if legislative progress has been made in this respect, discriminatory practices linked to pregnancy and maternity persist in practice and have been particularly linked to dismissal and denial of return to work following maternity leave, the use of temporary contracts to discriminate against pregnant women, and mandatory pregnancy testing.³ As a specific standard, the Maternity Protection Convention, 2000 (No. 183), seeks to ensure that maternity does not constitute a source of discrimination in employment or prevent admission to employment. The Convention requires measures to be taken to prohibit female applicants from being compelled to undergo a pregnancy test, unless the kind of work to be performed entails a significant risk to the mother's health or that of her child.

Convention No. 183 affords protection to all employed women, including those in atypical forms of dependent work, in relation to pregnancy and childbirth. It recognizes the right of women to maternity leave and benefits, and to protection against dismissal and discrimination.

Maternity leave comprises a period of not less than 14 weeks on production of a medical certificate or other appropriate certification. It must include a period of six weeks' compulsory leave after childbirth. A woman is entitled to one or more daily breaks or a daily reduction of hours of work to breastfeed her child after returning from maternity leave.

Convention No. 183 provides for benefits to women who are absent from work on maternity leave to ensure that the woman can maintain herself and her child in proper conditions of health and with a suitable standard of living. Such benefits are set out in the related Maternity Protection Recommendation, 2000 (No. 191), and include –

- (a) care given in a doctor's office, at home or in a hospital or other medical establishment by a general practitioner or a specialist;
- (b) maternity care given by a qualified midwife or by another maternity service at home or in a hospital or other medical establishment;
- (c) maintenance in a hospital or other medical establishment;
- (d) any necessary pharmaceutical and medical supplies, examinations and tests;
- (e) dental and surgical care.

3. For examples, please see ILO, General Survey on the Fundamental Conventions, 2012, para. 784.

In addition, the [Social Security \(Minimum Standards\) Convention, 1952 \(No. 102\)](#), requires States to ensure that women covered by social security schemes have access to pre-natal, confinement and post-natal care, either by a medical practitioners or by qualified midwives; and hospitalization where necessary.

3.2 Young workers with family responsibilities

The [Workers with Family Responsibilities Convention, 1981 \(No. 156\)](#), applies to workers who need to bring care or support to their dependent children or immediate family members. Ratifying member States are required by Convention No. 156 to adopt a national policy enabling persons with family responsibilities to engage in employment without discrimination and, to the extent possible, without conflict between their employment and family responsibilities. Family responsibilities are not a valid reason for termination of employment.

Convention No. 156 also provides for measures to be adopted by States to facilitate the integration of workers with family responsibilities in the labour market. These include, *inter alia*, the establishment of child-care and family services and facilities, and vocational guidance and training measures.

Measures taken by member States that have ratified Convention No. 156

In Slovenia labour inspectors have encountered cases of consecutive fixed-term employment contracts, usually concluded for a very short term (a few months) with younger female workers who are likely to become pregnant. In 2012 the CEACR asked the Government to provide information on the findings by the labour inspectorate and the Advocate of the Principle of Equality with respect to discrimination for the reason of family responsibilities, as well as the outcome of the cases, including the remedies provided. It also asked the Government to indicate how the issue of the concentration in fixed-term work of young females is addressed in the context of reconciling work and family responsibilities. [[Slovenia, CEACR, Direct Request, C156, 2012](#)]

Provision of childcare services to support workers with family responsibilities

The CEACR noted the various legislative and practical measures taken in Chile for the protection of workers with family responsibilities. Among these, it noted with interest the adoption of Act No. 20.545 of 17 October 2011 on postnatal parental leave, Act No. 20.535 of 3 October 2011 on leave from work in order to care for minors with disabilities, and the measures allowing access to crèche facilities for the children of secondary school students of both sexes with the aim of preventing school drop-out. By May 2016, 109 crèches had been set up in or close to school establishments. [Chile, Observation, C156, 2016]

3.3 Young migrant workers

A migrant worker is a person who moves from one country to another with a view to being employed otherwise than on his or her own account. Young people are disproportionately represented among people who migrate (the median age of a person that migrates is 23 years), accounting for 21.2 per cent of all migrants.⁴ Migrant workers are often among the most disadvantaged groups in society due to the language, educational and cultural barriers they face when integrating in host countries.

The ILO advocates the protection of migrant workers through the establishment of regular migration channels that meet real labour market needs at all skill levels, as well as the development of balanced inter- and intra-regional dialogue on ensuring that migration systems and recruitment corridors are fair and respectful of human and labour rights. ILO action in promoting a fair and inclusive migration strategy with a focus on jobs and skills for youth includes an array of interventions in countries of origin, first asylum and final destination.⁵

Specific international labour standards pertain to migrant workers. These include, primarily, the Migration for Employment Convention (Revised), 1949 (No. 97), and the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143).⁶ These instruments focus on the labour conditions and live-

4. Addressing governance challenges in a changing labour migration landscape, ILC, 2017, Report IV.

5. See Fair migration: Setting an ILO agenda, ILO, 2014, Report I(b).

6. See also the Migration for Employment Recommendation (Revised), 1949 (No. 86); the Protection of Migrant Workers (Underdeveloped Countries) Recommendation, 1955 (No. 100); and the Migrant Workers Recommendation, 1975 (No. 151).

lihoods of migrant workers and their families. Both Conventions apply to persons who are regularly admitted as migrants for employment. Part I of Convention No. 143 also applies to migrant workers in an irregular situation.

Particular guidance on recruitment issues may be found in the General principles and operational guidelines for fair recruitment, issued by the ILO in 2016, which are intended as a basis for the current and future work of the ILO and of other organizations, national legislatures, and the social partners to promote and ensure fair recruitment. These principles and guidelines are derived from a number of sources, including international labour standards and ILO instruments.

(a) Assistance to migrant workers

Member States are required by Convention No. 97 to undertake to maintain an adequate and free service to assist migrants for employment. According to the Migration for Employment Recommendation (Revised), 1949 (No. 86), this service should be provided by public authorities or voluntary organizations. Migrants and their families should receive assistance in their own languages or dialects (or at least in a language which they can understand) on matters relating to emigration, immigration, working and living conditions, including health conditions in the place of destination, return to the country of origin or of destination, and any other question which may be of interest to them.

With a view to facilitating the adaptation of migrants, both countries of emigration and immigration should cooperate in the organization of courses to inform migrants of the general conditions and the methods of work prevailing in the country of immigration. Moreover, the Migrant Workers Recommendation, 1975 (No. 151), requires the countries of employment of migrant workers to take measures to –

- inform migrant workers in a language with which they are familiar, of their rights
- to advance their knowledge of the language of the country;
- to promote their adaptation to society, while encouraging the preservation of the migrant workers' national and ethnic identity and cultural ties with their country of origin.

Services for young migrants in Germany

In Germany the ratio of young migrants has increased considerably over the last few years. In response to this situation, the integration of youth migrants has been defined as one of the priorities of the Federal Government's policy on children and youth. The main goal is to foster and improve the quality of opportunities for education, vocational training and employment of young migrants. In line with this policy, a special service targeting young migrants (*Jugendmigrationsdienst*) was established which offers them counselling and support in the process of integration. The *Jugendmigrationsdienst* helps young migrants improve their language skills, in addition to promoting their participation in the cultural, social and political life of the country.

Source: [German Federal Ministry for Family, Elderly, Women and Youth](#) (last visited 10 February 2016)

In its [General Survey of 2016 concerning the migrant workers instruments](#), the CEACR noted the following comments by member States.

The Governments of Italy and Slovenia referred to support aimed at social and employment integration of specific target groups of migrant workers, including young people and women.⁷

The Government of Romania stated that the labour inspectorate had responsibility to monitor the observance of the specific rules on working conditions for young people, women and disadvantaged categories. The Government of *Ecuador* indicated that it was strengthening judicial cooperation at a bilateral and regional level to promote access to justice and due process for Ecuadorian migrant workers, with special priority given to cases involving children, youth, female victims of gender-based violence, and victims of trafficking in persons.⁸

(b) Equal treatment and non-discrimination

Under Part I of Convention No. 143, ratifying member States have the obligation to undertake to respect the basic human rights of all migrant workers. Under Convention No. 97, migrant workers shall not be discriminated against on the basis of their nationality, race, religion or sex, and governments must ensure them treatment no less favourable than that which applies to nationals in respect of the following matters:

7. ILO, General Survey concerning the migrant workers instruments, 2016, para. 245.

8. *ibid*, para. 515.

- (i) remuneration, including family allowances where these form part of remuneration, hours of work, overtime arrangements, holidays with pay, restrictions on home work, minimum age for employment, apprenticeship and training, women's work and the work of young persons;
- (ii) membership of trade unions and enjoyment of the benefits of collective bargaining; and
- (iii) accommodation.

Convention No. 143 extends the principle of equality of treatment to equality of opportunity: States are required to declare and pursue a national policy designed to promote and guarantee equality of opportunity and treatment in respect of employment and occupation, of social security, of trade union and cultural rights and of individual and collective freedoms for migrant workers.

A migrant worker must not be regarded as in an irregular situation by the mere fact of the loss of his or her employment, on condition that he or she has resided legally in the territory for the purpose of employment. In that case, he or she shall enjoy equality of treatment with nationals in respect of guarantees of security of employment, the provision of alternative employment, relief work and retraining.

Furthermore, even if Convention No. 111 does not require ratifying States to eliminate distinctions or preferences on the basis of nationality, it applies to all workers, nationals and non-nationals in countries that have ratified it. On several occasions the CEACR has noted that migrant workers in an irregular situation should enjoy protection against discrimination with respect to the grounds set out in that Convention. Xenophobia against non-nationals, and in particular migrants, constitutes one of the main sources of contemporary racism, and the CEACR has emphasized the importance of specific steps being taken against social and cultural stereotypes that contribute to eliminate discrimination against migrants.⁹

(i) Bilateral agreements on labour migration

Convention No. 97 and Convention No. 143 provide a basis for the conclusion between States of bilateral agreement on labour migration.

For example, France has concluded agreements with Australia, Canada, Japan, Republic of Korea, New Zealand and the Russian Federation regarding the exchange of young workers in the context of “work-holiday” programmes. It has also concluded bilateral agreements on the improvement and management of migration flows and the promotion of youth mobility with Benin, Burkina Faso, Cameroon, Cape Verde, Congo, Gabon, Mauritius, Senegal

9. ILO, General Survey concerning the migrant workers instruments, 2016, paras. 290–294.

and Tunisia; in addition to five bilateral agreements on the exchange of young persons with Lebanon, The Former Yugoslav Republic of Macedonia, Montenegro, the Russian Federation and Serbia. [[France, CEACR, Direct Request, C97, 2012](#)]

(ii) Prevention of irregular migration of workers

Convention No. 143 imposes on States the duty to adopt measures to suppress clandestine movement of migrants for employment, including measures against the organizers of such clandestine movement and those who employ workers who have immigrated in illegal conditions. Furthermore, under the [Protocol of 2014 to the Forced Labour Convention, 1930](#), it is incumbent upon States to take effective measures to prevent and eliminate trafficking in person for the purpose of forced or compulsory labour and to provide the victims of such action with effective remedies and compensation.

Preventing trafficking in persons in the Philippines

Traditionally, the Philippines has been a country of emigration. In 2013 over five million of its nationals worked overseas. One-fifth of them were young persons between 15 and 24 years of age. The Government has developed regulations on overseas employment with a focus on the supervision of private recruitment agencies and the protection of Filipino migrant workers. Additionally, one-stop resource centres have been established to address the needs of young people willing to migrate, young returning migrants, and young people left behind by migrant parents. This initiative is based on a multi-stakeholder engagement to identify and address the concerns of youth and migrant families. Currently, these centres operate in four provinces.

Source: [Youth Employment and Migration: A review of practices from joint programmes of the United Nations](#), ILO, 2013.

3.4 Young domestic workers

[The Domestic Workers Convention, 2011 \(No. 189\)](#), offers the following definitions:

- (a) the term *domestic work* means work performed in or for a household or households;
- (b) the term *domestic worker* means any person engaged in domestic work within an employment relationship.

Domestic workers are among the most vulnerable workers. While they make significant contributions to the functioning of the households for which they work, and to the labour market, they are often excluded from

social and labour protection. Domestic workers are particularly vulnerable to abuse and exploitation.¹⁰ [The Domestic Workers Convention, 2011 \(No. 189\)](#), and its accompanying Recommendation (No. 201) call for the recognition of domestic work as work, and for labour and social protection to be extended to domestic workers in the same manner as to other workers.¹¹ The Convention pays particular attention to young domestic workers, who are often in informal employment, often living in the household of the employer, and are especially vulnerable to abuse and exploitation. The Convention provides for global minimum protection for domestic workers, affirming that domestic workers, like all other workers, are entitled to protection of their fundamental principles and rights at work in relation to freedom of association and recognition of the right to collective bargaining, the elimination of all forms of forced or compulsory labour, the elimination of discrimination in respect of employment and occupation, and the abolition of child labour. Given that domestic workers, a large minority of whom are women and migrants, are especially vulnerable to abuse, harassment and violence, the Convention requires member States to take measures to ensure effective protection in this regard. The Convention also calls on member States to take measures to ensure that domestic workers enjoy fair terms of employment, and that they are informed of their conditions of employment. It addresses a range of workplace issues, including working time, rest periods, minimum wage protection, occupational safety and health, access to social security, labour inspection and access to justice.

The Convention emphasizes the need to eliminate child domestic labour, and pays particular attention to the special needs of child domestic workers, and those who are under the age of 18 and above the minimum age of employment. Member States are required to take measures to ensure that work performed by such young persons does not deprive them of compulsory education and that it does not interfere with their opportunities for further education or vocational training.

Measures taken by member States that have ratified Convention No. 189

A number of countries have taken measures to enact legislation requiring employers of young domestic workers to allow them to complete their obligatory schooling as well as to attend vocational training and pursue other educational opportunities. Measures have also been taken to undertake inspections

10. See ILO, [Convention No. 189 and Recommendation No. 201 at a glance](#) (Geneva 2011).

11. See ILO, [Effective protection for domestic workers: a guide to designing labour laws](#), 2012, p. 6.

of households in which young domestic workers are employed, particularly in live-in situations in which they may be particularly vulnerable to abuse.

Measures taken to protect young domestic workers in Nicaragua

In its observations under Convention No. 182, the CEACR noted the measures taken by the Government in applying Law No. 666 of 4 September 2008 on Domestic Work, which protects adolescents working in individual households, and establishes sanctions in cases of mistreatment, violence or humiliation of such young workers. The law also includes provisions to promote the education of these young workers. According to the Government, since the adoption of Law No. 666, 8,483 inspections had been carried out in households to verify the working conditions of young domestic workers. [Nicaragua, CEACR, Observation, C189, 2013]

3.5 Young workers from indigenous communities

The Indigenous and Tribal Peoples Convention, 1989 (No. 169), includes provisions on workers from indigenous and tribal peoples. Self-identification as indigenous or tribal constitutes a fundamental criterion for determining the individuals and groups to which the Convention applies.

(a) Recruitment and working conditions

Ratifying member States have the duty to adopt measures to ensure effective protection of workers belonging to indigenous peoples with regard to recruitment and conditions of employment, to the extent that they are not effectively protected by laws applicable to workers in general. Discrimination against indigenous workers shall be prevented in respect of admission to employment, remuneration, medical and social assistance, and freedom of association and collective bargaining.

The General principles and operational guidelines for fair recruitment set out specific forms of conduct expected not only governments, but also business enterprises, labour recruiters of all forms, and employers.

(b) Vocational training

Convention No. 169 requires governments to take measures to promote the voluntary participation of members of indigenous peoples in vocational training programmes of general application. In cases where such programmes do not meet the special needs of the indigenous peoples concerned, governments shall ensure the provision of special training programmes based on the

economic environment, social and cultural conditions and practical needs of the peoples concerned, with their cooperation. Handicrafts, rural and community-based industries, and subsistence economy and traditional activities of indigenous peoples, such as hunting, fishing, trapping and gathering, are important factors in the maintenance of their cultures and economic self-reliance and development.

(c) Social security

Under Convention No. 169 States have the obligation to progressively extend social security schemes to cover indigenous peoples, and to make adequate health services available to indigenous peoples. These services shall be planned and administered in cooperation with the peoples concerned, taking into account their economic, geographic, social and cultural conditions, traditional preventive care, healing practices and medicine.

Measures taken by member States that have ratified Convention No. 169

In Fiji a high number of indigenous (iTaukei) young persons have received vocational training in the Centre for Appropriate Training and Development and have later contributed to the improvement of the livelihood of their communities. In addition, the iTaukei Affairs Scholarship Scheme has been implemented, aiming to redress the educational gap between the iTaukei and Rotumans and other ethnic groups in the country. Educational needs of the iTaukei are identified through the provincial councils. [[Fiji, CEACR, Direct Request, C169, 2014](#)]

In Ecuador measures have been adopted to support the inclusion of persons belonging to indigenous, Montubio and Afro Ecuadorian communities in the labour market under conditions similar to those of the rest of the population. Such measures are part of a national framework for the elimination of racial discrimination and ethnic and cultural exclusion. [[Ecuador, CEACR, Direct Request, C169, 2014](#)]

The situation of young persons from indigenous communities in employment and occupation can also be addressed from the point of view of equality and non-discrimination under Convention No. 111, which covers discrimination on the basis of race, colour, religion and national extraction.

3.6 Young persons living with or affected by HIV

HIV and AIDS can constitute obstacles to decent work. Young persons affected by HIV are often denied employment or prevented from advancing in their professional careers. The [HIV and AIDS Recommendation, 2010 \(No. 200\)](#), contains standards aimed at combating discrimination and stigmatization on grounds of HIV and AIDS in employment. It applies to all workers under all forms of arrangements and at all workplaces, including workers in the informal economy. It also applies to interns and apprentices, volunteers, jobseekers, armed forces and uniformed service.

(a) Non-discrimination

Real or perceived HIV status should not be a ground of discrimination preventing recruitment or continued employment, or the pursuit of equal opportunities. This guarantee also applies to persons belonging to regions of the world or segments of the population perceived to be at greater risk of or more vulnerable to HIV infection. Persons with HIV-related illness should not be denied the possibility of continuing to carry out their work, with reasonable accommodation if necessary, for as long as they are medically fit to do so.

Real or perceived HIV status is not among the grounds enumerated by the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), but countries are increasingly making use of the possibility provided under this Convention to prohibit additional grounds of discrimination, and are taking measures, including providing legislative protection, to address discrimination based on additional grounds, such as HIV and AIDS. The CEACR has welcomed the rapid development of the inclusion in the constitutions, labour legislation and policies of numerous member States of HIV status as a prohibited ground of discrimination.¹²

Recommendation No. 200 states –

Governments, in consultation with the most representative organizations of employers and workers, should consider affording protection equal to that available under the Discrimination (Employment and Occupation) Convention, 1958, to prevent discrimination based on real or perceived HIV status.

(b) Access to treatment and other benefits

Recommendation No. 200 sets objectives relating to the protection of workers living with HIV and their family and dependants, which include –

12. For examples, see ILO, [General Survey on the Fundamental Conventions, 2012](#), paras. 810–812.

- access to prevention, treatment, care and support in relation to HIV and AIDS with the support of the employer
- protection of their privacy, including confidentiality related to HIV and AIDS, in particular with regard to their own HIV status;
- prohibition of mandatory HIV testing or disclosure of HIV status for employment purposes.

In addition, workers living with HIV and their families and dependants should be entitled to free or affordable voluntary counselling and testing, antiretroviral treatment, and proper nutrition consistent with treatment.

(c) Protection of young workers against HIV

Recommendation No. 200 calls upon ILO member States to –

take measures to protect young workers against HIV infection, and to include the special needs of children and young persons in the response to HIV and AIDS in national policies and programmes. These should include objective sexual and reproductive health education, in particular the dissemination of information on HIV and AIDS through vocational training and in youth employment programmes and services.

3.7 Young workers with disabilities

While all workers should enjoy equal access to employment, some workers encounter barriers that may put them at a disadvantage. In this regard, young persons with disabilities may require more time in the process of labour integration due to barriers encountered in the open labour market.¹³ Such barriers can prevent young persons with disabilities from accessing or remaining in employment. Frequently, when hired, they are low-paid and have poor career prospects. For example, according to [Eurostat](#), in 2011 more than half of the working age population with limitations in work caused by a longstanding health problem were inactive. Furthermore, during the [International Year of Youth \(2010–11\)](#) it was noted that young people are at an increased risk of acquiring a disability through such incidents as road traffic accidents, injuries from diving and other sports activities, violence and warfare.

Nowadays, the principle of non-discrimination against persons with disabilities is widely recognized. Governments are required to take affirmative action to enable persons with disabilities to enjoy equal opportunities as would any other employee.

13. For more information, see [Promoting diversity and inclusion through workplace adjustments: A practical guide](#), ILO, 2016.

The Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159), defines a person with disabilities as “an individual whose prospects of securing, retaining and advancing in suitable employment are substantially reduced as a result of a duly recognised physical or mental impairment”.

The purpose of Convention No. 159 is to ensure the vocational rehabilitation of persons with disabilities so as to enable them to secure, retain and advance in employment, and thereby to further their integration or reintegration into society.

Convention No. 159 establishes an obligation for ratifying member States to formulate, implement and periodically review a national policy on the rehabilitation and employment of persons with disabilities, with the aim of ensuring that appropriate vocational rehabilitation measures are available to all categories of persons with disabilities, and promoting employment opportunities for persons with disabilities in the open labour market.

The principle of equal opportunity and treatment is at the core of Convention No. 159. In this regard the Convention requires member States to adopt special positive measures aimed at effective equality of opportunity and treatment between workers with disabilities and all other workers. Disability discrimination manifests itself in many ways and is often structural due to exclusion and stigmatization starting at a very early age. Failure to provide reasonable accommodation is widely considered to be an unacceptable form of discrimination.¹⁴

From the point of view of non-discrimination and equality, disability is not among the grounds enumerated in Convention No. 111. However, the CEACR has noted that countries have increasingly made use of the possibility provided under this Convention to prohibit additional grounds of discrimination, including disability. Indeed, the CEACR has been able to note recent advancements in a number of countries in addressing discrimination based on disability and in promoting equality for persons with disabilities through the adoption of legislative and practical measures. Over the last ten years, provisions prohibiting discrimination in employment on the basis of disability have been included in several constitutions, general labour legislation, specific antidiscrimination and equality legislation, specific legislation on disability, legislation covering the civil service, penal codes, collective agreements and codes of conduct. Specific legislation providing comprehensive protection against discrimination and promoting equal opportunities for persons with disabilities has also been adopted.¹⁵

14. General Survey on the Fundamental Conventions, 2012, para. 816.

15. For specific examples, see the General Survey on the Fundamental Conventions, 2012, paras. 817–819.

A crucial aspect in the process of integration of young persons with disabilities in the labour market is the provision of vocational training and guidance programmes, adapted to their needs. Convention No. 159 requires States to take measures with a view to providing and evaluating vocational guidance, vocational training, placement, employment and other related services to enable persons with disabilities to secure, retain and advance in employment. National employment services are required to make the necessary adaptations to render services to persons with disabilities.

Measures taken by member States that have ratified Convention No. 159

In Guinea a department responsible for the occupational integration of persons with disabilities was established within the National Directorate of Technical Education and Vocational Training; and the National Office for Vocational Training and Further Training has created a special section responsible for the training of young persons with disabilities. [[Guinea, CEACR, Observation, C159, 2014](#)]

3.8 Young LGBT workers

Discrimination and violence against people of diverse sexual orientation and gender identity is a serious problem around the world. Lesbian, gay, bisexual and transgender (LGBT) workers face discrimination in the labour market throughout the employment cycle because of their perceived or actual sexual orientation.¹⁶

Sexual orientation and gender identity are not among the grounds of discrimination enumerated in Convention No. 111. However, countries are increasingly making use of the possibility provided under this Convention to prohibit additional grounds of discrimination, and are taking measures, including providing legislative protection, to address discrimination based on additional grounds, such as sexual orientation or gender identity. In recent years, further progress has been noted in a range of countries regarding legislative and practical measures aimed at eliminating discrimination on the basis of this ground and promoting equality of opportunity and treatment in employment of lesbian, gay, bisexual and transgender people.¹⁷ The progressive legal recognition

16. For further information, see [PRIDE at work: a study on discrimination at work on the basis of sexual orientation and gender identity in Indonesia](#) / ILO, Gender, Equality and Diversity Branch. – Geneva, 2016; and [PRIDE at work: a study on discrimination at work on the basis of sexual orientation and gender identity in South Africa](#) / ILO, Gender, Equality and Diversity Branch. – Geneva, 2016.

17. [General Survey on the Fundamental Conventions, 2012](#), paras. 824–825.

in a number of countries of the marriage or cohabitation of same-sex couples reflects a growing awareness of the need to provide employment rights and benefits derived from legally recognized marriage or partnership.

3.9 Young workers in the informal economy

Informality represents a contemporary challenge for policy makers and labour market analysts. Informal employment characterizes half of the global labour force and is strongly associated with decent work deficits, quality of jobs, working poverty, low productivity, discrimination and exclusion, insecurity, and vulnerabilities in the labour market.¹⁸

A higher proportion of young workers are in informal employment, compared to older workers.¹⁹ Many young workers opt for the informal economy due to the difficulties they face in entering the regular labour market. This situation leads to labour exploitation, unsafe working conditions, and lack of legal protection against violations of young people's fundamental rights at work. As a response to strong demand for decent work from young people, facilitating the transition to formality is now considered a core component of national development strategies and a major issue for social cohesion and peacebuilding.

In this context, the Transition from the Informal to the Formal Economy Recommendation, 2014 (No. 204), aims to –

- (a) facilitate the transition of workers and economic units from the informal to the formal economy, while respecting the workers' fundamental rights and ensuring opportunities for income security, livelihoods and entrepreneurship;
- (b) promote the creation, preservation and sustainability of enterprises and decent jobs in the formal economy and the coherence of macroeconomic, employment, social protection and other social policies; and
- (c) prevent the informalization of formal economy jobs.

Under Recommendation No. 204, the term “informal economy” refers to “all economic activities by workers and economic units that are – in law or in practice – not covered or insufficiently covered by formal arrangements”.

Economic units encompass units that employ hired labour; units that are owned by individuals working on their own account, either alone or with the

18. For additional information, please see “The informal economy and decent work: a policy resource guide, supporting transitions to formality”, ILO, 2013.

19. For additional information, please see “Informal employment among youth: Evidence from 20 school-to-work transition surveys”, Work4Youth Publication Series No. 8, February 2014: http://www.ilo.org/employment/areas/youth-employment/work-for-youth/publications/thematic-reports/WCMS_234911/lang--en/index.htm

help of contributing family workers; and cooperatives and social and solidarity units. The young people mentioned in Recommendation No. 204 are among those who are especially vulnerable in the informal economy, and thus those to whom special consideration must be given.

Member States are encouraged in that Recommendation to promote the implementation of a comprehensive employment policy framework that includes, inter alia, prior learning through informal apprenticeship in order to broaden options for formal employment. Governments are also encouraged to adopt comprehensive activation measures to facilitate the school-to-work transition, in particular for those who are disadvantaged.

Measures adopted by some Latin-American countries to tackle informality among young persons

Within the period 2013–2014, 55.7 per cent of youth worked in the informal economy. The countries with the highest number of youth in informality in Latin America were Peru, Guatemala, Paraguay, Honduras and El Salvador. Some governments of Latin-American countries have adopted policies to prevent the insertion of youth in the informal economy.

In 2013, in Paraguay legislation was adopted aimed at the integration of youth (18 to 29 years of age) in employment (Ley núm. 4951 de inserción al empleo juvenil). This regulation sets different means to help youth obtain employment in the formal economy such as capacity-building, promotion of vocational training, ‘work scholarships’, apprenticeships, and subsidies for employers who hire young persons for a period of at least eight months.

Also, in 2013, the legislative of Uruguay adopted the Youth Employment Act (Ley núm. 19133 de Empleo Juvenil). This legislative piece was adopted based on the inputs of different actors including youth organizations, state agencies and the social partners.

In 2010, The Formalization and Creation of Employment Act (Ley núm. 1492 de formalización y generación de empleo) entered into force in Colombia. Under this Act, employers are entitled to subsidies if they hire young persons below 28 years of age.

Source: ILO, [Formalizando la Informalidad Juvenil – Experiencias Innovadoras en América Latina y el Caribe](#).

ILO Members should ensure that all workers, including those in the informal economy, enjoy freedom of association and the right to collective bargaining and to participate in social dialogue in the transition to the formal economy. Employers’ and workers’ organizations should, where appropriate, extend membership and services to workers and economic units in the informal economy.

Concluding remarks

4

One of the major principles on which the ILO was founded is the promotion of full and productive employment and of social justice worldwide. Since its inception, it has maintained a system of international labour standards (ILS) aimed at promoting opportunities for women and men to obtain decent work in conditions of freedom, equity, security and dignity.

International labour standards are today an essential component of global governance to ensure that the growth of the global economy provides benefits to all.

In June 2005 the International Labour Conference noted that ILS have framed the world of work and have set international benchmarks providing a pathway to decent work for all, and acknowledged that, while most of them are applicable to young persons, some are of particular relevance to them. The *List of international labour standards relevant to work and young persons* was then revised and included as an appendix to the 2012 Call for Action,¹ which stressed the important role that ILS can play in protecting the rights of young workers, suggesting the way forward for governments and for employers' and workers' organizations.

The dialogue between the ILO and its member States is further strengthened through technical assistance and capacity building activities. In an effort to ensure the implementation of ILS and provide the necessary support and tools to its constituents, the ILO has been involved in many development projects aimed at enhancing youth employment prospects.²

The selected passages from the comments of the CEACR and good practices illustrated in the Guide show that attention has been given in different regions and countries to develop special labour regulations for youth and to adapt existing labour standards to the realities of young people. Nonetheless, there is more progress to be made.

1. See Annex below, Appendix: International labour standards relevant to work and young persons.

2. See ILO website, [Projects on youth employment](#).

As underlined in the ILO report [Global Employment Trends for Youth 2015](#), deficiencies in job quality continue to affect youth in both developed and developing regions; while varying widely between countries, employment instability has been increasing in all regions, and a large proportion of young people in developing countries are trapped in working poverty deriving from irregularity of work and lack of formal employment and social protection.

In line with the 2012 Call for Action, the ILO will continue to support action by governments, the social partners, and the multilateral system to ensure that young women and men can, through tailored policies and programmes and the effective implementation of ILS, obtain decent and productive work.

Annex

The youth employment crisis: A call for action¹

Resolution

The youth employment crisis: A call for action

The General Conference of the International Labour Organization, meeting in Geneva at its 101st Session, 2012,

Having undertaken a general discussion on the basis of Report V, *The youth employment crisis: Time for action*,

Recognizing that in 2012 close to 75 million young people worldwide are out of work, of which many have never worked, with many more millions mired in low productivity and insecure jobs,

Recognizing that 4 million more youth are unemployed today than in 2007 and that more than 6 million have given up looking for a job,

Recognizing that this unprecedented situation can result in a long-lasting “scarring” effect on young people, particularly from disadvantaged backgrounds,

Recognizing that persistent youth unemployment and underemployment carry very high social and economic costs and threaten the fabric of our societies,

Affirming that generating sufficient decent jobs for youth is of highest global priority,

1. Resolves to take targeted and immediate action;
2. Adopts the following conclusions: “The youth employment crisis: A call for action” which supplement the conclusions concerning youth employment adopted by the Conference in 2005;
3. Invites the Governing Body of the International Labour Office to give due consideration to these conclusions in planning future work on youth employment and requests the Director-General to take them into account

1. *The youth employment crisis: A call for action*, Resolution and conclusions of the 101st Session of the International Labour Conference, Geneva, 2012.

when preparing and implementing the programme and budget for future biennia and when allocating such other resources as may be available during the 2012–13 biennium;

4. Requests the Director-General of the International Labour Office to share these conclusions in relevant international forums; and
5. Requests the Director-General of the International Labour Office to take leadership in promoting this call for action.

Conclusions

The youth employment crisis: A call for action

1. Young people represent the promise of changing societies for the better. Yet, there are not enough jobs for young people. Millions are also not transitioning into decent work and are at the risk of social exclusion.
2. In 2012, close to 75 million young people worldwide are out of work, 4 million more are unemployed today than in 2007, and more than 6 million have given up looking for a job. More than 200 million young people are working but earning under US\$2 a day. Informal employment amongst young people remains pervasive.
3. The youth employment crisis, considerably aggravated by the global economic and financial crisis, now requires governments, employers and workers to work even harder to promote, create and maintain decent and productive jobs.
4. Persistent youth unemployment and underemployment carry very high social and economic costs and threaten the fabric of our societies. Failure to generate sufficient decent jobs can result in long-lasting “scarring” effects on young people.
5. There is an urgent need to reverse the trend now. Unless immediate and vigorous action is taken, the global community confronts the grim legacy of a lost generation. Investing in youth is investing in the present and future of our societies. A great deal has been learned about how to address barriers young people face to transition into the labour market, but in many countries ineffective macroeconomic and other policies have not delivered enough jobs in general, and for youth in particular. Political commitment and innovative approaches are critical to improve the situation.
6. The youth employment crisis is a global challenge, though its social and economic characteristics vary considerably in size and nature, within and among countries and regions.

7. We therefore call on governments, social partners, the multilateral system, including the G20 and all relevant national, regional and international organizations, to take urgent and renewed action to address the crisis of youth employment. Nothing short of strong collective action and partnership at the national, regional and global levels will succeed in changing the dire situation of young people in labour markets for the better. We call on the ILO to take a leadership role in this call for action, to facilitate mutual learning at national, regional and global levels, and to mobilize partnerships for tackling the crisis.

8. In addressing the youth employment crisis, action should take account of the ILO Declaration of Philadelphia (1944), the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up (1998), the Decent Work Agenda (1999), the Global Employment Agenda (2003), the Conclusions concerning the promotion of sustainable enterprises (2007), the ILO Declaration on Social Justice for a Fair Globalization (2008), the Global Jobs Pact (2009), the ILC conclusions concerning the recurrent discussion on employment (2010), and the body of international labour standards relevant to work and young persons.

9. The 2005 ILC resolution concerning youth employment and its comprehensive set of conclusions provides a sound framework on which to build. A new call for action is made to tackle the new and severe youth employment crisis.

10. The 2009 Global Jobs Pact, comprising a portfolio of actions to respond to the crisis, calls for countries to enhance support to vulnerable women and men hit hard by the crisis, including youth at risk. The coordinated action and implementation of policies contained in the Global Jobs Pact helped to save millions of jobs.

11. The 2012 ILC general discussion reviewed the magnitude and characteristics of the youth employment crisis, exacerbated in many countries by the global economic and financial crisis. It considered in particular the high levels of unemployment and underemployment, the decline in the quality of jobs available for young people, the detachment from the labour market and slow and difficult transitions to decent work. It drew lessons from the implementation of the 2005 ILC resolution and assessed policy innovations in a range of areas. It also took note of the discussions at the Youth Employment Forum that gathered 100 young leaders in Geneva from 23 to 25 May 2012.

12. These 2012 ILC conclusions:

- (a) underscore a renewed commitment for stepping up the implementation of the 2005 ILC resolution;
- (b) call for urgent action in view of the new crisis situation; and
- (c) provide guidance on the way forward.

Guiding principles

13. There is no one-size-fits-all. There is a need to take a multi-pronged approach with measures to foster pro-employment growth and decent job creation through macroeconomic policies, employability, labour market policies, youth entrepreneurship and rights to tackle the social consequences of the crisis, while ensuring financial and fiscal sustainability.

14. Guiding principles include:

- Consideration of the diversity of country situations to develop a set of policy responses that are multi-pronged, coherent and context-specific.
- Full employment should be a key objective of macroeconomic policies.
- Effective policy coherence across economic, employment, education and training, and social protection policies is required.
- Promoting the involvement of the social partners in policy development through social dialogue.
- A well-balanced policy mix that encourages more employers to invest and generate new job opportunities for young people.
- Ensuring all programmes and policies respect the rights of young workers and are gender-sensitive.
- Addressing mismatches between available jobs and skills of youth which limit access to employment opportunities.
- Promoting youth entrepreneurship with the aim of encouraging the growth of sustainable enterprises, including cooperatives and social enterprises, in rural and urban areas.
- Innovative and multi-stakeholder partnerships engaging governments, social partners, educational institutions, communities and young people themselves.
- Models of engagement are not systematically replicable but there is great scope for exchange of experience to inspire context-specific and concrete actions.
- Effective monitoring, evaluation and reporting of policies and programmes to inform further action.
- Youth are part of the solution. Their voices should be heard, their creativity engaged, and their rights respected in dealing with the youth employment crisis.

Employment and economic policies for youth employment

15. To meet the tremendous jobs challenge deriving from the global economic and financial crisis requires mobilization of governments, employers and workers, the ILO and the global multilateral community. In response

to this situation, it is essential to pursue strong and sustainable economic growth and development that stresses job creation and social inclusion.

16. A one-sided approach will not be effective. A holistic approach is needed in which both macro and microeconomic policies work in tandem to boost the employability of young people while ensuring that there are productive employment opportunities to absorb the skills and talents of young people.

17. Pro-employment macroeconomic policies that support stronger aggregate demand and improve access to finance are essential. The different economic situations of different countries will shape the policy mix adopted to meet the challenge.

18. Industrial and sectoral policies are important to facilitate structural transformation.

19. Private sector growth depends on business, investor and consumer confidence, and is crucial to job creation.

20. Labour-intensive public investment in large-scale infrastructure and public employment schemes can generate new decent employment opportunities while meeting social needs and improving infrastructure.

The way forward

- 21.** Governments should give serious consideration, as appropriate, to:
- (a) Implementing policies that promote full, productive and freely chosen employment, informed by the Employment Policy Convention, 1964 (No. 122).
 - (b) Promoting pro-employment macroeconomic policies and fiscal incentives that support stronger aggregate demand and increase productive investment that improves capacity for job creation and access to finance.
 - (c) Assigning the highest possible priority to youth employment in national and international development frameworks; developing, with the involvement of the social partners, integrated and time-bound national action plans for decent employment with measurable outcomes.
 - (d) Prioritizing job-generating growth policies which respond to the current economic context and promote long-term financial sustainability, while recognizing that policy responses to support growth should take into account the diverse realities of countries.
 - (e) Fiscally sustainable ways for targeted interventions for young people, such as countercyclical policies and demand-side interventions, public employment programmes, employment guarantee schemes, labour-intensive infrastructure, wage and training subsidies and other specific youth

employment interventions. These programmes should ensure equal treatment for young workers.

- (f) Anchoring a job-friendly development agenda in industrial and sectoral policies that can facilitate structural transformation, contribute to an environmentally-sustainable economy, and greater public and private investment in sectors that create decent jobs for young people.
 - (g) Promoting an enabling policy and regulatory environment to facilitate the transition to formal employment and decent jobs.
 - (h) Involving the social partners in policy decision-making through regular tripartite consultations.
 - (i) Establishing and strengthening monitoring and evaluation mechanisms to measure impact and improve policy instruments.
- 22.** The social partners should give serious consideration, as appropriate, to:
- (a) Engaging with governments in tripartite consultations on employment and economic policy.
 - (b) Engaging in sectoral and enterprise consultations to improve growth and promote strategies that are job-rich with particular regard to the needs of young people.

Employability – Education, training and skills, and the school-to-work transition

23. Access to basic education is a fundamental right. The 2005 ILC resolution recognized the importance of education, training and skills to enhance employability and ease the transition to decent jobs. This was reaffirmed in the 2012 general discussion. Education, training and lifelong learning foster a virtuous cycle of improved employability, higher productivity, income growth and development. Much has been done and much has been learned since 2005. However, there is more to do given that significant deficits remain in access to, and the quality of, education, training and skills as well as their relevance to labour market requirements. Skills and qualifications that do not meet labour market requirements and insufficient vacancies remain major constraints for the employability of young people.

24. The global economic and financial crisis exacerbated old problems and created new ones:

- In addition to the 130 million young people without basic reading, writing and numeracy skills, early school leavers represent an increasing segment of disadvantaged youth. For the first group, scaling-up social protection

measures to help poor households manage risks without compromising on education proved efficient. Cash or food transfers can potentially play this role if integrated into a broader social protection strategy. For early school leavers, second-chance initiatives have been effective in reaching out to those young people who are neither in employment nor education or training. Experience suggests that these alternative training modalities are more successful when their delivery and curriculum are non-traditional and offered in informal or non-formal settings.

- Graduate unemployment emerged as a key challenge. In this context, better analysis and forecasting of labour market needs are required.
- The slow and insecure transition from school to work generates further difficulties for integration in the labour market as a result of lack of experience. In this context, internships, apprenticeships and other work-experience schemes have increased as ways to obtain decent work. However, such mechanisms can run the risk, in some cases, of being used as a way of obtaining cheap labour or replacing existing workers.

25. Finally, experience suggests that education and training measures that are responsive to the world of work result from strong partnerships between the government, in particular education and training authorities, and the social partners, including through social dialogue and collective bargaining.

The way forward

26. Governments should give serious consideration, as appropriate, to:

- (a) Ensuring that quality basic education is freely available.
- (b) Improving the links between education, training and the world of work through social dialogue on skills mismatch and standardization of qualifications in response to labour market needs, enhanced technical vocational education and training (TVET), including apprenticeships, other work-experience schemes and work-based learning.
- (c) Developing skills strategies in support of sectoral policies that harness technologies and know-how and result in higher skills and better paying jobs.
- (d) Improving the range and types of apprenticeships by: (i) complementing learning at the workplace with more structured institutional learning; (ii) upgrading the training skills of master craftspersons and trainers overseeing the apprenticeships; (iii) including literacy training and livelihood skills; and (iv) strengthening community involvement, especially to open more occupations for young women and other vulnerable groups of young people.

- (e) Regulating and monitoring apprenticeship, internship and other work-experience schemes, including through certification, to ensure they allow for a real learning experience and not replace regular workers.
 - (f) Expanding the reach of formal education and training through distance-learning strategies that integrate print-based material, remote study and access centres, and face-to-face components.
 - (g) Improving mechanisms for early identification of potential early school leavers and support them to stay in school or access other employment, education or training opportunities.
 - (h) Supporting second-chance initiatives to facilitate the acquisition of basic knowledge and competencies both for those who leave school too early or never attended school and for the unemployed who want to resume their studies, with particular attention to young women and girls.
 - (i) Supporting the training of trainers which has emerged as one of the major needs in expanding the skills development system.
 - (j) Developing systems of recognition of prior learning, non-formal education and skills acquired on the job.
 - (k) Including job-search techniques in school curricula, strengthening career guidance and improving young people's access to information on career opportunities.
 - (l) Introducing, into a broader social protection strategy, appropriate social protection measures to help poor households manage risks without compromising on education for young people, while paying attention to the sustainable institutional and financial capacities for implementation.
 - (m) Promoting the development of training programmes and competency-based training that correspond to the requirements of national development strategies and labour markets.
 - (n) Establishing and strengthening monitoring and evaluation mechanisms to measure the impact and to improve policy instruments.
- 27.** Social partners should give serious consideration, as appropriate, to:
- (a) Contributing to the design, implementation and monitoring of education, training and lifelong learning policies and programmes with a view to improving their responsiveness to the world of work.
 - (b) Engaging in collective bargaining on terms and conditions of work of interns and apprentices.
 - (c) Encouraging enterprises to provide internship and apprenticeship places.
 - (d) Raising awareness about labour rights of young workers, interns and apprentices.

Labour market policies

28. Labour market policies can facilitate young people's entry and re-entry into the labour market. If well targeted, they benefit the most disadvantaged youth and can yield large economic and social benefits with greater equity, social inclusion and higher aggregate demand.

29. There are important linkages between labour market policies, active and passive, and minimum wage policies, in countries with minimum wages, and it is important that each be taken into account and be mutually supportive in encouraging work opportunities for young people.

30. Public Investment and Employment Programmes should, where appropriate, promote employment in general and especially youth employment, particularly in countries with low labour demand, creating employment across the range of skills and yielding significant multiplier effects for the economy. They can provide a labour standards floor and significantly enhance local productivity, market development, and social protection. They can contribute to a sustainable environment and to developing the much needed infrastructure and community works in many countries.

31. The delivery of labour market policies requires institutional capacity, both at the public and private levels. Early interventions, can help prevent long-term unemployment by targeting services and resources to jobless youth, both rural and urban, who are most in need, such as those not in education or in employment.

32. In many countries, income support for young jobseekers can be provided in conjunction with active labour market programmes (ALMPs) through a combination of unemployment insurance, unemployment assistance, employment guarantee schemes or other forms tailored to the specific situations of different groups, as foreseen within the social protection floor concept. Good practices demonstrate that conditionality, activation and mutual obligation can assist in achieving early exits from unemployment. Such schemes can be particularly effective for youth at risk of marginalization to keep them connected to the labour market.

The way forward

33. Governments should give serious consideration, as appropriate, to:

- (a) Reviewing their labour market policies and programmes to ensure they contribute as effectively as possible to job creation for young people.
- (b) Prioritizing active measures that provide effective assistance to young people and their potential employers to support entry into decent jobs.

- (c) Allocating adequate resources to labour market policies, including public employment programmes (PEPs), as key instruments to promote youth employment.
 - (d) Integrating and sequencing various components of ALMPs targeting both demand and supply measures to ease transitions from school to work and to formality.
 - (e) Linking income support to active work search and participation in ALMPs.
 - (f) Facilitating job creation by securing a better match between demand and supply of work through the development of efficient employment services.
 - (g) Enhancing strategies for the transition to formality.
 - (h) Consolidating and coordinating the delivery of services to better integrate labour market and social protection measures.
 - (i) Providing social protection to first-time jobseekers.
 - (j) Promoting employment-intensive investment strategies.
 - (k) Consulting and involving the social partners in the design, implementation and monitoring of labour market policies.
 - (l) Focusing on rural youth as a priority group through targeted development policies and programmes.
 - (m) Establishing and strengthening monitoring and evaluation mechanisms to measure impact and improve policy instruments.
- 34.** The social partners should give serious consideration, as appropriate, to:
- (a) Actively participating in the design, implementation, monitoring and improvement of labour market policies and programmes.
 - (b) Working closely with the government to enhance the effectiveness of employment services to ensure they improve decent employment opportunities for young jobseekers where they are being created.
 - (c) Promoting the benefits of offering employment and training opportunities to disadvantaged young people.
 - (d) Engaging with governments in the development of public investment and infrastructure programmes.
 - (e) Exploring avenues for creative and innovative opportunities to assist young people in their job search and access to education and training opportunities.

Youth entrepreneurship and self-employment

35. Youth entrepreneurship can be a pathway to decent work and sustainable enterprise for some young people and should be a component of national efforts to address the youth employment crisis. Promotion of entrepreneurship encompasses a range of activities in the for-profit and not-for-profit sectors, including private business development, self-employment, social enterprises and cooperatives.

36. Different types of assistance will be appropriate to meet the special challenges faced by young aspiring entrepreneurs, including in both rural and urban areas, taking into account that they may be driven by opportunity or by need.

37. An enabling environment for starting and successfully operating a business is essential. Young entrepreneurs face the same challenging business environment as other entrepreneurs. An enabling business environment which helps businesses, cooperatives and social enterprises to thrive can assist in the success of such enterprises that are owned and run by young people. Access to, and the cost of, finance for micro-, small and medium-sized enterprises has deteriorated since the financial crisis and young entrepreneurs are often the least able to access this restricted financing. A critical challenge is to create an enabling business environment for young entrepreneurs.

38. There are a number of ingredients that go to making youth entrepreneurship programmes successful:

- They are more effective when they are designed and implemented in partnership with the private sector. Many employers and their organizations have the capacity, experience and rapport with young people to significantly contribute to programme delivery.
- Integrated packages of efforts can also contribute to the effectiveness of youth entrepreneurship initiatives.
- Embedding entrepreneurship curricula at an early age can be an effective way of promoting entrepreneurship.
- Cooperatives and the social economy can also provide opportunities for youth to create their own enterprises and gain self-employment.

39. There is recognition that rigorous monitoring and evaluation of the programmes are needed to review their effectiveness. The key performance indicators should be the sustainability of the start-up, the level of income generated, the number of jobs created and their quality.

The way forward

40. Governments should give serious consideration, as appropriate, to:

- (a) The role of national strategies, coordination and oversight to ensure that youth entrepreneurship initiatives are complementary and effective.
- (b) Ensuring that there is an enabling environment,² including for small and micro-enterprises, cooperatives and the social economy, that supports youth entrepreneurship, taking care that there is no disguised employment.
- (c) Promoting youth entrepreneurship, especially for young women and other vulnerable groups of young people.
- (d) Improving access to finance for the operation of sustainable youth enterprises, in particular micro-, small and medium-sized enterprises, cooperatives and social enterprises. This may include subsidizing credit, guaranteeing loans and supporting microcredit initiatives.
- (e) Facilitating access by micro-enterprises to public procurement, in line with the provisions of the Labour Clauses (Public Contracts) Convention, 1949 (No. 94), where ratified.
- (f) Taking action to facilitate the transition of young entrepreneurs in the informal sector from informality to formality, including by promoting and supporting compliance with national labour legislation.
- (g) Embedding entrepreneurship curricula at an early age and in secondary and tertiary schools as an effective way of improving attitudes towards entrepreneurship. Information about cooperatives should also be introduced to students within national curricula, in line with the Promotion of Cooperatives Recommendation, 2002 (No. 193).
- (h) Establishing and strengthening monitoring and evaluation mechanisms to measure impact and to improve policy instruments.

41. Employers' organizations should give serious consideration, as appropriate, to:

- (a) Entering into partnerships with governments to promote and support youth entrepreneurship.
- (b) Engaging with governments in the design and delivery of youth entrepreneurship programmes.
- (c) Contributing policy and commercial input into renewed and innovative measures to ensure young entrepreneurs have access to finance necessary to start and expand businesses.

2. As outlined in the 2007 ILC Conclusions concerning the promotion of sustainable enterprises.

- (d) Providing and facilitating mentoring and other support to young entrepreneurs.
- (e) Promoting young entrepreneurs' networks within their organizations.

Rights for young people

42. International labour standards play an important role in protecting the rights of young workers.

43. The 2005 resolution contained an appendix listing international labour standards relevant to work and young persons. International labour standards adopted since 2005 may also be relevant in member States (see updated list in appendix).

44. The 2005 ILC resolution also recognized that labour laws and, where they exist, collective agreements, should apply to all young workers, including those currently lacking protection because of disguised employment relationships.

45. Young people continue to suffer disproportionately from decent work deficits and low-quality jobs measured in terms of working poverty, low pay and/or employment status, and exposure to occupational hazards and injury. Increasingly, young workers may lack options in the formal sector to move to full-time employment from part-time, temporary, casual or seasonal employment. In the informal economy, young people frequently work under poor conditions in both urban and rural areas.

46. Tackling youth unemployment should not disregard and weaken the protection to which young workers are entitled. Reflecting the universal strong support to core international labour standards, policies facilitating access to jobs should not lead to discrimination at work. Young workers have the same rights as all other workers. Youth employment policies should also encourage the transition from temporary to stable jobs.

47. Recent national experience demonstrates that, during economic downturns, well-designed and targeted wage subsidies can facilitate the entry of young workers into the labour market and moderate the depreciation of skills. However, proper monitoring and supervision are required to prevent these measures from being abused. The effectiveness of these policy measures which ensure minimum conditions for young workers depends on other wage-related policies including wage systems. Minimum wages can be effective in preventing abusive and discriminatory pay practices and improving the purchasing power of young workers. Social dialogue at the national level is essential in developing a coherent and consistent wage-policy framework which offers adequate protection and improves employment prospects for young workers. More generally, collective agreements should be extended to young workers.

The way forward

- 48.** Governments should give serious consideration, as appropriate, to:
- (a) Adopting a rights-based approach to youth employment.
 - (b) Ensuring young people receive equal treatment and are afforded rights at work.
 - (c) Committing to develop youth employment policies, consistent with their national obligations and taking into account international labour standards.
 - (d) Ensuring that labour laws and collective agreements are effectively enforced by labour inspectorates or other relevant bodies, which should target non-compliant practices in youth employment, including in the informal economy, through strong and appropriate sanctions.
 - (e) Developing and implementing mechanisms that apply adequate protection, including social protection, for all young workers to facilitate transitions into stable employment and decent work.
 - (f) Promoting and protecting young workers' rights to organize and to bargain collectively.
 - (g) Targeting occupational safety and health promotion and training to young workers, including pre-employment and induction training.
 - (h) Ensuring that minimum wages set either by law or collective agreement for young workers are observed.
 - (i) Developing a coherent and consistent wage-policy framework in consultation with the social partners.
 - (j) Designing, monitoring and properly supervising policy measures such as wage subsidies to guarantee that they are time bound, targeted and not abused. Linking these policies to skills transfer training is also important.
 - (k) Embedding workers' rights in curricula at an early age and in secondary and tertiary schools as an effective way of improving attitudes towards workers' rights.
 - (l) Establishing and strengthening monitoring and evaluation mechanisms to measure impact and to improve policy instruments.
- 49.** Employers' organizations should give serious consideration, as appropriate, to, and workers' organizations should:
- (a) Promote and encourage the greater participation and representation of young people in their organizations and increase their voice in social dialogue.
 - (b) Raise awareness of their members about young workers' rights, including by using new technologies and social media.
 - (c) Actively participate in the implementation of young workers' rights.

ILO action

50. The ILO has an important role to play in providing global leadership and acting as a centre of excellence on youth employment. It must support action by governments, social partners and the multilateral system to address the youth employment crisis and promote decent work for youth at national, regional and global levels. The ILO has a sound foundation for this vital global task through its 2005 resolution and the shared input and experience of governments, employers and workers in 2012. These conclusions build on the 2005 ILC resolution recognizing the impact of the global economic crisis and the major challenge this represents. This set of conclusions should be pursued, mindful of the existing 2005 action plan, and expanded in the areas of knowledge development and dissemination, technical assistance, partnerships and advocacy for decent work for youth.

51. The ILO should enhance its capacity in the following five themes of the conclusions: (i) employment and economic policies; (ii) employability; (iii) labour market policies; (iv) entrepreneurship; and (v) rights at work. The ILO should make efforts to improve coordination among its programmes addressing youth employment, including technical cooperation activities. ILO activities promoting youth employment should be subject to rigorous monitoring and evaluation to ensure approaches are cost-effective and provide a positive impact. They should be set against measurable targets and indicators. The recurrent item discussion on employment at the 2014 ILC should also include a focus on youth employment.

1. Knowledge development and dissemination

52. The ILO should strengthen its work on knowledge development and dissemination of information on youth employment in the following areas:

- **Employment trends:** collect, analyse and disseminate data and information on youth labour market trends, including on wages, conditions of work, different contractual arrangements for young people, skills mismatches and school-to-work transition.
- **Emerging issues:** conduct research on emerging topics, including policies and interventions that provide work experience and combine systems of learning and work, reduce informality and improve quality of jobs, address the particular vulnerabilities of groups of young people, including migrants, and provide social protection to young workers.
- **Macroeconomic and industrial policies:** expand technical capacity to assess the employment impact of macroeconomic and industrial policies.
- **Youth employment policies and programmes:** collect information on and analyse the effectiveness of country policies and programmes, including

through voluntary multi-country peer reviews, and disseminate findings through global databases and other means.

- **Evaluation:** conduct evaluations and distil lessons of effective interventions promoting decent work for young people. Special focus should be placed on the evaluation of youth entrepreneurship and self-employment programmes.
- **Good practice:** establish mechanisms to review and disseminate good practices on youth employment interventions, including through mutual learning and South–South cooperation.

2. Technical assistance

53. The ILO should continue to assist member States in assigning priority to youth employment through the development and implementation of the policies included in the 2005 ILC resolution and these conclusions, including through Decent Work Country Programmes. Based on available resources, technical assistance should be provided in the following areas:

- Integration of youth employment priorities into ***national development frameworks and employment policy*** as well as better complementarity of labour market and social protection policies. The ILO should also provide, upon countries' request, macroeconomic policy options that favour employment creation.
- Development of ***national action plans*** that are integrated and time bound and supported by dedicated human and financial resources.
- Systematic collection of age and gender-disaggregated ***labour market information***.
- ***Development of profiling systems*** to improve targeting and cost-effectiveness of employment programmes and services for disadvantaged youth.
- ***Public investment and employment programmes*** that assign priority to youth employment.
- ***Skills development systems*** that strengthen the links between training provision and labour market requirements.
- ***Comprehensive labour market programmes*** targeting young people, with a special focus on disadvantaged youth.
- ***Entrepreneurship, cooperatives and social enterprises development***, including education, access to financial and other services, and mentorships.
- ***Public employment services*** tailored to the needs of young people and to extend outreach to youth living in rural areas, including through partnerships between employment offices and municipal authorities, the social partners, social services, private employment services, where they exist, and civil society organizations.

- **Capacity building and tools development** to strengthen monitoring and evaluation functions of government institutions with a view to assessing impact and informing the development of evidence-based youth employment measures.

3. Partnerships and advocacy

54. The ILO should continue to play a leading role and partner with other international entities, globally, especially from the multilateral system, regionally and locally, to use all means of action to promote and advocate for decent and productive work for youth, and avert a lost generation.

- **Global leadership on youth employment.** The ILO should provide global leadership in the promotion of decent work for youth. In this respect, it should establish strategic alliances and partnerships to place youth employment at the centre of the global development agenda, including by advocating that specific youth employment targets are defined in the post-2015 MDG framework. The ILO should: (i) promote policy dialogue and foster coherence on youth employment issues; (ii) conduct action-oriented research and knowledge sharing; (iii) provide technical assistance to member States and promote specific and innovative partnerships for delivery of cost-effective interventions; and (iv) promote alignment and coordination of employment policies of the United Nations and other multilateral institutions.
- **Regional and national partnerships.** The ILO should continue to engage in the promotion of regional and national partnerships for youth employment, including in rural areas. These partnerships should include the involvement of youth networks of employers' and workers' organizations and may also incorporate other representative organizations of young people that are active in the promotion of decent work for youth at regional and national levels.
- **Advocacy.** The ILO should raise awareness among young people on international labour standards and rights at work, employability and youth entrepreneurship, including through the establishment of networks for decent work for youth, use of social media and other outreach modalities. It should also monitor and report on rights for young workers globally.

Resource mobilization

55. In order to respond to increased demand for technical assistance, the ILO should develop a resource mobilization strategy to expand its technical cooperation activities in support of youth employment priorities of Decent Work Country Programmes as well as for regional and global initiatives. This strategy should specify the role that partnerships can play in mobilizing resources, from multiple sources, to address the youth employment crisis.

Appendix

International labour standards relevant to work and young persons¹

In addition to the Conventions on fundamental principles and rights at work and their related Recommendations –

- the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)
- the Right to Organise and Collective Bargaining Convention, 1949 (No. 98)
- the Forced Labour Convention, 1930 (No. 29)
- the Forced Labour (Indirect Compulsion) Recommendation, 1930 (No. 35)
- the Abolition of Forced Labour Convention, 1957 (No. 105)
- the Equal Remuneration Convention, 1951 (No. 100), and Recommendation, 1951 (No. 90)
- the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and Recommendation, 1958 (No. 111)
- the Minimum Age Convention, 1973 (No. 138), and Recommendation, 1973 (No. 146)
- the Worst Forms of Child Labour Convention, 1999 (No. 182), and Recommendation, 1999 (No. 190)

and to the priority Conventions on employment and labour inspection and their related Recommendations –

- the Employment Policy Convention, 1964 (No. 122), and Recommendation, 1964 (No. 122)
- the Employment Policy (Supplementary Provisions) Recommendation, 1984 (No. 169)
- the Labour Inspection Convention, 1947 (No. 81), and its Protocol of 1995
- the Labour Inspection Recommendation, 1947 (No. 81)
- the Labour Inspection (Agriculture) Convention, 1969 (No. 129), and Recommendation, 1969 (No. 133)

1. The full texts of all ILO instruments are available in NORMLEX database at: www.ilo.org/normlex.

these instruments include in particular –

- the Employment Service Convention, 1948 (No. 88), and Recommendation, 1948 (No. 83)
- the Labour Administration Convention, 1978 (No. 150), and Recommendation, 1978 (No. 158)
- the Private Employment Agencies Convention, 1997 (No. 181), and Recommendation, 1997 (No. 188)
- the Human Resources Development Convention, 1975 (No. 142), and Recommendation, 2004 (No. 195)
- the Job Creation in Small and Medium-Sized Enterprises Recommendation, 1998 (No. 189)
- the Part-Time Work Convention, 1994 (No. 175), and Recommendation, 1994 (No. 182)
- the Promotion of Cooperatives Recommendation, 2002 (No. 193)
- the Workers' Representatives Convention, 1971 (No. 135), and Recommendation, 1971 (No. 143)
- the Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159), and Recommendation, 1983 (No. 168)
- the Migration for Employment Convention (Revised), 1949 (No. 97), and Recommendation (Revised), 1949 (No. 86)
- the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), and the Migrant Workers Recommendation, 1975 (No. 151)
- the Indigenous and Tribal Peoples Convention, 1989 (No. 169)
- the Occupational Safety and Health Convention, 1981 (No. 155), and its Protocol of 2002
- the Occupational Safety and Health Recommendation, 1981 (No. 164)
- the Safety and Health in Agriculture Convention, 2001 (No. 184), and Recommendation, 2001 (No. 192)
- the Maternity Protection Convention, 2000 (No. 183), and Recommendation, 2000 (No. 191)
- the Medical Examination of Young Persons (Industry) Convention, 1946 (No. 77)
- the Medical Examination of Young Persons (Non-Industrial Occupations) Convention, 1946 (No. 78)
- the Medical Examination of Young Persons Recommendation, 1946 (No. 79)

Appendix. International labour standards relevant to work and young persons

- the Protection of Wages Convention, 1949 (No. 95), and Recommendation, 1949 (No. 85)
- the Minimum Wage Fixing Convention, 1970 (No. 131), and Recommendation, 1970 (No. 135)
- the Social Security (Minimum Standards) Convention, 1952 (No. 102)
- the Employment Promotion and Protection against Unemployment Convention, 1988 (No. 168), and Recommendation, 1988 (No. 176)
- the Hours of Work (Industry) Convention, 1919 (No. 1), and the Hours of Work (Commerce and Offices) Convention, 1930 (No. 30)
- the Night Work Convention, 1990 (No. 171), and Recommendation, 1990 (No. 178)
- the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187) and Recommendation, 2006 (No. 197)
- the Domestic Workers Convention, 2011, (No. 189) and Recommendation, 2011 (No. 201)
- the Employment Relationship Recommendation, 2006 (No. 198)
- the HIV and AIDS Recommendation, 2010 (No. 200).

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