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***Part IV. Towards an action plan  
to eliminate discrimination  
at work***



## 1. The way forward

### *Defining the needs for further action by the ILO*

349. The purpose of the Global Report under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work is to serve as a basis for assessing the effectiveness of the assistance provided by the Organization and for determining priorities, in the form of action plans for technical cooperation. The Report is submitted to the Conference for tripartite discussion, and it will be for the Governing Body to draw conclusions from that discussion concerning the priorities and plans of action for technical cooperation to be implemented for the following four-year period.<sup>1</sup>

#### *Purpose of the Global Report*

350. Beyond the focus of Conventions Nos. 100 and 111 on equal remuneration and the elimination of discrimination, one fundamental aim of all ILO labour standards is to ensure that individuals and groups are treated equally in the labour market. To achieve this, the ILO promotes gender equality, more and better jobs for women, the removal of barriers to employment and training, equal treatment of migrant workers and the rights of indigenous and tribal peoples.

#### *An action plan for the elimination of discrimination at work*

351. Proposals of action as follow-up to this Global Report on the elimination of discrimination in respect of employment and occupation will need to build on existing activities and to identify what can be done better and more effectively. An action plan for the elimination of discrimination at work must be aligned with the strategic objectives and the promotion of decent work. The Decent Work Agenda provides a framework that allows the linkages between patterns of discrimination in the various different societies to be recognized and a comprehensive response to be formulated. Action at the national level must be supported to facilitate the efforts of the tripartite constituents to find appropriate responses and solutions.

#### *Three main lines of action*

352. Three main lines of action can be envisaged. First, where work has already been carried out, the priority should be the advice and dissemination of information and experience to make this work, as well as its results, better known. Also, interaction both between the ILO and the constituents and between the ILO and the other actors in the multilateral system should be

<sup>1</sup> ILO: *Declaration on Fundamental Principles and Rights at Work and its Follow-up*, International Labour Conference, 86th Session, Geneva, 1998.

facilitated. Second, ILO action should be strengthened in the areas where the Report has identified particularly important needs or gaps. Third, there should be targeted efforts to strengthen the capacity of member States and employers' and workers' organizations to deal with the multiple facets of discrimination.

### ***Three strategies to set the wheels in motion***

353. This Global Report has illustrated that when we address discrimination at work, we deal simultaneously with a number of moving targets, some of which overlap. When societies move from ignorance or denial of different forms of discrimination to awareness of them, they seek to remedy the situations that they have identified. Societies identify discrimination through the prism of their conceptual framework, based on knowledge available to them and on prevailing attitudes. To remedy it, they use the institutions and mechanisms available for addressing discrimination, and they harness political will and social mobilization to provide the necessary impetus to reach the target of eliminating discrimination and promoting equality of opportunity at work.

354. An effective plan of action should cover all these areas and should focus on strengthening knowledge, advocacy and services.

### ***Knowledge***

#### ***Equality at work indicators***

355. Building, expanding, updating and disseminating the knowledge base on discrimination and equality of opportunity is a major area of work for the ILO. The continuing gap between the principle of equality at work and the reality of discrimination must be better understood. Equality at work indicators could be developed, as components of decent work indicators, to provide more adequate tools to measure progress and identify setbacks in the promotion of equality.

#### ***The link between discrimination and poverty***

356. This Report has illustrated that discrimination is a factor in determining the prospects of individuals and groups. In addition, certain groups of people suffer from the compounded effects of discrimination on a number of grounds. People who suffer multiple discrimination also experience multiple disadvantage. So far, anti-poverty programmes and strategies have not automatically addressed the link between poverty and systemic discrimination. There is a need to recognize that poverty is experienced and reproduced in different ways, depending on the personal and social traits of the individuals concerned.

357. The ILO focuses on the link between employment and poverty reduction. Where discrimination sustains and shapes poverty, effective anti-poverty policy and action must tackle discrimination. Work-related policies and labour market institutions that are based on freedom from discrimination while targeting poverty and set within a growth-oriented framework would be a distinctive ILO contribution to a rights-based approach to development and poverty reduction. With a sound knowledge base on these issues, the ILO would be in a stronger position to address them in various initiatives, such as the Poverty Reduction Strategy Papers and the United Nations Development Assistance Framework processes, and in various forums. In so doing, the ILO would assume its responsibility for guiding international action in the areas that important world conferences such as those held in Beijing, Copenhagen and Durban have assigned to it.

#### ***Road maps for the elimination of discrimination at work***

358. It is essential to be aware of the different forms of discrimination. For instance, a society may progress from lack of awareness or denial of some forms of discrimination to taking comprehensive action against them, but may

not, or at least not yet, be aware of or ready to address others. Governments and the social partners need to determine where they stand with regard to recognizing and addressing discrimination on different grounds, and to draw up “road maps” to help progress towards the elimination of discrimination at work. The ILO should be able to provide assistance when and where it is needed.

359. The Report has explored at some length the inequalities in remuneration between women and men that arise out of a combination of factors, such as differences in the gender division of labour and in women’s career orientation, family-related factors, occupational segregation and wage structures. It could be said that the true test of an equal opportunity policy is the way it succeeds in addressing pay inequalities.

### *Achieving equal remuneration*

360. The ILO has played a key role in placing equal remuneration on international and national agendas. The large number of ratifications of Convention No. 100 as well as broad policy statements made at the highest levels confirm this. However, there is a long way to go before equal remuneration is achieved. The time is ripe to renew the commitment to achieve equal remuneration, focusing on employing new techniques and compiling data for comparing jobs and pay, within a broader wages policy context.

361. It is necessary to document the extent of discrimination in remuneration across sectors (both formal and informal), occupations, enterprises and countries, and to produce relevant and reliable statistics on a regular basis. In this way, we can assess the real extent of discrimination in remuneration at work on the basis of sex, race and national origin, among other reasons. While the most effective strategies for equal remuneration will depend on national situations, there needs to be an assessment of the relative roles and strengths of a policy mix that includes minimum wages and/or other forms of public policy, wage negotiations and other policy measures. Job audits and evaluation and classification methods could be used to develop an “equal pay tool-kit”, within the overall context of wages and human resources policies.

### *Advocacy*

362. A coherent and sustained information and awareness-raising policy is needed to counter the negative images and suffering of groups who are discriminated against. Countervailing, positive images and solutions need to be disseminated. Cases where discrimination has been successfully eliminated need to be publicized. Guidelines and other policy documents on non-discrimination and equality need to be disseminated.

### *A coherent and sustained policy*

363. Campaigns should be directed at political decision-makers, in particular parliamentarians, local community groups and opinion leaders, so that they are aware of the connections between discrimination in general and the special opportunities the workplace offers for promoting equality. In addition, the rights-based approach to development and poverty alleviation, in which freedom from discrimination would be a key component, should be promoted. Initiatives must be taken at the international, national and local levels and these must be well planned to maximize visibility, impact and effectiveness.

### *Services*

364. A regulatory framework needs to be established to define discrimination, thus contributing to recognition of it when it occurs, and to establish guidelines to ensure it is eliminated. Assistance in drafting or revising legislation on equality is thus of paramount importance, and it is a traditional ILO activity that should be not only continued but also strengthened. Likewise, it

### *Support for legislative action*

*Support for an institutional framework*

is necessary to reach out to the judiciary and the actors who have a key position in the implementation of legislation.

365. Two types of action are needed to improve conformity with national legislation. Firstly, traditional labour market processes and institutions, such as employment agencies, labour inspection services, vocational training and social protection schemes, need to address equality concerns on a continuous and informed basis. Secondly, national institutions dedicated to promoting and monitoring equality need to be established or strengthened.

366. Such institutions and related processes, on governmental, bipartite, tripartite or other bases, face a number of challenges, such as limitations on their powers, lack of adequate and competent staffing and funding, and lack of data. As noted in the Report, there could be separate institutions to deal with specific grounds of discrimination, such as sex, race or the treatment of migrant workers. Alternatively, there could be one institution that addresses equality concerns more generally. The first option would allow for specialization and more in-depth treatment of each particular form of discrimination, while the second would make it easier to address more complex issues of multiple discrimination. It is clear that such institutions would need strong commitment and sustained political support if they were to be effective in tackling the challenges that exist.

367. Currently, no single facility in the ILO provides assistance in these complex institutional matters. Such a facility could be established, with two main functions. The first would be to assist the establishment and operation of different institutions with mandates relating to equality, be they governmental, tripartite or concerning the social partners. This would entail the full involvement of the Bureaux for Employers' and Workers' Activities and other relevant ILO programmes. The second would be to mainstream equality concerns in ongoing programmes of the International Labour Office. Existing activities should not be duplicated; rather, there is a need to build on the strengths of ILO action and experience to date, as described in this Report. The main goals of any new and newly focused facility would be to address adequately discrimination in the labour market and to ensure that the elimination of discrimination at work is a significant step for the elimination of discrimination in other spheres.

## 2. Conclusion

368. Discrimination at work affects every country, every economic sector and all types of activity. By now, its formal condemnation is universal. This is particularly true for discrimination on the basis of race or sex, where the world has moved from ignorance or denial to awareness and remedial action. Yet, progress in eliminating discrimination has been uneven, and it has not always been sustainable. New forms of discrimination have emerged: discrimination as a result of disability, including HIV/AIDS, and, with demographic trends, age discrimination. Furthermore, the quest to eliminate discrimination has taken us deeper, to the very root of the problem. While the outward manifestations of discrimination may be eliminated quite quickly, confronting and eliminating the underlying structural causes calls for a great deal more work. This is particularly true for labour markets where complex interventions are needed and where deregulation or weak public policies create new constraints.

*Formal condemnation is universal*

369. Governments, employers and workers and their organizations have a common responsibility to work to eliminate discrimination in the workplace. Equal access to education and training, non-discriminatory labour market institutions and processes, and equal treatment at work are crucial for people in groups that are discriminated against to aspire to and to obtain decent work. Experience has shown that awareness raising, affirmative action and sanctions against those who perpetuate discrimination will help to achieve a level playing field.

370. Considerable efforts have been made to address discrimination based on sex and to promote gender equality. This is a constant and indispensable cross-cutting theme of the ILO Decent Work Agenda. However, activities have concentrated more on removing barriers to employment and perhaps not enough on inequalities in vocational education and training and in other terms and conditions of work and employment.

371. The Report shows that the Organization, particularly through technical cooperation, has dealt with discrimination mainly by way of projects and programmes directed at specific groups at work, such as women workers, migrant workers or workers with disabilities. This work needs to continue and to be consolidated. Sufficiently bold and innovative measures will be required to overcome some of the sensitivities of dealing more comprehensively with issues such as race, political opinion, sexual preference and behaviour, and religion. At the same time, there are also other grounds of discrimination that require greater attention.

372. Discrimination at work not only reinforces but also generates poverty. Most of those who suffer from the cumulative effects of multiple discrimination are to be found among the poorest segments of the population. A viable poverty-reduction strategy calls for respect for the principles concerning the fundamental rights, including freedom from discrimination at work, and for attention to the mechanisms of entry to work.

*A renewed commitment*

373. This Global Report has argued that discrimination at work and its elimination concerns all of us, in one way or another, as discrimination hampers both socio-economic and individual growth. The Report has also argued that the workplace is a strategic entry point for the implementation of practical ways to prevent and to eliminate discrimination and to promote equality. The ILO constituents have a responsibility to work to eliminate discrimination in the workplace. They should – singly and jointly, and with Office assistance – take matters in hand to realize progressively the Declaration’s principle of the elimination of discrimination in respect of employment and occupation. This Report can serve to stimulate a renewed commitment and a practical, focused and determined effort to bring about the elimination of discrimination at work.