



Geneva, 31 August 2018

**Committee of Experts on the Application
of Conventions and Recommendations (CEACR)**

International Labour Office (ILO)

4, Route de Morillons

1211 Geneva 22

ARTICLE 23.2 ILO CONSTITUTION

IOE AND SEV COMMENTS – GREECE CONVENTIONS 144

Dear Members of the ILO CEACR,

Under Article 23.2 of the ILO Constitution the International Organisation of Employers (IOE) and the Hellenic Federation of Enterprises and Industries (SEV) file the following comments on the application in law and practice of the Tripartite Consultation (International Labour Standards) Convention, 1976, (No. 144). These comments constitute also a reply to the latest CEACR Observations and Direct Requests on this Convention.

SEV Comments relating to the situation of Tripartite Consultation in Greece

With regard to ILO's Committee of Experts (CEACR) request, on 2016, to the Greek Government to *provide updated information on the content and outcome of the tripartite consultations held on each of the matters related to international labour standards, as required by the Convention 144* in Greece, we would like to submit the following comments:

1. The national social partners make systematic efforts to strengthen the tripartite national social dialogue, as a key feature which try to promote a more balanced and non-discriminatory recovery, in a period of a long-term crisis.
2. The new National General Collective Labour Agreement 2018, signed in March 2018 by all the national social partners, includes in its Article 4 a specific request to the Government (Ministry of Labour) to activate a Tripartite Consultation Council, with the objective of strengthening the very weak or missing tripartite consultation and systematic tripartite social dialogue.
3. Even though, on the 29th March 2018, the national social partners have sent a formal letter to the Ministry of Labour, Social Security and Social Solidarity, expressing their commitment and their will to strengthen the tripartite social dialogue and to promote the implementation of international labor standards and the tripartite consultation, up to date the Ministry of Labor has not formally or informally reacted to the social partners wish.
4. Regarding the ongoing tripartite consultation held within the Higher Labour Council on the promotion and application of international labour standards we would like to note the following:
 - During the period 2014-2018, the Higher Labor Council on the promotion and application of international labor standards was convened only 6 times. We would like to note that the 4 out of 6 meetings (20/5/2014 - 22/05/2015-

25/5/2017- 16/05/2018) were held with regard to the items on the agenda of the International Labour Conference. The scope of the meetings was to provide information by the Ministry to the social partners, in order to prepare the Greek delegation for the International Labor Conference, held every year in Geneva. However, all the other important information regarding the application of international labour standards were given through written communications. This demonstrates that more could be done to strengthen tripartite social dialogue and the Ministry should not avoid exchanging views with the social partners on these matters.

- On 10/05/2016 & 21/06/2018, the Higher Labor Council on the promotion and application of international labor standards was convened to discuss the ratification of 3 International Labour Conventions. On 2016, the meeting was held to discuss the option of ratifying the Dock Work Convention, 1973 (No. 137) and the Occupational Safety and Health (Dock Work) Convention, 1979 (No. 152). On 2018, a meeting was held in order to inform the national social partners about the progress of the working group of the Ministry about the obstacles that hinder the ratification of Convention 129, concerning Labour Inspection in Agriculture. The ratification of the Convention 129 has been agreed, as a deliverable/outcome, on the second phase of the ILO program on supporting the implementation of the roadmap on tackling undeclared work in Greece. It is only through this ILO technical assistance project that we had our voices heard on the matter.
5. As a general comment, the frequency of meetings between the Ministry and national social partners is characterized as sparse, and the level of consultations is at a very embryonic stage. Despite political declarations, the Ministry of Labour does not actively engage in discussions with the social partners in whatever combination. We should note here the letters and position papers sent by SEV alone or jointly with other social partners, for which we have received no response from the Ministry:
- a. SEV letter on the project of Undeclared Work (¹) and the results of the pilot program in Athens. The letter was sent on November 29, 2017. A reminder email was sent to the Minister, on April 18, 2018 and on July 7, 2018, the letter was shared to the Minister of State, Mr. Athanasios Iliopoulos. The same letter has been also submitted to the Higher Labour Council, Department for the undeclared work, at the meeting of May 2, 2018.
 - b. SEV letter requesting access to Data (on employment and pay, a key requirement for effective collective bargaining) that exists in the Information System ERGANI, March 7, 2018, Protocol Number: 14325/826. We sent it again by e-mail, as a reminder, on April 18, 2018.
 - c. Joint letter of National Social Partners on the Tripartite Consultation Council in the context of strengthening the tripartite social dialogue and following the signature of the New EGSSE 2018, March 29, 2018, Protocol Number: 18924/1186.
 - d. Joint Letter SEV & SETE on compulsory arbitration, May 16, 2018, Protocol Number: 27539/1683, providing extensive and detailed proposals to minimize the distortion caused by the system.

¹ The ILO is providing technical assistance for this program.

- e. SEV Letter requesting ERGANI/ Ministry of Labour to provide analytical data for the Food & Beverage Sector. This letter was sent by email on May 25, 2018.
 - f. SEV Position Paper on Draft Law of the Ministry of Labor, Social Security and Social Solidarity, June 8, 2018, Protocol Number: 31902/2000.
6. The initiative for a productive tripartite dialogue should now be undertaken by the Ministry of Labour and implementation of C144 would be an appropriate first step. SEV has the will to actively support effective tripartite consultation and any other initiatives in this respect.

Concluding remarks

The IOE would appreciate that the CEACR takes duly into account all the information detailed in the present submission when examining the application in law and practice of Convention 144 in Greece.

Finally, and to increase transparency in the way in which the ILO supervisory mechanisms work, and further stimulate genuine tripartite dialogue at national level, the IOE kindly request the Committee to publish the content of these comments in the ILO website – including in the NORMLEX Database - and in the printed version of the CEACR report.

Yours sincerely,

Kind regards,



Roberto Suarez Santos

Acting Secretary-General

The International Organisation of Employers (IOE) is the largest network of the private sector in the world, with more than 150 business and employer organisation members. In social and labour policy debate taking place in the International Labour Organization, across the UN and multilateral system, and in the G20 and other emerging processes, the IOE is the recognized voice of business. The IOE seeks to influence the environment for doing business, including by advocating for regulatory frameworks at the international level that favour entrepreneurship, private sector development, and sustainable job creation. The IOE supports national business organisations in guiding corporate members in matters of international labour standards, business and human rights, CSR, occupational health and safety, and international industrial relations. For more information visit www.ioe-emp.org