International Labour Organization

▶ ILO brief

▶ Research Brief [1]

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Peak-level social dialogue as a governance tool during the COVID-19 pandemic: Global and regional trends and policy issues

Social dialogue and tripartism at all levels – national, federal, regional, sectoral and enterprise – are fundamental elements in contemporary democracies, and key ingredients of sound labour market governance and socially sustainable development.[2] At the core of the ILO's mandate since the Organization's creation in 1919, social dialogue and tripartism have played a decisive role in addressing major global crises, in the aftermath of the First World War and the Spanish flu pandemic; the great depression and the Second World War; the end of the Cold War and the fall of the Berlin Wall; and more recently, the early stages of the 2007–09 global financial crisis.[3]

From an International Labour Organization (ILO) perspective, social dialogue – based on respect for freedom of association and the effective recognition of the right to collective bargaining – has a crucial role in designing policies to promote social justice, decent work and sustainable enterprises. As in times of prosperity, in times of crisis too, social dialogue can help to reconcile competing interests and to build trust in, commitment to and ownership of policies.

This Brief is an attempt to analyse the use of "peak-level social dialogue"[4] during the "initial phase" – which we take to be 15 March to 10 June 2020 – of the COVID-19 pandemic. (Peak-level social dialogue refers to the two "forms" of bipartite or tripartite social dialogue that involves governments and nationwide organizations of employers and workers. Working definitions of these two forms, and other elements, are in Annex 1.) The Brief shows how much social dialogue has been used globally in this phase, and covers: regional trends; the form or forms of social dialogue used; specific and visible "process outcomes" (such as signed agreements or joint statements) reached through social dialogue on policies to offset the impacts of the pandemic; the overall content of such outcomes; and the expected or actual articulation (links) between different forms and levels of social dialogue. The Brief presents observations on policy issues and possible avenues for constituents. It is based on research during the initial phase of the pandemic, in countries and territories for which information has been made available through the ILO repository of country responses to the pandemic and various publicly accessible databases and sources (Annex 2).

1 This Brief draws on research conducted at the Dialogue & Tripartism Unit (DIALOGUE) of the Governance & Tripartism Department (GOVERNANCE), ILO Geneva. It was prepared by Konstantinos Papadakis (ILO, Geneva), Maria Mexi (ILO consultant) and Romane Cauqui (ILO consultant).

2 ILO, Social Dialogue and Tripartism, A Recurrent Discussion on the Strategic Objective of Social Dialogue and Tripartism, under the Follow-up to the ILO Declaration on Social Justice for a Fair Globalization. Report VI. ILC.107/VI (2018).

3 K. Tapiola, An ILO for All Seasons – The International Labour Organization's Ways out of Crisis (ILO, 2020).

4 This Brief focuses on national and sectoral peak-level social dialogue, or in their absence, on dialogue at the highest administrative or sectoral level (for example, the federal level).

Key points

For 15 March to 10 June 2020, it was found that:

- A majority of countries and territories – 134 out of 188, or 71 per cent – used peak-level social dialogue, whether tripartite or bipartite, either singly or together, as part of their response to the COVID-19 crisis.
- Among the 134, 13 per cent (17 countries and territories) used only bipartite social dialogue; 46 per cent (61) used only tripartite social dialogue; and 42 per cent (56) used both bipartite and tripartite social dialogue.
- Twenty-three countries and territories used only bilateral interactions between government and employers, or between government and workers. This practice does not amount to social dialogue, even though it may have started to pave the way to social dialogue in the future.
- Seventy-five of the 134 countries and territories achieved 177 "specific and visible process outcomes", such as guidelines, codes of conduct, declarations, social pacts and agreements.
- Among these 75, 37 achieved more than one outcome (from two to 12), pointing to a continuing commitment of the tripartite partners to address, through social dialogue, multiple aspects of the pandemic, such as sector or profession-specific impacts.
- Only 23 per cent (40) of the 177 outcomes were reached within a previously existing formal structure of social dialogue, such as a tripartite labour council, or an economic and social council or similar body. Most outcomes – 75 per cent (134) – were reached outside such a structure, either in ad hoc meetings or, in very few cases – 2 per cent (3) – within ad hoc bodies created specifically in response to the pandemic.
- The social dialogue outcomes concerned all four "pillars" of the ILO policy framework for responding to the COVID-19 crisis.[5] Most outcomes to support enterprises, jobs and incomes, and to protect workers in the workplace (respectively, Pillars 2 and 3), were adopted through peak-level bipartite social dialogue between employers and workers. A majority of proposals and measures relating to stimulating the economy and employment (Pillar 1) and to relying on social dialogue for solutions (Pillar 4) were cross-sectoral.
- Of the 177 outcomes, 23 per cent (40) recommended additional social dialogue at lower levels, such as the sector or enterprise level, or required its use for implementation and monitoring purposes at these levels – signalling a need for better articulation among the different levels of social dialogue (national, federal, regional, sectoral and enterprise).
- Only a small minority of social dialogue outcomes (8 per cent or 14 outcomes) concerned measures specifically targeting workers and business units in the informal or undeclared economy, migrant workers, freelancers and self-employed.

5 ILO, A Policy Framework for Responding to the COVID-19 Crisis, Policy Brief (18 May 2020).

▶ Background

The COVID-19 crisis is hugely disrupting the economies and societies of most of the planet's countries, laying bare the extreme vulnerability of many tens of millions of women workers,[6] older persons, youth,[7] migrant workers,[8] informal and unprotected workers[9] – including the self-employed, casual and "gig" workers[10] – as well as small and medium-sized enterprises.

According to the latest ILO estimates from September 2020, large-scale workplace closures in response to COVID-19 reduced hours worked by 17.3 per cent worldwide in the second quarter of 2020 relative to the fourth quarter of 2019. This translates into the loss of 495 million full-time jobs (calculated on the basis of a 48-hour working week), with lower-middle-income countries the hardest hit.[11] By April 2020, in the sectors most affected by the COVID-19 crisis – notably wholesale and retail trade and accommodation and food services – no fewer than 436 million enterprises (employers and own-account workers) were at high risk of serious disruption.[12]

With immediate employment and income losses as well as additional increases in income inequality among workers, an even greater proportion of long-term vulnerable workers –such as in the informal sector – has been left behind. Women workers have been disproportionately affected, mainly because of the impact of the downturn on the service sector, and because they account for a large proportion of "front-line" workers, especially in the health and social care sectors.[13]

From an ILO perspective, social dialogue – based on respect for freedom of association and the effective recognition of the right to collective bargaining – has a crucial role in designing policies to promote social justice, decent work and sustainable enterprises in times both of prosperity and of crisis. Above all, social dialogue can contribute to reconciling competing interests, and build trust in, commitment to and ownership of such policies.

The ILO's engagement in social dialogue is predicated on its constitutional mandate and forms one of the four strategic objectives of the Decent Work Agenda, which provides the basis for interventions particularly relevant to the pandemic. The Organization has already laid out a policy framework for responding to the crisis, based on international labour standards and with a focus on decent work objectives (box 1).[14]

Since the initial phase of the COVID-19 pandemic, the ILO has called on governments to join forces with the social partners – employers and/or employers' organizations, and workers' organizations, representing the actors of the real economy – in order to shape national policies to mitigate the impacts of the crisis, support their constituents, and help to design a return to work that is safe and keeps businesses running.[15] This call is based on Pillar 4 of the policy framework.[16]

Initial observations by the ILO of national policy responses have highlighted numerous instances where social dialogue and the social partners have played an important role in shaping such responses in many ILO member States.[17]

6 ILO, The COVID-19 Response: Getting Gender Equality Right for a Better Future for Women at Work, Policy Brief (11 May 2020).

7 ILO, Global Survey on Youth and COVID-19 (3 April 2020).

8 ILO, Protecting Migrant Workers during the COVID-19 Pandemic, Policy Brief (30 April 2020).

9 ILO, COVID-19 Crisis and the Informal Economy: Immediate Responses and Policy Challenges, Policy Brief (5 May 2020).

10 M. Mexi, The Future of Work in the Post-Covid-19 Digital Era, Social Europe (April 2020).

11 ILO, ILO Monitor: COVID-19 and the World of Work, 6th edition (23 September 2020). The briefing notes in the series "ILO Monitor: COVID-19 and the World of Work" provide regularly updated estimates on the impact of the crisis on workers and enterprises.

12 ILO, ILO Monitor: COVID-19 and the World of Work, 3rd edition (29 April 2020).

13 Moreover, the increased burden of unpaid care brought by the crisis affects women more than men. See ILO Monitor, COVID-19 and the World of Work, 5th edition (30 June 2020).

14 ILO, A Policy Framework for Responding to the COVID-19 Crisis, Policy Brief (18 May 2020).

15 ILO, The Need for Social Dialogue in Addressing the COVID-19 Crisis, Policy Brief (5 May 2020).

16 ILO, Pillar 4: Relying on Social Dialogue for Solutions, Policy Brief (May 2020).

17 ILO, The Need for Social Dialogue in Addressing the COVID-19 Crisis, Policy Brief (5 May 2020); ILO, Employers and Workers Negotiating Measures to Prevent the spread of COVID-19, Protect Livelihoods and Support Recovery: A Review of Practice, Brief (3 July 2020).

This Brief moves further, seeking to provide a structured overview of the ways that national bipartite and tripartite social dialogue have been used to shape policy measures for mitigating the impacts of the pandemic. It is based on a dataset of information from multiple sources, such as the ILO repository of country responses, external repositories as well as primary sources, notably the numerous outcomes of social dialogue processes dealing with the COVID-19 crisis, including guidelines, codes of conduct, declarations, social pacts and agreements. The Brief covers developments from 15 March to 10 June 2020.

Some caveats though, may be in order. This Brief does not, for example, capture social dialogue developments at enterprise level, such as collective bargaining agreements or workplace cooperation arrangements at that level. Nor does it provide an assessment of the specific features of social dialogue institutions in any given country or territory, of the autonomy of workers' and employers' organizations, or of any legal or political obstacles that the social partners may face. Finally, it is likely that incomplete reporting will mean that some instances of social dialogue have not been captured in the dataset and Brief.

▶ Box 1. The ILO policy framework: Four key pillars to fight the COVID-19 crisis based on international labour standards

Pillar 1	Pillar 2	Pillar 3	Pillar 4
Stimulating the economy and employment	**Supporting entreprises, jobs and incomes**	**Protecting workers in the workplace**	**Relying on social dialogue for solutions**
• Active fiscal policy • Accommodative monetary policy • Lending and financial support to specific sectors, including the health sector	• Provide various types of relief, including financial and tax relief, for enterprises • Implement employment retention measures • Extend social protection to everyone	• Strengthen occupational safety and health measures • Adapt work arrangements (e.g. teleworking) • Prevent discrimination and exclusion • Provide access to health for all • Expand access to paid leave	• Strengthen the capacity and resilience of employers' and workers' organizations • Strengthen the capacity of governments • Strengthen social dialogue, collective bargaining and labour relations institutions and processes

▶ Social dialogue responses in the early months of the pandemic

A global map of peak-level social dialogue

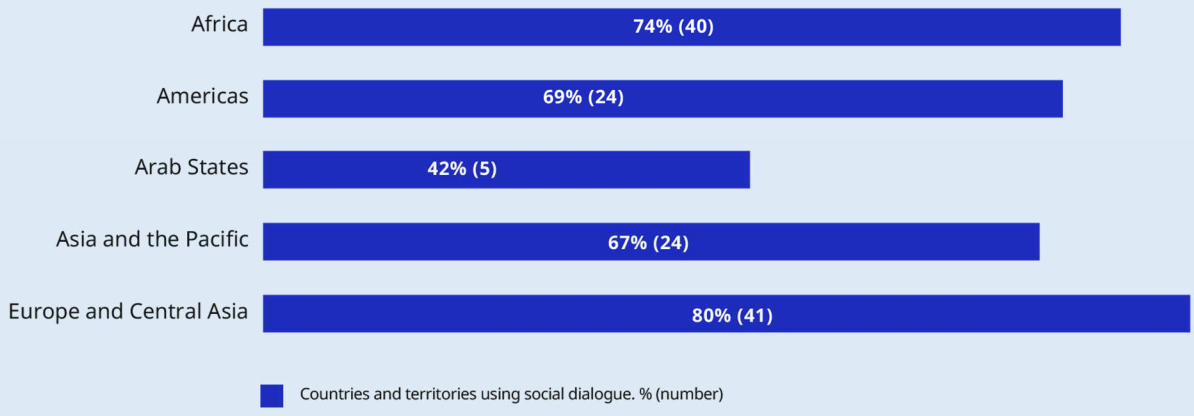
▶ *Wide recourse to social dialogue has been observed in most counties and territories as part of their response to the COVID-19 crisis.*

Social dialogue has responded to a crisis that affects countries to varying degrees. By mid-June 2020, governments and peak-level national or sectoral organizations of workers and employers in most countries and territories (134 out of 188 reviewed, or 71 per cent) had used peak-level social dialogue – bipartite alone, tripartite alone, or together – for formulating proposals or specifying the implementation of policy measures relating to the emergency and emergence from lockdown.

Peak-level social dialogue by region

By region, Europe and Central Asia shows largest use of peak-level social dialogue, at 80 per cent of countries and territories (figure 1), as of mid-June 2020. The Arab States presents the lowest use, at 42 per cent.

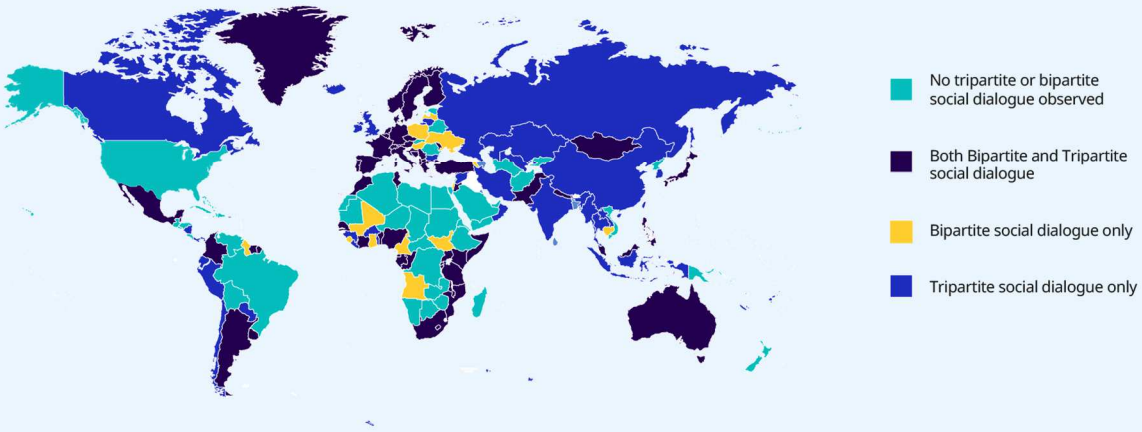
▶ **Figure 1. Share of countries and territories using social dialogue**



Forms of social dialogue used

Both forms of social dialogue, either singly or together, and outcomes of social dialogue have been observed at country level. Based on information available, Map 1 illustrates the global prevalence of peak-level social dialogue, with the caveat that social dialogue may not have been captured in some countries owing to a lack of reporting.

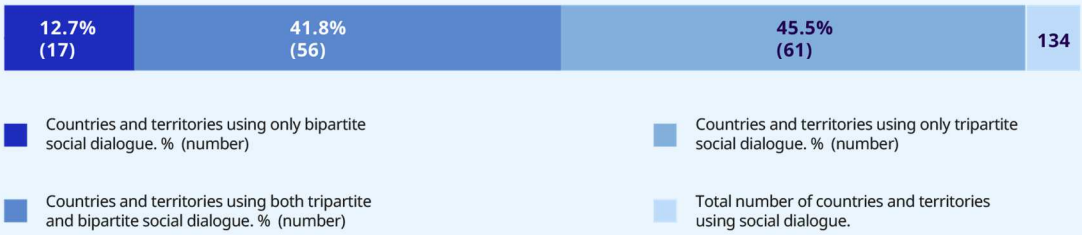
▶ **Map 1: Form(s) of social dialogue used**



▶ *The most common form of social dialogue used by governments and peak-level organizations of employers and workers was tripartite social dialogue at the cross-sectoral and sectoral levels.*

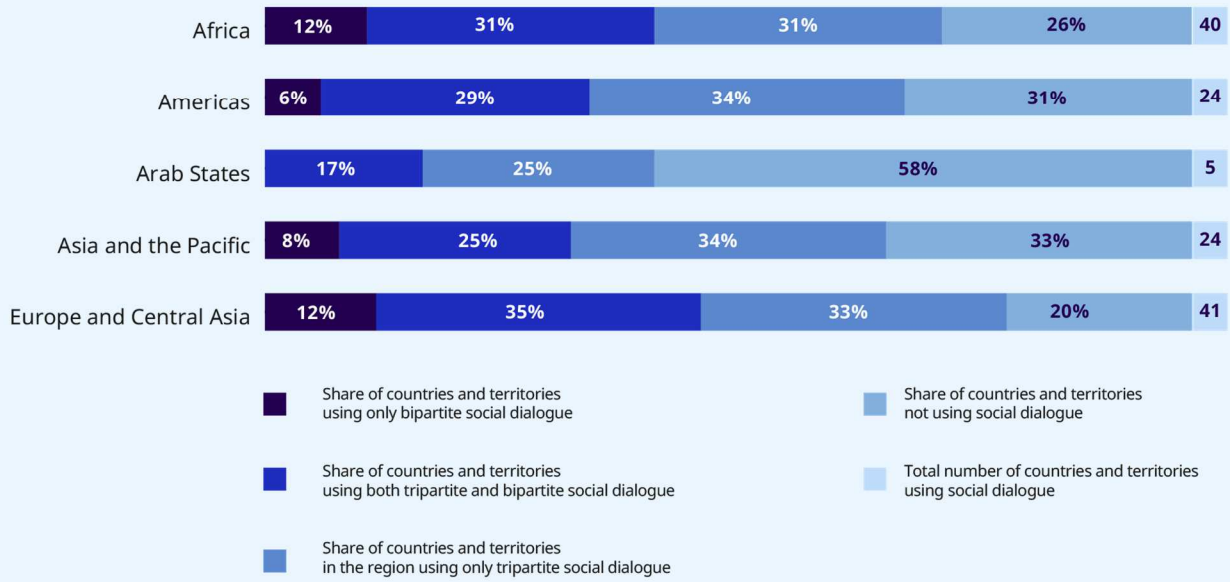
Among the 134 countries and territories using peak-level social dialogue, 13 per cent (17 countries and territories) used only bipartite social dialogue, 46 per cent (61) only the tripartite form, and 42 per cent (56) both forms (figure 2). Thus, alone or in combination, bipartite social dialogue has been used in 54 per cent of the countries using social dialogue, and tripartite social dialogue in 87 per cent.

▶ **Figure 2. Forms of social dialogue used by countries and territories**



The predominance of tripartism may denote a certain effort by governments to achieve the broadest possible consensus during the crisis and may mark their interest in participatory policy design, given the high stakes created by the pandemic. By region, in Europe and Central Asia, 68 per cent of countries used tripartite social dialogue and 47 per cent the bipartite form, alone or in combination (figure 3). A similar pattern is seen in Africa (62 per cent and 43 per cent, respectively), Asia and the Pacific, and the Americas (around 60 per cent and over 30 per cent respectively). The Arab States had the lowest rates, at 42 per cent and 17 per cent, respectively.

▶ **Figure 3. Share of countries and territories and forms of social dialogue used, by region**



Bilateral interactions: Government–employers or government–workers

▶ *In some countries, only bilateral interactions – either between government and employers or between government and workers – were observed during the initial phase. This practice does not amount to social dialogue, even though it may have paved the way to social dialogue in the future.*

During the initial phase of the pandemic, in 23 countries of the 188 countries and territories reviewed, governments interacted either exclusively with one of the two social partners, or with both but separately and on varying topics (boxes 2 and 3). These interactions facilitated information sharing, allowing the government to collect requests and proposals from either workers' or employers' organizations.

▶ Box 2. Observed bilateral interactions in 23 member States (15 March to 10 June 2020)

Bilateral interactions only between government and employers	Bilateral interactions only between government and workers	Bilateral interactions between government and employers and government and workers, separately
Albania	Djibouti	Bahrain
Bolivia	Eritrea	Costa Rica
Central African Republic	Georgia	Estonia
Congo	Romania	Mauritius
El Salvador	Slovakia	New Zealand
Gambia	Tajikistan	
Kiribati	Viet Nam	
Lebanon		
Qatar		
Saudi Arabia		
Tonga		

▶ Box 3. Bilateral interactions – country cases

In Costa Rica, the Government engaged with both workers' and employers' organizations, separately. In engaging with the former, the Government took note of trade unions' concerns about suspension of employment and wages and of proposals to respond to the crisis. Further, trade unions lobbied to operationalize laws (Law 21.759, for example, aimed to strengthen the fight against extreme poverty). At the same time, exchanges between the Costa Rican Union of Chambers and Associations of Private Enterprise (UCCAEP) and the Government registered employers' proposals on measures to address the impacts of COVID-19 on their businesses and employees.

In Viet Nam, the General Confederation of Labour (VGCL) agreed directly with the Government on various government measures: a guarantee of 1.8 million VND (US$78) per month for a laid-off worker for three months; a monthly payment of 1 million VND for dismissed workers not covered by unemployment benefit; a monthly payment of 1 million VND per month for three months, for individuals, business and households with yearly revenues below 100 million VND who have to temporarily close owing to social distancing measures; and a temporary exemption for workers to pay their obligatory contribution to the retirement and survivors' fund until 20 June 2020.

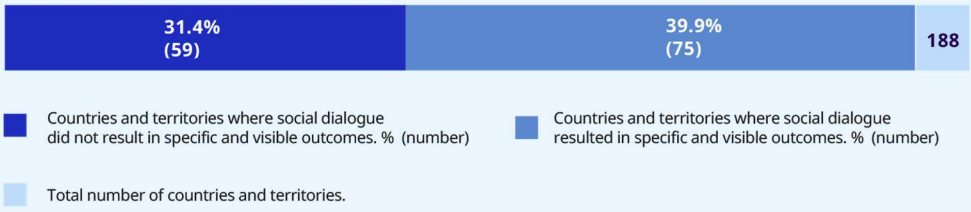
Outcomes of social dialogue

Number of outcomes

▶ *Seventy-five of the 134 countries and territories that used peak-level social dialogue, both tripartite and bipartite, during the initial phase of the pandemic achieved 177 "specific and visible" process outcomes.*

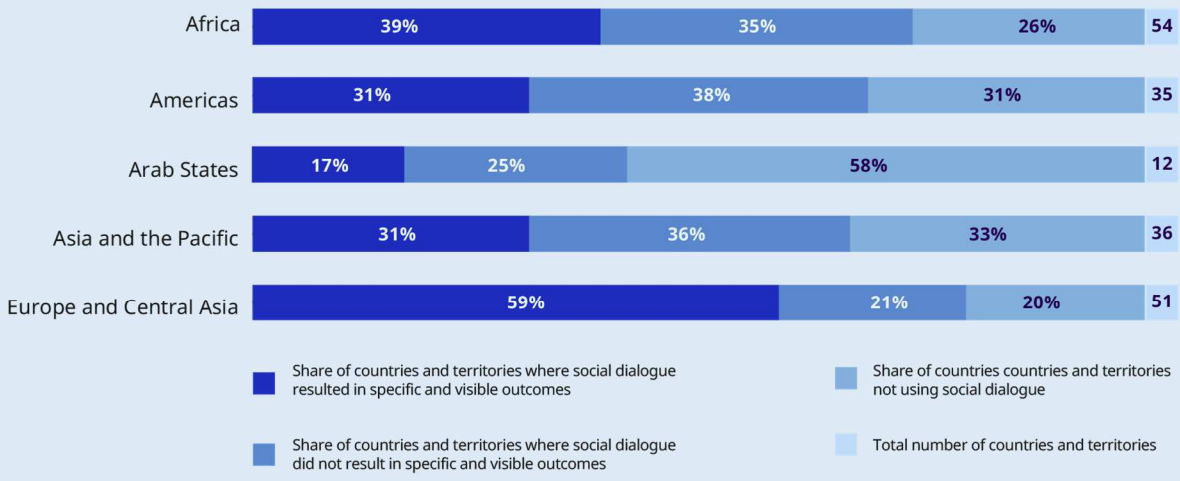
Seventy-five countries and territories (40 per cent of the 188 countries and territories reviewed) have achieved at least one specific and visible outcome through social dialogue at national level, including guidelines, codes of conduct, social pacts, declarations and agreements; the remaining countries (59) did not have such outcomes (figure 4). The dataset was, however, unable to be used for assessing the impacts of social dialogue on society and the economy – an important question but one that goes beyond this Brief's scope.

▶ **Figure 4. Share of countries and territories using social dialogue**



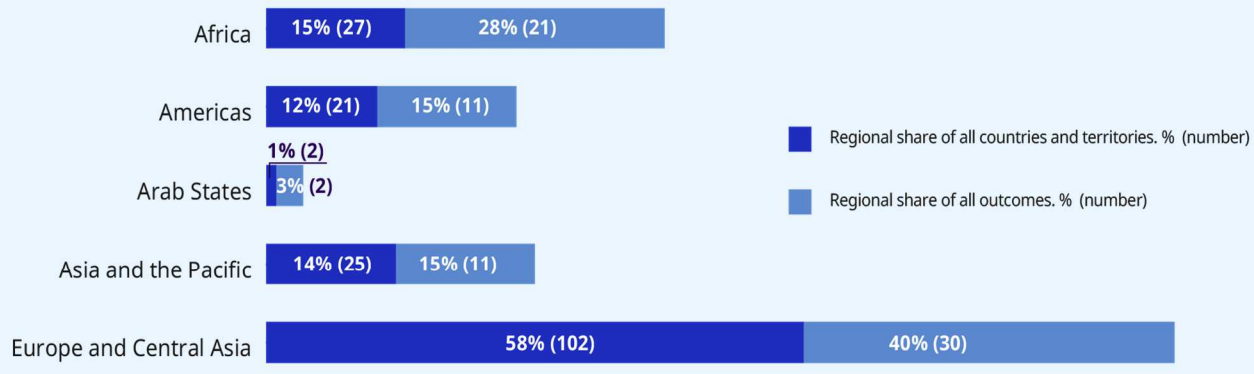
By region, the use of social dialogue resulted in specific and visible outcomes most frequently in Europe and Central Asia (59 per cent of member States), and least frequently in the Arab States (17 per cent – figure 5).

▶ **Figure 5. Share of countries and territories using social dialogue, by region**



From an outcomes rather than country angle, some 58 per cent of the 177 outcomes observed globally were achieved in Europe and Central Asia, by far the most among the regions. Once again, the Arab States had the smallest share, at 1 per cent of all outcomes (figure 6).

▶ **Figure 6. Distribution of the 177 outcomes and the 75 countries and territories, by region**



Countries with multiple outcomes

▶ *Thirty-seven of the 75 countries achieving a specific and visible outcome through social dialogue registered multiple outcomes.*

Of the 75 countries that achieved a specific and visible outcome, 37 had more than one, an indication of the need to address various aspects of the pandemic, such as sector- or profession-specific impacts, through social dialogue. Europe and Central Asia accounted for the majority – 60 per cent – of the total, with the Americas and the Arab States showing weaker performances (figure 7).

▶ **Figure 7. Share of countries and territories with multiple outcomes, by region**

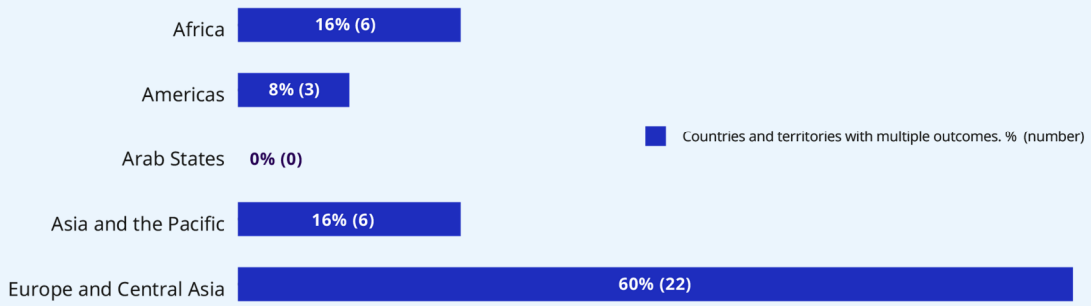
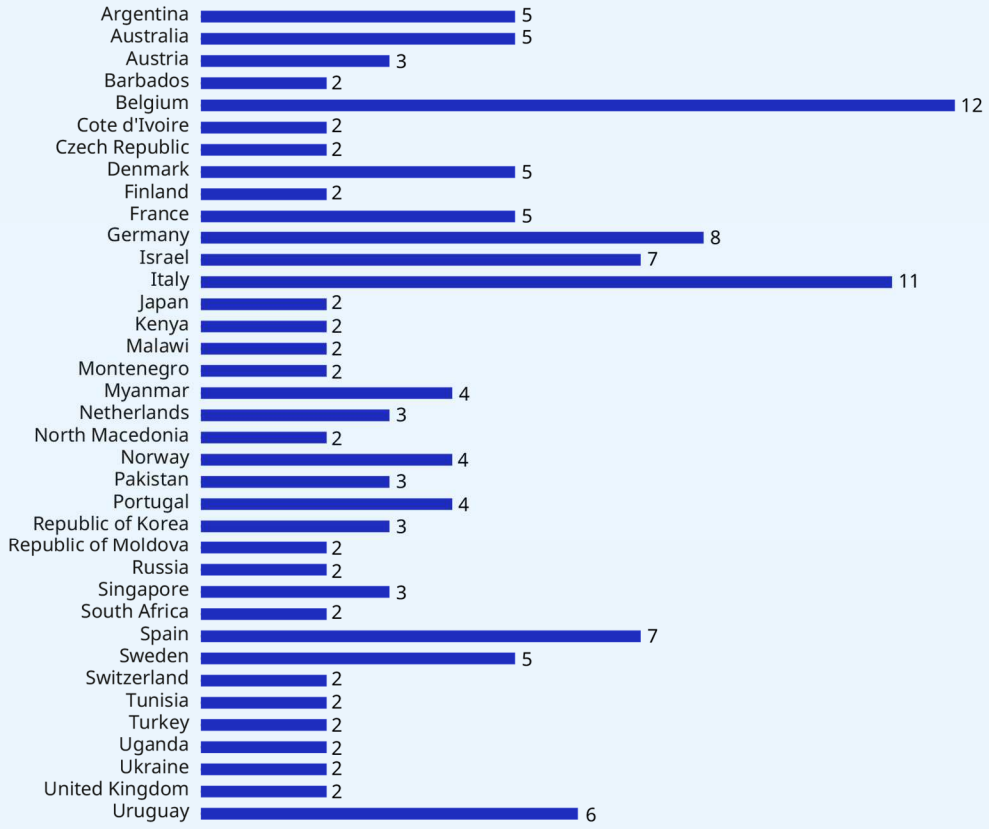


Figure 8 shows the countries with multiple outcomes, and box 4 looks more closely at Belgium.

▶ **Figure 8. Thirty-seven countries with multiple outcomes**



▶ **Box 4. Countries achieving multiple outcomes – the case of Belgium**

In Belgium, the deep-rooted culture of social dialogue led to an impressive number of specific and visible outcomes. The leadership of social partners' organizations (the "Group of 10") adopted a joint declaration on tackling the socio-economic impact of the COVID-19 crisis of employers and workers organizations, and agreed on concrete measures. Further, several formal bipartite advisory opinions were released and an inter-professional collective agreement adopted in the National Labour Council (a bipartite body) on issues of common concern for labour and management (from postponing social elections at enterprise level to relaxing temporary unemployment rules). The federal Government (with a minority cabinet) supported most bipartite proposals unanimously.

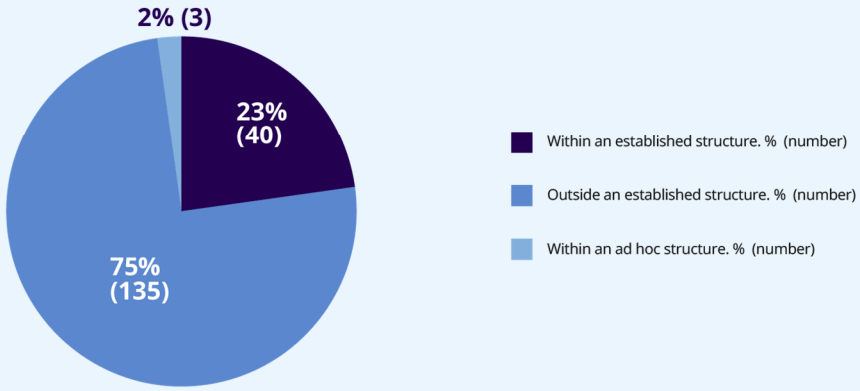
At sectoral level, bipartite sectoral committees issued joint declarations (such as those for the food industry and logistics), calling for intensified social dialogue at enterprise level for employment preservation and promotion of occupational safety and health (OSH). The Group of 10 supported the publication of a joint manual on COVID-19 OSH measures at the workplace. Existing consultative bodies (such as works councils, OSH committees and the boards of social security institutions in which the social partners are members) remained very active. On 7 July 2020, the social partners of the federal health sector and the federal Government agreed on a comprehensive package aimed at improving wages and employment conditions in the sector.

Where were outcomes achieved during the pandemic's early months?

▶ *Only in a minority of countries were social dialogue process outcomes achieved in an established social dialogue structure.*

Shortly before the pandemic, over 160 states of the 187 ILO member States (some 90 per cent) had established a national social dialogue institution, such as a tripartite labour council, a national council for social dialogue, or an economic and social council or similar institution, including mechanisms of social dialogue on ILO-related matters as per Tripartite Consultation (International Labour Standards), 1976 (No. 144), ratified by 153 countries. However, of all the 177 outcomes studied for this assessment, only 23 per cent (40 outcomes) were achieved within a previously existing formal structure. The remaining outcomes were achieved outside such a structure either on the occasion of ad hoc bipartite or tripartite meetings (75 per cent, 134 outcomes), or in a very few cases (2 per cent, 3 outcomes) within an ad hoc body created specifically in response to the pandemic (figure 9). The bulk of these ad hoc bodies included – in addition to Labour Ministries and social partners – other stakeholders such as Ministries of Health, Economy and Finance, epidemiologists, other health experts and academics.

▶ **Figure 9. Share of social dialogue outcomes reached within or outside formally established structures**



This finding in itself does not necessarily have a bearing either on the quantity or quality of social dialogue outcomes achieved, or on the progressive involvement of social dialogue institutions at a later stage (in Côte d'Ivoire for example – box 5). It denotes either a certain unpreparedness of existing structures for a national emergency, or a certain lack of willingness on behalf of governments to engage through existing structures. It may also relate to the fact that national tripartite social dialogue structures are often seen as bodies with a "strategic" long-term rather than an "operational" short-term orientation.

From another angle, the creation of ad hoc social dialogue structures has been an illustration of the adaptive and agile nature of social dialogue, depending on national circumstances. Still, such ad hoc structures need the social partners to be involved and challenges in coordination (between formal and ad hoc processes) to be addressed (box 6). In some cases, the parallel operation of formal and ad hoc social dialogue bodies generated coordination challenges.

▶ **Box 5. Ad hoc social dialogue structures taking precedence over formal structures during the pandemic – the case of Côte d'Ivoire**

In Côte d'Ivoire, the *Conseil National du Dialogue Social* (CNDS) appeared unprepared for dealing with a crisis of such magnitude. The role of the social partners was therefore minimal during the first stages of the pandemic when the social partners discovered the government measures to protect business, the economy and workers, often through the media. Progressively however, informal bipartite or tripartite meetings took place while an ad hoc tripartite COVID-19 consultative structure gave the social partners the opportunity to consult with the government on labour-related matters. (The ad hoc body is mandated to operate under the auspices of the Ministry of Labour throughout the pandemic, and includes the leadership of the social partners and the president of the CNDS.) On 20 March 2020, the social partners signed a bipartite agreement, amended on 29 March, which contains recommendations addressed to the Government and the ad hoc COVID-19 tripartite body. Among other things, the agreement proposes additional measures on protecting business and workers, including the creation of a COVID-19 special fund to be managed by a tripartite structure. It also calls upon the Government to capacitate the CNDS by improving its legal status and endowing it with resources.

▶ Box 6. Ad hoc bodies operating in parallel with functioning social dialogue structures during the pandemic

In Belgium, formal social dialogue bodies continued to operate during the pandemic and proved very productive in devising jointly agreed emergency responses (see figure 8). However, to respond to the crisis more quickly, the federal Parliament mandated the Government to adopt measures by decree for three months from 30 March 2020. The country's federal and regional governments created new ad hoc groups and committees for managing the health, social and economic dimensions of COVID-19 relevant to the world of work and to measures related to the employment relationship and social protection. This complicated the involvement of the social partners in policy design and generated concerns among them as to the transparency and effectiveness of decision-making. For instance, at federal level, an Economic Risk Management Group (ERMG) assessed the impacts of the pandemic on businesses and sectors and formulated recommendations aimed to protect businesses, the self-employed and households. The social partners were involved in the ERMG. Further, several members of the federal Parliament presented legal proposals for addressing COVID-19. Some of these have had a direct impact on labour and social rules agreed on by the social partners. The Parliament also requested an opinion of the National Labour Council (CNT-NAR) on a number of these proposals, yet at short notice. At the end of the three months, the CNT-NAR urged the Government to re-establish the "traditional processes of involvement of social partners at all levels", including in relation to CNT-NAR.

Source: CNT-NAR, "Rapport présenté conformément aux dispositions de l'article 22 de la Constitution de l'Organisation internationale du Travail, pour la période du 1er juin 2019 au 31 mai 2020, par le gouvernement de Belgique, sur les mesures prises pour faire porter effet aux dispositions de la convention sur les consultations tripartites relatives aux normes internationales du travail, 1976", Rapport 120, 14 July 2020.

Content of outcomes classified by the four pillars of the ILO policy framework

▶ *Peak-level social dialogue helped to formulate proposals to address the pandemic's impacts in all four pillars of the relevant ILO policy framework (see box 1 for a summary of the pillars).*[18]

Among the proposals and measures relating to economic and employment stimulus (Pillar 1), the most frequently mentioned concerned active fiscal policies, such as financial relief for enterprises (particularly micro- and small enterprises), and income support for workers. Within the broader category of supporting enterprises, jobs and incomes (Pillar 2), a wide majority of outcomes related to measures for employment retention, as in the form of short-time work arrangements, promoting company mobility, or re- or upskilling. This is not surprising because, during the initial phase, COVID-19 responses emphasized protective measures for jobs and enterprises captured in these two pillars.

On proposals and measures for protecting workers at the workplace (Pillar 3), social dialogue outcomes focused largely on OSH and work arrangements (such as telework), and to a lesser extent, paid sick and family leave. On proposals aimed at relying on social dialogue for solutions (Pillar 4), the most cited was that of strengthening national tripartite social dialogue and the role of social dialogue and the social partners (as in South Africa for example, box 7).

18 ILO, A Policy Framework for Responding to the COVID-19 Crisis, Policy Brief (18 May 2020).

▶ Box 7. Social dialogue and ILO's four pillars – the case of South Africa

In South Africa, a Coronavirus Response Task Team was established at the National Economic Development and Labour Council (NEDLAC) – the country's national social dialogue institution consisting of organizations from government, business, labour and the community. Social dialogue was used for consulting and reaching agreements on policy responses touching on all four ILO pillars. Further, business and labour pledged to work together on sector-specific issues to give effect to common commitments. These issues included short-time work, shift work, teleworking and other workplace arrangements put in place to contain the spread of the virus. The social partners took steps to protect workers and their families in sectors particularly affected by the pandemic, through the signing of sectoral collective agreements reached with the country's sectoral bargaining councils. The agreements – all extended to non-parties by the Minister of Labour – guaranteed several weeks of full pay for thousands of workers in the textiles, clothing manufacturing, electrical and (bus) transport industries, drawing on a COVID-19 Temporary Employer/Employee Relief Scheme.

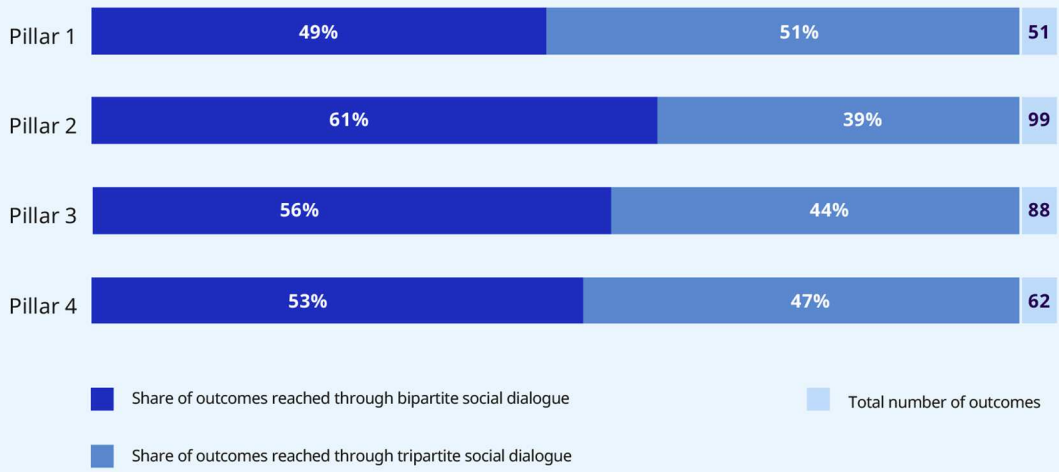
▶ *Bipartite social dialogue helped to adopt the majority of outcomes aimed at supporting enterprises, jobs and incomes (Pillar 2) and at protecting workers in the workplace (Pillar 3).*

Peak-level bipartite social dialogue[19] was the main form of social dialogue used for devising solutions aimed at supporting enterprises, jobs and incomes (Pillar 2) and protecting workers in the workplace (Pillars 3) – with 61 and 56 per cent of related outcomes, respectively. Bipartite social dialogue was the form preferred for outcomes related to Pillar 4, with 53 per cent of outcomes. (Among all outcomes achieved through bipartite social dialogue, around 40 per cent were called "agreements".)

In contrast, tripartite social dialogue was predominant in formulating outcomes relating to stimulating the economy and employment (Pillar 1), with 51 per cent of related outcomes (figure 10). (As some outcomes featured proposals and measures relating to more than one pillar, the numbers in the relevant figures sum to 300 and not to 177.)

19 Numerous examples are highlighted in ILO, Employers and Workers Negotiating Measures, Brief (3 July 2020).

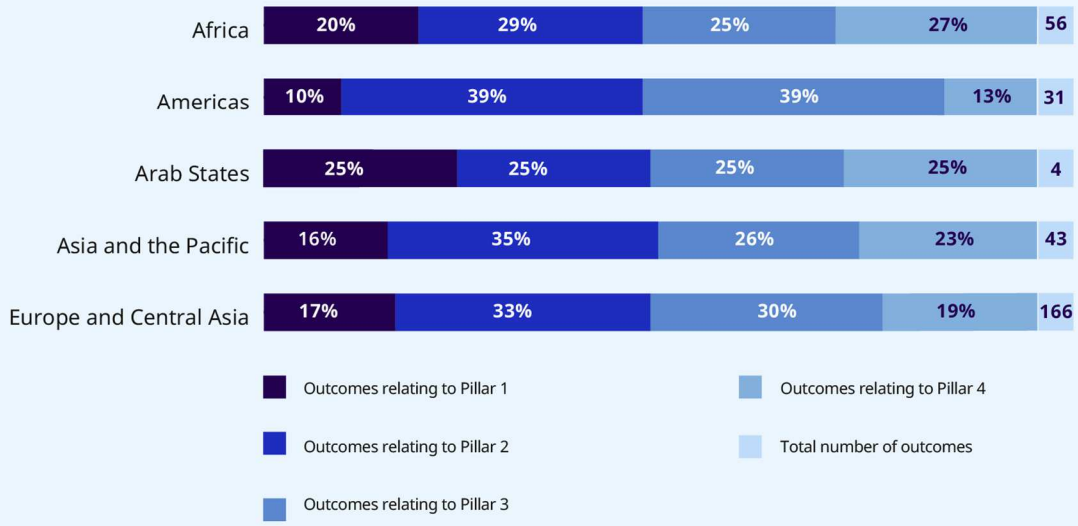
Figure 10. Distribution of outcomes by pillar and form of social social dialogue used



Across all regions, outcomes relating to Pillar 1 and to Pillar 4 were less common than outcomes relating to Pillars 2 and 3.

This pattern was particularly clear in the Americas, where 78 per cent of the outcomes related to Pillars 2 and 3, somewhat less so in Europe and Central Asia (63 per cent), and in Asia and the Pacific (61 per cent). In Africa, outcomes had roughly the same share for all pillars, and in the Arab States, identical shares (figure 11).

Figure 11. Share of outcomes relating to each pillar, by region



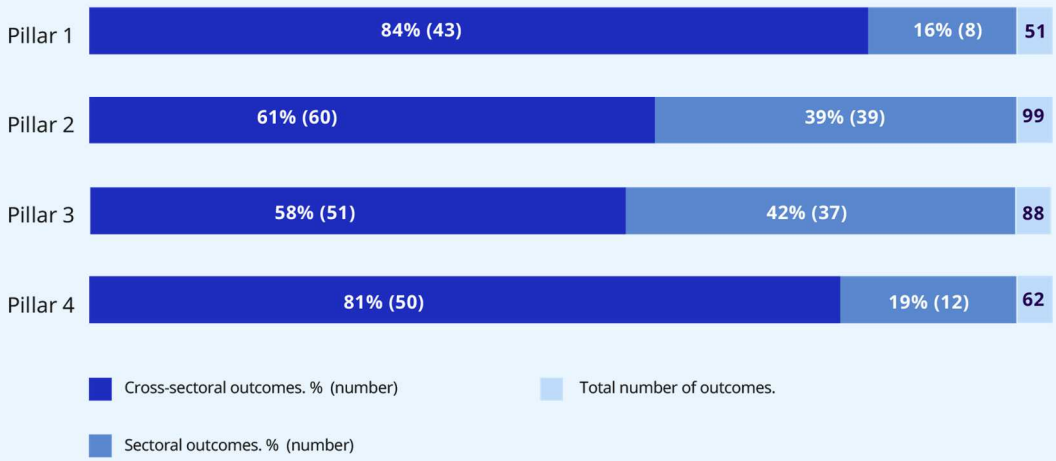
Cross-sectoral and sectoral dimensions

Cross-sectoral outcomes (as opposed to sectoral outcomes) predominate under all four pillars – the majority were achieved through tripartite social dialogue.

The bulk of cross-sectoral outcomes – roughly 70 per cent of all 177 outcomes reviewed – were quite evenly distributed among all four pillars. They were largely predominant in the formulation of proposals and measures on stimulating the economy and relying on social dialogue for solutions (Pillars 1 and 4), where they make up, respectively, 84 and 81 per cent of the outcomes for those pillars. Sector-specific and visible outcomes – less present worldwide than cross-sectoral outcomes – mainly concerned proposals and measures for supporting enterprises, jobs and incomes, and protecting workers in the workplace (relating to Pillars 2 and 3) (figure 12).

Unsurprisingly, while a large part of sectoral outcomes have been achieved through bipartite social dialogue (83 per cent), most (barely) cross-sectoral outcomes have been achieved through tripartite social dialogue (54 per cent). These findings may well, however, reflect underreporting of sector-specific dialogue and outcomes. (Dialogue involving sectoral social partners, as well as its outcomes, tends to be less visible than social dialogue involving cross-sectoral organizations of employers and workers.)

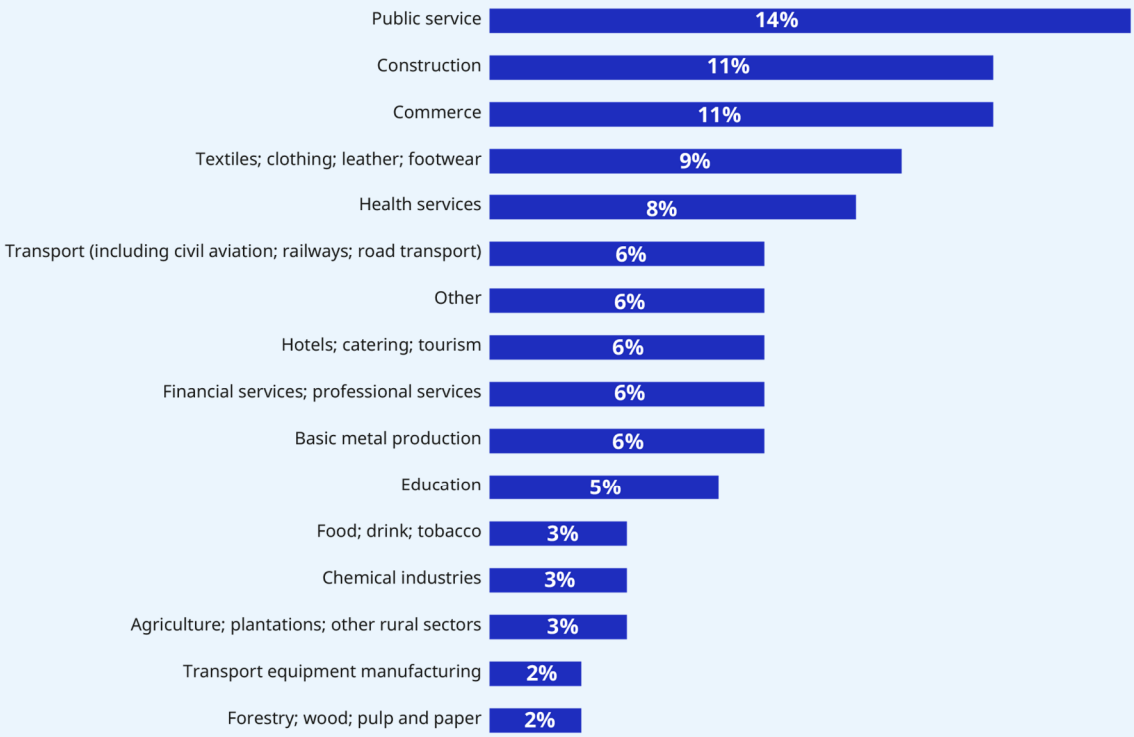
▶ **Figure 12. Coverage of outcomes, by pillar**



▶ *Roughly half of all outcomes achieved through sectoral social dialogue concerned public service; construction; commerce; and textiles, clothing, leather and footwear.*

Social dialogue and its outcomes aimed to protect the jobs, incomes and health of workers in sectors hit hard by the pandemic (figure 13 and box 8). In some countries, several outcomes related to the same sector – an indication of the need for updating, reviewing or expanding their scope over time, in line with the evolution of the pandemic and sector-specific needs. Some of these outcomes aimed to provide coverage and relief to the self-employed, too.

▶ Figure 13. Share of outcomes related to each sector



▶ **Box8. Sectoral social dialogue – country cases**

Australia has witnessed extensive bipartite sectoral social dialogue, leading the Fair Work Commission to adjust "awards" regulating minimum pay rates and conditions of employment in specific sectors, in line with requests from the social partners. In the hospitality sector, for instance, employees were given the possibility to work across job categories (with varying entitlements), while employers were allowed to reduce the work time of employees and place them under paid annual leave during the crisis-induced economic downturn. Similar arrangements were agreed on awards in the automotive, repair, services and retail sectors.

In Uruguay**,** numerous instances of social dialogue within the Higher Labour Council (*Consejo Superior del Trabajo*) and specialized tripartite bodies led to agreements on OSH protocols on prevention of the pandemic from spreading in the workplace, on worktime arrangements, and on the support of workers through partial unemployment insurance. They covered, for example, the construction, transport and logistics sectors and the cargo subsector. On 20 April, an agreement between the Ministry of Labour and Social Security, the Chamber of Industries of Uruguay, the National Chamber of Commerce and Services and the *Plenario Intersindical de Trabajadores – Convención Nacional de Trabajadores* (through their representatives at the National Institute of Employment and Vocational Training) led to the transfer of 6 million Uruguayan pesos from the Labour Reconversion Fund to a Coronavirus Solidarity Fund, aimed at supporting 10,115 *monotributistas* (self-employed), who received a subsidy of 6,780 Uruguayan pesos a month for two months.

In the Republic of Korea, a Health Care Sector Tripartite Agreement on how to overcome the COVID-19 crisis (19 March 2020), included commitments for labour and management to protect patient safety and to prevent infection and exhaustion of medical staff, to improve the working environment in the health-care sector, and to maintain employment of health-care workers.

Peak-level social dialogue opening space for additional instances of social dialogue at lower levels and to promote articulation among them

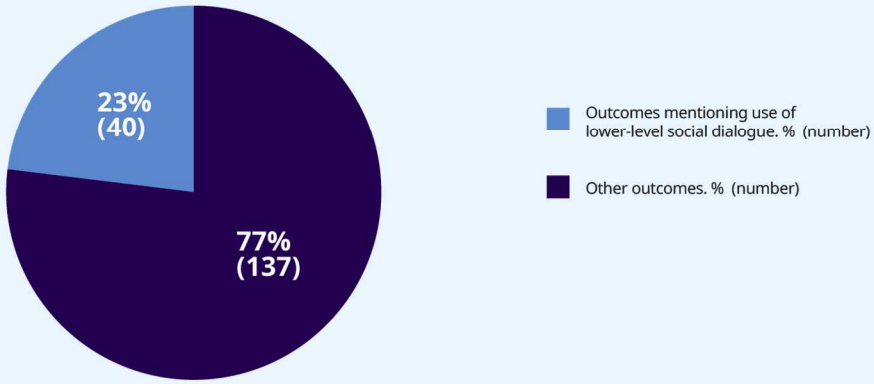
▶ *National bipartite or tripartite social dialogue and its outcomes aimed, not only to shape government policies, but also to trigger additional instances of social dialogue at lower – sectoral and enterprise – levels.*

Beyond informing the design and ensuring ownership of social and economic policies, peak-level social dialogue often performs a key function of articulation, or linkage, among the levels of social dialogue, on the basis of which other social dialogue outcomes may be achieved, such as collective bargaining agreements at sectoral and enterprise levels.

The pandemic confirmed this two-fold function of peak-level social dialogue. On the one hand, process outcomes contained broad socio-economic proposals to policymakers aimed at preventing further spread of the pandemic and managing lockdown impacts (as in the Republic of Korea), including through responsible retrenchment (Singapore) (box 9).

On the other, 23 per cent (40) of the 177 process outcomes contained recommendations on additional social dialogue at sectoral or enterprise levels, or required its use for implementation or monitoring purposes at these levels (figure 14) – a signal for the need for articulation among the levels of social dialogue.

▶ **Figure 14. Outcomes that recommended or required lower-level social dialogue**



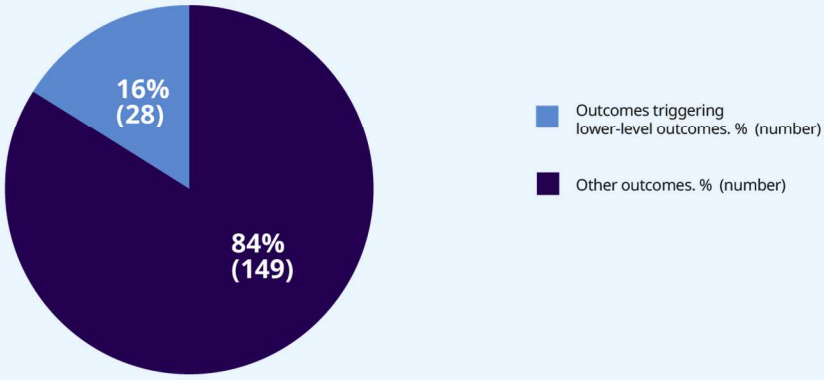
▶ **Box 9. Peak-level social dialogue calling for articulation between social dialogue at different levels – country cases**

In the Republic of Korea, the Members of the Economic, Social and Labour Council (ESLC) on 6 March 2020 signed a Labour, Management and Government Declaration to Overcome the Crisis Caused by the Spread of COVID-19. The Declaration, adopted by consensus, proposes measures to overcome the crisis through tripartite efforts with support from the Government. Proposals for measures were addressed to the National Assembly, government authorities and enterprises, and included: OSH and preventive measures to contain the spread of the virus; conflict management through dialogue; non-discrimination against affected workers; government subsidies for employers who maintain their workforce; job preservation through subsidized wages; adjustment to working hours; and use of paid leave.

In Singapore, the Ministry of Manpower, the National Trade Union Congress and the Singapore National Employers Federation signed a Tripartite Advisory on Managing Excess Manpower and Responsible Retrenchment (updated in March 2020). The statement invites enterprises to use retrenchment as a last resort, only after all other options have been explored. Alternatives to retrenchment include the training of employees to upgrade their skills; redeployment of employees to other parts of the company; flexible work schedules and short work-weeks; wage adjustment following social dialogue; and unpaid leave. It further states that if a company is unionized, the relevant union(s) should be consulted as early as possible on these measures.

Using secondary sources (notably press reports), it would appear that as of mid-June 2020, 16 per cent (28) of the 177 outcomes reviewed had triggered lower-level social dialogue outcomes, that is at sectoral and/or enterprise level (figure 15 and box 10). However, this share does not capture all such instances, largely as enterprise developments are not within the scope of this document. Similarly, not all peak-level social dialogue outcomes required dialogue at lower levels.

▶ **Figure 15. Outcomes triggering lower-level social dialogue outcomes**



▶ **Box 10. Peak-level tripartite agreements triggering additional dialogue and agreements – country cases**

In Argentina, an agreement signed on 27 April 2020 between the UIA employers' body (Argentine Industrial Union), the CGT trade union (General Confederation of Labour) and the Government aimed to assure the payment of workers' wages. The agreement stated that workers who could not work owing to COVID-19–related measures would receive three quarters of their regular net salary, with the state meeting two thirds of this amount and employers the remaining one third. Based on this agreement, the commerce sector's social partners signed a framework agreement on 28 April. In other sectors, such as basic metal production, new sectoral agreements contained terms with more advantageous conditions than the national agreement.

In Italy, tripartite social dialogue, with the participation of the Minister of Labour and Social Policies and the Prime Minister, led to the formulation of labour legislation and other policy measures (on 26 March and 22 April), largely shaped by bipartite protocols aimed to ensure prevention of transmission and health and safety at work. A protocol signed in early March was included as an annex to a government decree. The protocol triggered social dialogue and collective agreements at sectoral level containing OSH measures, including in banking, transport, construction and logistics. An updated version of the protocol stated that specific committees composed of workers' representatives and employers should be created in all companies in order to ensure its implementation and monitoring.

In Sri Lanka, a tripartite agreement signed in early May 2020 aimed at fixing the minimum wages for employees who cannot work owing to pandemic-linked restrictions. Under the agreement, employers are required to pay wages for days worked based on the basic salary, while the wages for days not worked would be paid by them at the rate of 50 per cent of the basic wage, at a minimum of 14,500 Sri Lankan rupees (approximately US$78). The Employers' Federation of Ceylon has requested members to make use of social dialogue tools at enterprise level to educate, discuss and thereafter implement this scheme.

Social dialogue targeting long-term vulnerable workers and business units

▶ *Only a small minority of social dialogue outcomes reviewed concerned measures specifically targeting workers and business units in the informal or undeclared economy, migrants workers, freelancers and self-employed.*

The outcomes of bipartite and tripartite social dialogue focusing specifically on these groups were rare (8 per cent of the 177 outcomes reviewed). They consisted mainly of calls for extending social protection measures to these groups, such as informal workers and business units (including North Macedonia), migrant workers (including Kenya) and freelancers and self-employed (including Israel) (box 11).

▶ **Box 11. Social dialogue addressing the needs of vulnerable groups and business units – country cases**

In Israel, to support self-employed and freelancers, Histadrut and Israel's Chamber of Independent Organizations and Businesses sent a joint statement to the Government on 20 April, requesting the payment of unemployment benefits to self-employed workers, using the same rules and rights applied to waged employees. Histadrut also announced its intention to establish a union for the self-employed and placed its legal services at the disposal of the self-employed during the crisis.

In Kenya, a tripartite Memorandum of Understanding containing a package of measures was signed on 20 April. It includes a measure specific to migrant workers: migrant workers who lose their job maintain their residency status and work permit for the stipulated time period, with no change in their migration status.

In North Macedonia, part of the government measures agreed with the social partners in the Economic and Social Council on 31 March allowed workers who lost their jobs because of the lockdown or those who make a living in the informal economy to access social protection benefits during April and May, and to receive a stipend of US$125 per household.

▶ Policy observations

Global

▶ *Urgent policy responses to the COVID-19 pandemic and measures to address its socio-economic impacts have acted as a unifying theme for the tripartite constituents in a majority of countries and territories.*

The dataset shows that during the initial phase of the pandemic, social dialogue was enhanced across all regions from the pre–COVID-19 period. The extensive use of peak-level social dialogue from 15 March to 10 June 2020 – with process outcomes in 134 countries and territories out of 188 – represents an important opportunity for participatory crisis management to ensure more informed policy design and improved ownership of measures adopted. The latter is a key element in building trust among tripartite actors and enhancing implementation effectiveness.

▶ *Linkages and articulation between different forms and levels of social dialogue have been observed during the early months of the pandemic, with peak-level social dialogue paving the way to sectoral and enterprise-level dialogue.*

Investing in tripartism at national level can be a gateway to healthier social dialogue as it can stimulate autonomous dialogue between social partners at lower – sectoral and enterprise – levels. Such synergies between different levels of social dialogue are likely to be even more important in the next phase of crisis management, which ought to focus on a return to the workplace (which is currently in and out of the policy agenda of countries, depending on the spread or resurgence of the virus)[20] and on economic recovery.

▶ *The extensive use of social dialogue is a further illustration of the need to address long-standing institutional and capacity gaps, such as those related to the autonomy of workers' and employers' organizations and their capacities, and legal and practical obstacles faced by the social partners.*

Social dialogue does not occur in a vacuum. Certain basic conditions must be met if it is to lead to effective and fair outcomes. In line with international labour standards, governments must ensure an enabling environment for social dialogue. This requires respect for the fundamental principles of freedom of association and collective bargaining; supporting the development of independent, strong and representative employers' and workers' organizations; and promoting well-functioning and inclusive social dialogue institutions.

As per the Employment and Decent Work for Peace and Resilience Recommendation, 2017 (No. 205), social dialogue is all the more important in fragile and conflict-affected countries, where social partners are often weak and social dialogue may be very limited or even non-existent. This task may be further challenged by broader obstacles that the pandemic is posing to democracy, human rights and fundamental freedoms, with quite a few states having, at least temporarily, derogated from their constitutions and international human rights treaties after declaring a state of emergency.[21] This may have a direct impact on the mandates and effectiveness of social dialogue actors and institutions – and indeed the smooth implementation of ratified ILO conventions such as the Tripartite Consultation (International Labour Standards), 1976 (No. 144), even in countries with deep-rooted democratic and social dialogue traditions.

20 In the period under consideration, the following countries had achieved outcomes which (also) related to the "exit" strategy: Austria, Cameroon, Belgium, Côte d'Ivoire; Denmark; Finland, France; Germany, Israel, Italy, Malawi, Mali, Norway, Pakistan, Poland, Portugal, Republic of Korea, Republic of Moldova, Uruguay, Switzerland, Spain, South Africa and Singapore.

21 In addition to limitations to freedom of movement during the lockdown, over 50 countries have postponed elections, at times with little certainty as to when and how they will be held (International Institute for Democracy and Electoral Assistance, Global Overview of Covid-19: Impact on Elections, June 2020). Further, according to a recent a survey of 142 states, while emergency measures seem to present little or no threat to democracy in 47 states, 82 states are at high (48) or medium (34) risk, with the pandemic response either accelerating or emphasizing established trends of democratic decay.

▶ *The COVID-19 crisis has brought to the fore once again the need for enhanced inclusiveness and effectiveness of social dialogue mechanisms.*

Peak-level dialogue in its different forms, and its institutions at varying levels, must address concerns of groups that are particularly vulnerable to the impacts of the COVID-19 crisis, such as informal-economy workers and business units, own-account workers and migrant workers – groups representing a huge part of the world of work. The social dialogue outcomes reviewed for this Brief reveal only a vague focus on such groups. This may be a direct consequence of gaps in their representation in social dialogue mechanisms before the pandemic. Regulatory or other obstacles in many parts of the world may be one explanation for these gaps, such as laws that impede expansion of the membership base of the social partners.

The pandemic is an additional illustration of the pressing need to attract hard-to-organize workers and business units into the formal spheres of socio-economic policymaking; to develop links with established social dialogue actors and institutions; and to build on good practices in order to close inclusiveness gaps and expand labour law coverage.[22]

Further, with 75 per cent of social dialogue process outcomes having been achieved outside existing formally established structures (see figure 9), legitimate questions can be raised as to whether ad hoc or parallel social dialogue venues observed in times of emergency may also entail risks for the formal institutions of social dialogue and their outcomes. A related question touches on the kind of support that social dialogue institutions will need to receive if they are to strengthen their role after this emergency period.

Regional

▶ *Europe and Central Asia generally maintained its proactive social dialogue stance.*

The speed and thrust of national and sectoral social dialogue have been impressive since the pandemic affected the region (see figure 7). Government action with national bipartite or tripartite agreements or protocols established principles and frameworks, which in turn were translated into more refined, tailor-made and specific arrangements at sectoral or enterprise levels, including through collective bargaining. The exemplars were countries with a long-standing culture of social dialogue such as European Union (EU) member States including Belgium, France, Germany and Italy – countries that often achieved multiple social dialogue outcomes (see figure 8).

In a number of EU-candidate or accession states and in Eastern Europe, social dialogue was also used.

For instance, in North Macedonia, the national tripartite Economic and Social Council with help from an EBRD-ILO Task Force discussed a set of crisis-response proposals, drawing on an enterprise survey on the impact of COVID-19 conducted by employer and business membership organizations. Based on these proposals, in early June 2020 the Economic and Social Council crafted a strategy on the safe return to work, teleworking and other work arrangements aimed at curtailing the pandemic's spread.

In the Russian Federation, the National Tripartite Commission for Regulation of Social and Labour Relations adopted a tripartite Declaration (27 March 2020) on urgent actions, including on maintaining the competitiveness of businesses, protecting labour rights, ensuring stability of the labour market and supporting citizens' incomes, as well as concrete recommendations for employers and workers to forestall the spread of the pandemic. A new law adopted in May 2020 authorizes the Russian Government to regulate by decree labour relations during the pandemic, but only after mandatory discussions are held in the National Tripartite Commission.

▶ *Despite long-standing legal and institutional gaps, several countries in Asia and the Pacific used social dialogue.*

In the pre–COVID-19 period, many countries in Asia and the Pacific were either lacking or had fragile national mechanisms for cross-sectoral or for sectoral social dialogue. Further, with a large majority of the workforce in the region's developing countries informally employed, most workers and business units continued to face legal and practical barriers to organizing themselves. The region lags behind on ratifying ILO fundamental conventions and other key international labour standards related to social dialogue.

Still, in some countries, the pandemic and the need for crisis management acted as an incentive for more dialogue and consultation. In the Republic of Korea, for instance, through the Declaration of a tripartite agreement to

22 ILO, Transition to Formality: The Critical Role of Social Dialogue, Dialogue in Brief (March 2017).

overcome the 'COVID-19' crisis (see box 9), labour, management and the Government acknowledged the need to work together to address challenges in protecting workers and business, and in maintaining employment. Following the Government's announcement of a "new Korean deal for employment", the two largest central trade unions – the Federation of Korean Trade Unions (FKTU) and the Korean Confederation of Trade Unions (KCTU) – announced on 12 May that they would resume tripartite talks on employment-related matters for the first time in 21 years.[23] (The last inclusive tripartite agreement involving the two confederations of trade unions had been achieved after the 1997–98 Asian financial crisis.) This was a historic announcement even though negotiations were arduous and with uncertain outcomes in the short run.[24]

In Sri Lanka, an ad hoc tripartite task force on COVID-19 was established to make recommendations on safeguarding the interests of workers and employers through social dialogue. Tripartite interactions within the task force led to an agreement between the Employers' Federation of Ceylon, trade unions and the Ministry of Skills Development, Employment and Labour Relations (see box 10). This agreement was a rare occasion where the government and the social partners agreed on a fixed minimum wage at national level.

▶ *Quite a few Latin American and Caribbean countries used social dialogue during the early months of the crisis, setting sound precedents for improved social dialogue.*

Shortly before the pandemic, social dialogue institutions in many Latin American countries were facing numerous challenges on meeting regularly, achieving agreements or being able to implement social dialogue outcomes. Further, significant social conflict and high levels of distrust towards the government, public institutions and between sectors had characterized several countries where the practice of social dialogue for the prevention or reduction of social conflict was inadequately institutionalized.[25] Yet in quite a number of countries, including Argentina, Panama and Uruguay, the tripartite partners came together and used often ad hoc social dialogue leading to specific and visible outcomes, both bipartite and tripartite.

For instance, in Panama, an ad hoc Tripartite Dialogue Table for Labour Economy and Development (established through Ministerial Decree 150 of 27 April) included the most representative business and workers' organizations as well as ILO experts who participated as observers and technical advisers. Within two months, tripartite consensus was achieved on ways to improve labour relations and boost economic recovery within three technical Commissions (Labour Affairs; Legal and Economic Affairs, Work and Preservation of Employment; and Gradual Return to Work and Health). Twenty-three agreements were achieved with proposals aiming to: establish a tripartite commission on operationalizing a recent teleworking law; regulate food and digital vouchers; reduce temporarily working time without affecting hourly wages; and setting rules on establishing bipartite OSH committees on training and risk assessment in the workplace. The Tripartite Dialogue Table's final report was transmitted to the Presidency of the Republic for implementation and monitoring.

▶ *Several African countries devised ad hoc solutions for enabling the tripartite partners to play a role during this emergency period.*

Many African countries that had showed important signs of relying on social dialogue in the pre-COVID era used social dialogue early in the pandemic.

In Tunisia, for example,[26] the Tunisian General Labour Union (UGTT), the employers' organization (UTICA) and the Ministry of Social Affairs secured an agreement in April 2020 that protected 1.5 million private-sector workers from dismissals, and ensured that their salaries would be paid in full during the pandemic. (The government paid an exceptional grant of DT200 – about US$70 – per worker while employers paid the remaining salary.)

Social dialogue institutions in most other African countries, however, seemed unprepared for participating in policy formulation. Especially in the very early stages, the social

23 Planet Labour, "South Korea: Towards a 'New Deal' for Employment" (20 May 2020), no. 11950.

24 K. Jun-tae, "Tripartite Dialogue Nowhere Near Conclusion Despite Nearing Deadline", *Korea Herald* (29 June 2020); K. Jun-tae, "Tripartite Dialogue Falls Apart Just 15 Minutes before Striking Final Deal", *Korea Herald* (1 July 2020).

25 See ILO, Social Dialogue and Tripartism, 2018, p. 17.

26 Since 2013, the Tunisian tripartite constituents have made important steps towards a strong social partnership, including: the signing of a social contract in 2013; the introduction in the 2014 Constitution of guarantees for fundamental workers' rights; and the establishment in 2017 of a National Council for Social Dialogue.

partners and social dialogue structures were somewhat marginalized, with governments generally taking the lead in formulating the first emergency measures. Still, some social partners initiated informal discussions outside established social dialogue institutions, which led to joint declarations that were sent on to the government.

In some countries, social partners and economic and social councils and similar institutions were progressively solicited to participate in policy formulation, often in special tripartite COVID-19 bodies.

In Botswana, for instance, the two national trade union confederations – Botswana Federation of Trade Unions and Botswana Federation of Public Private and Parastatal Sector Unions – issued a joint statement expressing concern over what they perceived as a suboptimal government response on workers' welfare and the protection of employees from loss of wages and jobs, and a lack of tripartite discussion on these matters. The Government subsequently established a tripartite High-Level Committee to discuss response measures. The Committee, chaired by the nation's President, held frequent meetings. Moreover, arrangements were made for creating space for social partners to engage relevant ministries in dialogue beyond the Committee. In late March 2020, a tripartite agreement was recorded, and a public statement released on measures aiming to ensuring job security and business continuity. Many Committee recommendations, such as on the reconfiguration of working hours, became part of the government's response programme.

▶ *A limited role for social dialogue as a governance tool in Arab States did not prevent the emergence of some notable tripartite initiatives.*

Only a few countries in the region generated social dialogue outcomes in response to the pandemic, continuing the trend of gaps in legal and institutional frameworks, in government preparedness to engage in social dialogue, and in the capacity of social partners to participate in socio-economic policymaking.[27] Some Arab States still lack certain basic conditions for social dialogue, including respect for freedom of association principles. The existing social dialogue bodies (as in Jordan and Lebanon, for example) played a rather limited role in the governance of the labour market or socio-economic policymaking.

Still, in the Occupied Palestinian Territory, in spite of long-term social dialogue deficits,[28] the social partners were fully engaged in shaping the Palestinian Authority's emergency response plan. A tripartite ad hoc committee, which included the Minister of Labour and two organizations of workers and employers, namely PGFTU and FPCCIA, led to agreements on working hours for working mothers; an obligation for employers to continue paying at least 50 per cent of wages (or no less than 1,000 shekels, that is, US$270), and to pay the rest after the end of the crisis; the establishment of a tripartite committee to deal with complaints resulting from the emergency measures; and the establishment of an emergency fund, financed mainly by PGFTU.

Establishing appropriate legal frameworks, promoting freedom of association, and strengthening the capacity of the social partners are objectives more valid now than ever.

Anticipating challenges

▶ *Social dialogue may be more challenging in the next phases of the pandemic, especially if fiscal consolidation and debt reduction become new policy priorities.*

As observed in the early phases of the 2007–09 global financial crisis, social dialogue is an effective and irreplaceable tool for finding concrete ways of designing coordinated policy measures, strengthening social cohesion and improving democratic governance.[29] A number of publications that dealt with the impacts of that crisis and recovery measures pointed to successful mitigating measures through social dialogue.[30]

This approach was crystallized in the 2009 ILO Global Jobs Pact and more recently in the Employment and Decent Work for Peace and Resilience Recommendation, 2017 (No. 205) – both underscoring the key role of participation of employers' and workers' organizations in planning, implementing and monitoring measures for resilience and recovery. Yet the same crisis also demonstrated that when

27 ILO, Social Dialogue and Tripartism (2018), pp. 12 and 19.

28 ILO, The Situation of Workers of the Occupied Arab Territories. Report of the Director-General, Appendix International Labour Conference, 109th Session, 2021, pp. 37-38.

29 ILO, Pillar 4: Relying on Social Dialogue for Solutions, Policy Brief (May 2020); and Employers and Workers Negotiating Measures, Brief (3 July 2020).

30 For instance, L. Rychly, Social Dialogue in Times of Crisis: Finding Better Solutions, Working Paper 1 (Geneva, ILO, 2009).

shifting policy priorities from economic stimulus towards fiscal consolidation and debt reduction (often presented as non-negotiable), governments gave to social dialogue and tripartism a less prominent role than in the first phase of the crisis.[31]

The economic consequences of the pandemic surpass those of earlier crises since the Second World War. According to the International Monetary Fund, the global GDP growth rate is projected to suffer an overall fall of 3 per cent (as opposed, for instance, to the 2007–09 crisis, when it dropped by cumulatively 0.3 per cent), while the cumulative loss to global GDP in 2020 and 2021 from the pandemic could be around US$9 trillion, or greater than the economies of Japan and Germany combined.[32]

Further, a massive fiscal response necessary to increase health capacity, to replace lost household income and to prevent large-scale bankruptcies has also taken global public debt as a share of global GDP to its highest since comparable records began after the Second World War, that is, over 100 per cent.[33] With such huge increases in national budget deficits and sovereign debts in developed and developing economies,[34] equally sizeable austerity programmes may be prioritized at some stage, further hurting socio-economic governance.

In such a difficult context, it will be extremely important to strengthen the capacity of social partners, labour administrations and social dialogue institutions, in order to enable them to contribute to the design and implementation of recovery policies.

▶ *Cross-border social dialogue is now more important than ever.*

The global public health, social and economic crisis proves that pandemics do not recognize national borders and that cross-border dialogue and agreements between governments, employers and workers are integral to sound socio-economic governance.[35] Cross-border social dialogue must be strengthened, including by economic sector or region, to generate a virtuous circle of dialogue at national level for tackling the pandemic's impacts, and to devise appropriate recovery strategies (box 12).

31 Y. Ghellab and K. Papadakis, "The Politics of Economic Adjustment in Europe: State Unilateralism or Social Dialogue?", in *The Global Crisis: Causes, Responses and Challenges* (Geneva, ILO, 2011), pp. 81–92.

32 G. Gopinath, The Great Lockdown: Worst Economic Downturn since the Great Depression, IMF Blog (14 April 2020).

33 V. Gaspar and G. Gopinath, "Fiscal Policies for a Transformed World", IMF Blog (10 July 2020).

34 The IMF predicts that in 2020 fiscal deficits are expected to be more than five times higher in advanced economies and to more than double in emerging market economies, relative to the forecast made in the January 2020 *World Economic Outlook*, leading to an unprecedented jump in public debt of, respectively, 26 and 7 percentage points of GDP. See V. Gaspar and G. Gopinath, "Fiscal Policies for a Transformed World", IMF Blog (10 July 2020); and UN/DESA: Policy Brief 72: COVID-19 and Sovereign Debt (14 May 2020).

35 ILO, Meeting of Experts on Cross-border Social Dialogue: Conclusions, Geneva (15 February 2019).

▶ Box 12. International social partners taking action to protect workers' income, health and employment, and to support employers during the pandemic

The International Organization of Employers (IOE) and the International Trade Union Confederation (ITUC) issued in March 2020 a joint statement on COVID-19, calling for enhanced coordination of all actors and for international financial institutions to support socio-economic measures and policies. It also called for social dialogue and a role for the social partners, employers' organizations and trade unions. Employers and workers' organizations representing social and economic sectors globally or by region also developed joint statements and calls for action to protect workers and to support enterprises, triggering country-level social dialogue.

For instance, on 22 April 2020, a sector-specific IOE-ITUC-IndustriALL joint statement on COVID-19: Action in the Global Garment Industry – a global industry heavily affected by the crisis – called for measures to support garment manufacturers and workers. The statement commits the parties to take action to protect garment workers' income, health and employment and to support employers to survive during the COVID-19 crisis, as well as to work together to establish sustainable systems of social protection for a more just and resilient garment industry. It also requires all stakeholders – including governments, banks and financial institutions, international organizations, brands and retailers/e-tailers, manufacturers, employers' organizations and trade unions, and development partners – to work together to develop and support, including through financial measures, concrete, specific and visible measures. In line with the statement, national tripartite working groups have been (or are being) established in Bangladesh, Cambodia, India, Indonesia, Myanmar, Pakistan and Vietnam to engage with financial institutions, governments and donors, for mobilizing funds, in order to support business continuity as well as credit and short-term loans for rapid income-support to workers.

▶ *A shift to a new normal – ideally, a better normal – requires strengthened social dialogue to address issues also identified in the ILO Centenary Declaration.*

The current global socio-economic crisis seems to be leading to an acceleration of trends identified during the Centenary Initiative on the Future of Work and relevant actions called for in the ILO Centenary Declaration.[36] Governments, but also social dialogue actors and institutions, need to prepare for dealing with associated challenges.

For example, in industrialized countries, the pandemic and lockdown lead to more widespread use of telework. New issues on the agendas of public regulation and social dialogue could concern working hours, job flexibility and telework, and platform (gig)-work.

An accelerated diffusion of new business models based on digitization of services and on the use of on-line commerce (e-commerce) and increased automation in industries[37] generates new opportunities. But it also creates new difficulties for traditional small and medium-sized enterprises, employer and business membership organizations and trade unions – obliging them to adjust their services to their constituents. It also places the topic of responsible enterprise restructuring and skills enhancement high on the policy agenda in both the developing and industrialized world.[38] Similarly, the crisis has boosted ecological awareness and the debate on the need for policies mitigating the threats of climate change, biodiversity loss and pandemics.[39]

Finally, the devastating impacts of the crisis on those operating in the informal economy – the vast majority of people in the world of work – have reversed poverty

36 International Labour Conference, ILO Centenary Declaration for the Future of Work, adopted by the Conference at its 108th Session (Geneva, 21 June 2019).

37 Christine Lagarde, President of European Central Bank, has estimated that, owing to the COVID-19 crisis, supply chains would shrink by around 35 per cent and the use of robots would increase by between 70 per cent and 75 per cent. See W. Horobin and A. Rajbhandari, "ECB's Lagarde Expects Disinflation as Crisis Transforms Economy", Bloomberg Economics (4 July 2020).

38 ILO, Restructuring for recovery and resilience in response to the COVID-19 crisis, Brief (24 April 2020).

39 S. Dixson-Declève, H.J. Schellnhuber and K. Raworth, "Could COVID-19 Give Rise to a Greener Global Future?" World Economic Forum (25 March 2020).

reduction, demanding immediate responses.[40] The fight against noxious practices associated with poverty, such as child labour, also requires concerted actions by the tripartite constituents as soon as possible.[41]

40 ILO, COVID-19 Crisis and the Informal Economy: Immediate Responses and Policy Challenges, Policy Brief (5 May 2020).

41 ILO and United Nations Children's Fund, "COVID-19 and Child Labour: A Time of Crisis, A Time to Act", ILO and UNICEF (New York, 2020).

Annex 1 – Working definitions of the forms and other elements of social dialogue

Concept	Definition
Peak-level social dialogue	**Peak-level social dialogue** involving governments and nationwide organizations of employers and workers contributes to the formulation and adoption of social, economic and labour policies and can be applied to any decision-making that affects the workplace or the interests of employers and workers.
Tripartism	**Tripartism** is defined in the ILO Thesaurus as "the interaction of government, employers and workers (through their representatives) as equal and independent partners to seek solutions to issues of common concern". It refers to institutions, mechanisms and processes for consultation, negotiation and joint decision-making, depending on arrangements agreed between the parties involved. These arrangements may be ad hoc or institutionalized.
Bipartite social dialogue	**Bipartite social dialogue** involves two parties – employers and/or employers' organizations, and workers' organizations – that agree to exchange information, consult each other or negotiate together. It is often practised through collective bargaining or workplace cooperation.
Collective bargaining	**Collective bargaining** is defined in the Collective Bargaining Convention, 1981 (No. 154), as "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."
Workplace cooperation	**Workplace cooperation** is understood to mean, as set out in the Co-operation at the Level of the Undertaking Recommendation, 1952 (No. 94), "consultation and cooperation between employers and workers at the level of the undertaking on matters of mutual concern not within the scope of collective bargaining machinery, or not normally dealt with by other machinery concerned with the determination of terms and conditions of employment."

Source: Based on ILO, Social Dialogue and Tripartism, 2018, p. 3.

▶ Annex 2 – Note on methodology and sources

The data presented in this Brief draw mainly on the ILO repository of country responses to the COVID-19 pandemic, which compiles information provided by governments and social partners organizations from 188 countries and territories, notably on "relying on social dialogue for solutions" and "employers' and workers' activities", reported between 15 March 2020 and 10 June 2020. While the ILO repository is a unique database with global coverage of country responses, the following repositories and websites also provided pertinent information:

- *Planet Labour: Managing the Fallout of COVID-19, is on the Planet Labor website, which specializes in the evolution of labour law and industrial relations, and publishes regular articles on initiatives of public authorities and social partners to respond to the COVID-19 pandemic;*
- *OECD-TUAC's COVID-19 Crisis: Mapping Out Trade Union and Social Partners' Responses, is a dedicated webpage that gathers initiatives by workers' organizations and social partners in member States of the Organisation for Economic Co-operation and Development;*
- *IR Share's website focuses on labour law and industrial relations developments in Europe and closely follows developments related to the pandemic; and*
- *The International Trade Union Confederation (ITUC) and International Organization of Employers (IOE) have dedicated webpages on the pandemic.*

Information from these repositories and websites has not been adjusted in any way, and may be subject to reporting errors. When available, primary sources, such as joint statements, joint proposals and agreements resulting from social dialogue processes, have been used for verification purposes and to lower the risk of inaccurate "proxy" reporting. In cases where social dialogue ended with such specific and visible outcomes, it has been possible to cross-check information for 126 out of 177 reported outcomes of peak-level social dialogue.

The data collected through the review of the above repositories and websites aimed to identify as many instances as possible of social dialogue, involving governments and nationwide organizations of employers and workers in formulating and adopting bipartite or tripartite cross-sectoral or sectoral responses addressing the economic, social or workplace repercussions of the pandemic. This Brief does *not* capture information on enterprise-level social dialogue, such as collective bargaining or workplace cooperation, or on consultations conducted directly between government and enterprises.

The collected information served to construct a dataset based on a simple coding, which aimed to capture elements related to: general information (country/region/date/period covered); outcomes of social dialogue (title/type/scope/coverage); process (tripartite/bipartite/other and within/outside an institution); process outcomes achieved/type of measures (using the ILO's four-pillar policy framework for tackling the socio-economic impact of the COVID-19 crisis); means of implementation (law/required additional social dialogue /required additional unilateral action by employers or by workers); and impacts on social dialogue (dormant institutions reactivated/improved participation in social dialogue/generated lower-level dialogue and agreements/other).

The likelihood that not all social dialogue instances have been captured in the dataset and Brief owing to lack of reporting cannot be excluded. Further, given the great variety of social dialogue and industrial relations landscapes across countries and territories, and the different reporting methodologies used by the above sources of information, the data may not be directly comparable among countries and territories. The dataset does not provide any assessment about the specific features of social dialogue institutions in each country or territory, the autonomy of workers' and employers' organizations, or any legal or political obstacles that social partners may be facing.

Further, graphs, statistics and analysis in this Brief provide only a static "snapshot view" of the social dialogue responses to the pandemic in the period under consideration. Finally, information may be missing on cases of sectoral social dialogue, as these do not seem to have been reported as systematically as cross-sectoral social dialogue.

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