

Resolution No. 2

Action Against Precarious Work

The 9th ITUC-AP General Council Meeting in Bangkok, Thailand, 25 - 26 November 2013:

OBSERVES that, across the Asia and Pacific region, regardless of the level of economic development, precarious work is one of the most threatening features of the labour market;

DEFINES precarious work as a type of employment which does not have essential job security, liable to unilateral termination of employment due to changes in business and labour market conditions, and trade union actions in exercising fundamental workers' rights, embodying lower working conditions in terms of wages and other benefits, largely being exempted from public social security schemes and other labour laws; and absence of trade union rights;

ANALYSES that employers abuse provisions to reduce personnel cost to improve competitiveness, on the one hand by reducing the unit labour cost and on the other hand by enabling corporations to adjust personnel deployment to business cycles, importantly, through unlimited renewal of contract and termination of employment; thus enable employers to use the precarious form of employment as a means of shifting the risks and costs associated with work from the employer to the worker unilaterally;

HIGHLIGHTS that there are only a few laws, if any, that specifically provide for equal working conditions between workers on short-term contract and outsourced workers and direct, permanent workers; that workers in precarious forms of employment not only suffer worse working conditions than those in direct, permanent employment relations as to pay, working hours, holidays and other entitlements including pension rights, disability allowance and unemployment benefits but used as tools to take out job security from workers, but used to take away job security from regular workers;

FURTHER HIGHLIGHTS that, under the prevailing gender employment practices in the region, precarious work, largely performed by women, contributes to the gender pay gap; and youth, facing high levels of unemployment, are often forced to take low quality jobs for lack of opportunities; international migrant workers are particularly vulnerable, facing trafficking by unscrupulous agencies and jobs at low wage (sometimes below minimum) and no social protections;

DETERMINED

to extend trade union protection to the workers working in precarious employment by means of organising precarious workers into trade union fold because it is the most effective way to protect and promote their rights, and also, importantly, to maintain and strengthen representativeness of unions in various levels of industries;

**CALLS ON
AFFILIATES**

to review national policies and legislation on employment, together with social partners with a notion that regular workforce should be the pillar of employment structure, to protect employment, create sustainable jobs and promote decent work for all, specifically in the areas of legislation and collective bargaining to:

- a. Limit resort to non-standard contracts (short-term, outsourcing) to specific contingencies;
- b. Facilitate the transition to regular employment;
- c. Transform the status of employment from temporary to permanent;
- d. Establish equal pay for work of equal value and provide for equal treatment in respect of benefits such as training and social security;
- e. Extend terms and conditions to all workers to set minimum floors for members and non-members at industry or national level; and
- f. Set national and industry minimum wages through collective negotiations/social dialogue.