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Inter-American Council for Integral Development
(CIDI)



**MEETING OF THE WORKING GROUPS 1 AND 2
OF THE XX INTER-AMERICAN CONFERENCE
OF MINISTERS OF LABOR (IACML)**

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Washington, D.C., United States of America

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**SUMMARY AND MAIN IDEAS OF THE MEETING OF WORKING GROUP 1 OF THE
XXI IACML**

(Preliminary version – currently under review by the Working Group authorities)

“Integrated public policies to address the COVID-19 crisis and achieve a human-centered, inclusive, sustainable and resilient recovery for a future of work with equity, social justice, and decent work.”

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I. DESCRIPTION AND PARTICIPANTS

The meeting of Working Group 1 of the XX Inter-American Conference of Ministers of Labor (IACML) of OAS was held in Washington, D.C., United States of America, on September 21 – 22, 2023, in conjunction with the meeting of WG2 and the Joint Preparatory Session of the XXII IACML. The meeting was coordinated by the Department of Human Development, Education and Employment, SEDI of the OAS, as Technical Secretariat of the IACML and organized jointly with the Ministries of Labor of Chile (Chair), Costa Rica and Trinidad and Tobago (Vice-Chairs). The meeting was financed with resources from the Inter-American Network for Labor Administration (RIAL), as decided by the IACML authorities.

This Meeting was attended by delegations of 26 Ministries of Labor of the OAS member States. Moreover, representatives of the consultative bodies -the Trade Union Technical Advisory Council (COSATE) and Business Technical Advisory Committee on Labor Matters (CEATAL)-, and specialists from the International Labor Organization (ILO), the Pan American Health Organization (PAHO), the World Bank, the Inter-American Development Bank (IDB), the Inter-American Commission of Women (CIM) and OAS were also in attendance.

All the information of this Meeting is available at: www.oas.org/sedi ([click here](#)).

II. BACKGROUND

The IACML Working Groups were redefined during the XXI IACML held virtually in September 2021, to reflect the current priorities of the Ministries of Labor and the spirit of the Declaration and Plan of Action of Buenos Aires. At that time, its authorities were also chosen, namely:

- Working Group 1: “Integrated public policies to address the COVID-19 crisis and achieve a human-centered, inclusive, sustainable and resilient recovery for a future of work with equity, social justice, and decent work”. Ministries of Labor of Chile (Chair), Costa Rica and Trinidad and Tobago (Vice-Chairs).
- Working Group 2: “Institutional strengthening of Ministries of Labor, and promoting institutionalized social dialogue to recover from the COVID-19 crisis and address emerging changes in the world of work”. Ministries of Labor of Colombia (Chair), United States and Panama (Vice-Chairs).

According to the Plan of Action of Buenos Aires (XXI IACML), the Working Groups were established “to advise the IACML regarding the objectives of the Declaration of Buenos Aires 2021” and, therefore, “will examine in greater depth the topics identified in this Plan of Action, facilitate the exchange of experiences, provide pertinent information and studies, and follow up on related hemispheric initiatives”.

Moreover, Article 6 of the Plan of Action of Buenos Aires states that Working Group 1 will follow up on the following topics of the Declaration of Buenos Aires: Future of work with equity, inclusion, social justice, decent work, and productive employment; work on digital platforms, telework and new forms of employment; coordination of the economy, education, health and labor to overcome the effects of the crisis; equality in the labor market, elimination of all forms of employment discrimination, and labor inclusion of vulnerable populations; transition from the informal to the formal economy; gender equality and gender mainstreaming in labor and employment policies; and combat violence and harassment in the world of work, among other topics.

III. MAIN IDEAS OF THE MEETING OF WORKING GROUP 1

Based on the mandates formulated in the Plan of Action of Buenos Aires, the Work Plan 2022-2024 of the IACML, and the decisions taken during the IACML Authorities Meeting in January, 2023, the meeting of Working Group 1 had as main topics: i) coordination between education and labor, ii) work on digital platforms, and; iii) gender equality and gender mainstreaming in labor and employment policies. These topics were discussed in three thematic panels which had introductory presentations and spaces of dialogue, whose central elements are listed below. In addition, the meeting also included a presentation on the performance report of the 2022-2024 Work Plan and a session regarding the RIAL Workshop on transition to formal employment, both included under “Other Relevant Topics” in this report.

The Meeting of Working Groups of the XXI IACML was inaugurated by the OAS Executive Secretary for Integral Development (SEDI), Kim Osborne; the Head of the International Relations Unit of the Ministry of Labor of Chile, Marcelo Tapia, as Chair of WG1; and the Director of International Affairs of the Ministry of Labor of Argentina, Gerardo Corres, representing the Chair of the IACML. In their interventions, they highlighted the important role of the IACML in building regional consensus and the work of its Working Groups to ensure compliance with the commitments assumed and propose future actions that allow responding to the great challenges of the world of work in the Americas.

Panel 1: Coordination between education and labor

Moderator: Marcelo Tapia, Head of the International Relations Unit, Ministry of Labor and Social Security of Chile, Chair of WG1

Presentations by: Leonardo Di Pietro, Secretary of Employment of the Ministry of Labor of Argentina, representing the IACML Chair, Marina Larrea, National Director of International Cooperation of the Ministry of Education of Argentina, representing the Inter-American Committee on Education (CIE) Chair, Jesús Schucry Giacoman, Director of the Department of Human Development, Education and Employment of the OAS, and Fernando Vargas, ILO/CINTERFOR Senior Specialist.

The following points summarize the main elements of the presentations and interventions made during the Panel by Argentina, The Bahamas, Bolivia, Canada, Chile, Costa Rica, Guatemala, Panama, Dominican Republic, Trinidad and Tobago, COSATE, CEATAL, PAHO, and Spain as a Permanent Observer to the OAS:

- Coordination between education and labor is a **priority topic in the region**, as it has been stated in the mandates and commitments of the Inter-American Conference of Ministers of Labor (IACML) and the Inter-American Committee on Education (CIE). The authorities of both forums highlighted the actions carried out to strengthen this coordination, including the RIAL Workshop held in May 2023 in Argentina (summarized below) and the CIE 2022-2025 Work Plan, which has as one of its four priorities a hemispheric program to address the Education-Labor intersectoral agenda.
- It was acknowledged that the interaction and coordination between the world of education and the world of work is fundamental and brings **important benefits**, the following were mentioned: the enormous potential of this coordination to avoid that the accelerated changes and transformations that the world and the region are experiencing continue affecting negatively vulnerable populations; ensure more inclusive and equitable development; sustain the productivity and economic growth agenda with human development; strengthen social dialogue and interaction with social actors in the educational field; and reinforce education and training in order to ensure lifelong learning for all people.
- The Technical Secretariat of the IACML and CIE, led by the Director of the DDHEE of the OAS, presented the results of the Intersectoral Workshop “Towards a Stronger Coordination between Education and Labor in the Americas” held in Argentina in May 2023 and which brought together specialists from the Ministries of Labor and/or Education of 27 OAS Member States, together with COSATE, CEATAL and the ILO. As a result of the Workshop, a document was prepared that summons up lessons and policy recommendations to strengthen intersectoral coordination, which should be consulted as a complement to this report. Some of the **most prominent consensus** during the Workshop are the following: the close relationship between quality of education, working conditions and social inclusion; the need to place people at the center of the education-labor articulation agenda; the importance of mainstreaming a gender perspective and a human rights approach in these efforts; and the importance of social dialogue. Furthermore, the Director highlighted some specific **areas of intersectoral articulation**, as agreed in the Workshop: create pathways or bridges between education and job training systems, improve the processes of skills certification, strengthen labor market information systems, and continue promoting national and regional qualifications frameworks, among others.

- In addition to those mentioned in the report on the intersectoral Workshop, the following **specific areas of coordination were highlighted during the meeting**: updating the training contents/curricula; the development of strategies that facilitate the school-to-work transition; the recognition and increased value of technical and vocational education and training; the definition of qualification frameworks (this will be detailed later); the re-skilling and up-skilling processes.
- The **Education – Labor coordination is necessary and must be deepened at various levels**: at the institutional level, particularly among Ministries; at a programmatic level, pointing towards concrete actions; at the political level, in this sense it was recognized that coordination does not occur in the void and it responds to the development models and visions of each country; and at a strategic level within each country and in the region as a whole. In these areas, it is imperative to deepen the dialogue, discuss common visions and strategies, coordinate actions and resources of each government agency, and install the concept and practice of comprehensive educational and employment policies. Governments, workers, employers and educational institutions must work closely to generate a lifelong learning ecosystem that is effective and adequately funded.
- In several countries there are **agreements between Ministries of Education and Labor**, as well as technical agencies, committees or councils in which both ministries participate to facilitate coordination. During the session, the following experiences were highlighted:
 - In Argentina, the Ministries of Labor and Education have advanced an agreement to promote policies and programs from a systemic perspective that encompasses both production/economic development and technological and scientific development. The agreement includes, among other, launching an integrated vocational training system that will facilitate the recognition and certification of skills and will generate bridges between education and job training systems, so that people can have a training trajectory throughout their lives. In recent months, the Ministries have worked in a ‘technical table’ (technical committee) with representatives of the automotive sector to put together the first project of training trajectories recognition; this experience will serve as a model to replicate in the future and can be a fundamental step to formalize inter-ministerial coordination and work on public policies with a comprehensive vision.
 - In Chile, the Technical Vocational Training Advisory Council and the Technical Vocational Qualifications Advisory Commission (*Consejo Asesor de Formación Técnico Profesional y la Comisión Asesora de Cualificaciones Técnico Profesionales*) are examples of instances of formal coordination between the Ministries of Labor, Education and Economy, which aim to define medium and long-term macro policies. The Chilean Technical Professional Qualifications Framework is precursor in the region and recognized as an instrument to promote communication between the educational and labor worlds. The Commission of the National Certification System of Labor Competencies (*ChileValora*) is a tripartite body that has made important progress; among other, it establishes collaboration agreements with higher education institutions so that they recognize competency certifications in their admission processes as a guarantee that people have this prior knowledge, which will allow them to reduce their academic workload.

- Trinidad and Tobago highlighted that in various instances, such as boards of directors and committees led by the Ministry of Education, the Ministry of Labor participates and vice versa, and pointed out the relevance of institutionalizing the cooperation between education and labor, so that it does not occur ad hoc and limited to the implementation of specific initiatives, but, rather, it allows for coordination in the design and development of policies.
 - In Costa Rica, the Training and Dual Education Law of 2019 stands out, which has facilitated training and work practice in companies; as well as the National Qualifications Framework that allows complementarity between education, technical training and employability; and the National Strategy for Employability and Human Talent of 2023, aimed particularly at people in a situation of greater vulnerability and aligned with the National Employment System, where actions of the training institute, the educational sector and the Ministry of Labor are articulated.
 - In Bolivia, the Ministries of Labor and Education have a strategic alliance, within the framework of the “*Bolivia se Reactiva*” Program to provide mentoring and professional training to young people who can subsequently have access to funding to create a business. Additionally, other actions are carried out to provide information and advice to students about the labor market. In May 2023, the government approved a decree that recognizes the hours dedicated to training as part of the working day.
 - Canada's Future Skills Council advances workforce skills development through collaboration between employers, workers and governments (provincial and national), as well as non-profit groups and representatives from the education sector.
 - The Dominican Republic highlighted the development of the National Qualifications Framework that is currently in the internal technical validation tables for the 17 professional families that make up its labor market; there are already eight professional families validated. The formation of the technical dialogue table between the Ministries of Labor and Education was also mentioned.
- Along with the benefits and potentialities of this intersectoral coordination, **some difficulties in developing it at the national and regional level** were also recognized during the meeting: the differences between educational structures, the recognition of titles and competencies, the heterogeneity in the institutional architecture of governments, the absence of integrated information systems for intersectoral decision-making, the lack of joint monitoring processes to anticipate changes in the world of work, and high levels of labor informality, among other pending challenges.
 - Qualifications Frameworks are recognized as a key tool for education-labor coordination due to the objectives they pursue: generate bridges between education and job training, develop qualifications relevant to the demand, create training-labor routes (for instance, transitioning from vocational training to secondary education) and apply the same evaluation standard for a qualification, regardless of how the skills were acquired, among others. For this reason, the panel included a presentation from ILO/CINTERFOR on the subject.

- Qualifications Frameworks are matrices where competencies are organized by levels regardless of the place and the way in which they were acquired. Citing the Frameworks of Colombia and Chile, the ILO specialist highlighted that there are three paths of qualification: education, job training and the recognition of prior learning or certification of skills. The Frameworks allow for understanding these three paths in an integrated way and as part of a single training path throughout life, which is one of their great advantages. The same standard is applied to evaluate a qualification regardless of whether it was acquired through an educational program or through experience. In addition, the frameworks allow quality assurance so that qualifications are certified under the same conditions and with the same criteria for everyone.
- Considering its benefits and potential in the education-labor coordination, it was recommended to continue advancing in Qualification Frameworks both at the national and regional level, highlighting that several countries have already started this process. The effort includes not only defining the levels and contents of the Frameworks, but also “populating” them, which is the fundamental step. This population consists of completing or filling the Framework with qualifications, courses and training actions oriented to results and relevant to the demands of the productive sector.
- Several regions of the world have advanced its Regional Qualifications Frameworks, including Europe and Africa. In the Americas, the ILO/CINTERFOR, UNESCO and the OAS have promoted a Regional Qualifications Framework with the formulation of 8 levels. The Pacific Alliance has already formulated a Regional Framework.
- According to the definition presented by ILO/CINTERFOR, Regional Qualifications Frameworks are a broad structure of learning outcomes levels agreed by the countries of a geographical region, and allow one national qualifications framework to be related to another and, subsequently, that a qualification in one country can be compared with a qualification in another. Therefore, given the growing intraregional migration and the development of national frameworks in the Americas, it is desirable that there is a Regional Framework for the Americas in place.
- Within the framework of strengthening education-labor coordination and closing occupational gaps, the importance of continuing advancing professional training and job training was endorsed, recognizing that they are a gateway to the world of learning for many people, both employed and unemployed.
- It was also reaffirmed that training should focus on the development of skills, both technical and socio-emotional. The representative of employers placed a particular emphasis on “soft” skills, highlighting that critical thinking, the ability to learn, communicate and work as a team, among others, are the basis for technical training; the development of these skills must occur from an early age and be included in the curricula and teaching methods. Skilling and reskilling efforts may not be effective if these foundations do not exist in the first place.
- Workers’ organizations and unions make important contributions to job training and have their own permanent training offer. The President of COSATE highlighted that, when talking about the role of the productive sector in this area, the contributions of workers must also be recognized.
- The importance of social dialogue in the coordination between education-labor was widely recognized throughout the discussion. The participation and impact of workers’

and employers' organizations in this matter is essential so that the decisions made are sustainable over time, and to be able to build trust within the policies and programs that favor coordination, including qualifications frameworks.

- In the course of the discussion, it was confirmed that countries are moving forward and continuing to develop **multiple training initiatives to address the changing reality of the world of work and improve employability and labor inclusion**, particularly of groups in more vulnerable situations. Some of the initiatives mentioned are detailed below:
 - The Ministry of Labor of Guatemala mentioned its “*Escuelas Taller*” (Workshop Schools) initiative, developed in collaboration with the Ministry of Education and the National Training Institute to develop training projects based on companies' territorial needs, and the “*Beca Mi Primer Empleo*” Program (previously administered by the Ministry of Social Development), which is part of the apprenticeship system and allows young people to have a first formal job for six months, with the State paying 51% of the salary and the companies 49%, the Ministry makes a monthly monitoring visit and provides certification in soft skills.
 - The Dominican Republic highlighted the Dual Training Program which started in 2021 and allows combining academic training with on-the-job training; and the Inclusive Labor Insertion Program for people with disabilities or in vulnerable conditions.
 - In the Bahamas, the Public Employment Service (dependent on the Ministry of Labor), the Ministry of Education and the private sector joined forces to create the “Labor on the Campus” initiative through which they hold job fairs and provide technical and vocational guidance to secondary education students. This is a recent initiative that is showing promising results.
 - Canada mentioned its “Global Skills Opportunity” program, which allows Canadian colleges and undergraduate University students to study and work abroad, in order to gain the portable skills and intercultural competencies needed for the jobs of the 21st century.
 - In Panama, the “*Aprender Haciendo*” (Learning by Doing) program is aimed at young people to strengthen both their technical skills and life skills through training and on-the-job experience. During the pandemic, the government created the Community Employability Program, in order to hire people in more vulnerable situations in State projects. The current process of improvement and comprehensive transformation of the Training Institute for Human Development is also highlighted; as well as the recent launch of the “Panamá Emplea” digital platform.
 - Spain shared that soon the State Public Employment Service (SEPE), under the Ministry of Labor, will be transformed into an independent State Agency, which will allow to better adapt its services to the transformations of the labor market. It was highlighted that both vocational training (provided by the Ministry of Education) and professional training (provided by the Ministry of Labor) must respond to the needs of students, workers and companies in a context of permanent change.

- The PAHO representative mentioned that education, labor and health are areas of action that can contribute to achieving greater equality in the region, and that they are intrinsically linked. To have a good education and a good job, healthy children and healthy workers are required. She invited the delegations to involve the health dimension within the education-labor coordination efforts.

Panel 2: Work on digital platforms

Moderator: Rosa-Mae Whittier, Director of International Affairs, Ministry of Labour of Trinidad and Tobago, and Vice Chair of WG1

Presentations by Namita Datta, Program Manager of Solutions for Youth Employment (S4YE) at the World Bank; Philippe Marcadent, Chief of the Inclusive Labor Markets at the ILO; Oliver Azuara, Senior Economist, Labor Markets and Social Security Unit of the Inter-American Development Bank; Giorgio Bocardo, Under Secretary for Labor at the Ministry of Labor and Social Welfare of Chile; Marta Pujadas and Nahuel Placanica from the Trade Union Technical Advisory Council (COSATE); and Ronnie Goldberg, Senior Counselor of the United States Council for International Business (USCIB) and Alternate Vice President of the Business Technical Advisory Committee on Labor Matters (CEATAL).

The main points of the presentations and the interventions of Argentina, Canada, Colombia, and Trinidad and Tobago are summarized below:

- The platform economy is a very diverse ecosystem (given the multiplicity of sectors, business models, worker profiles, among others) and is evolving very quickly; which represents a challenge for the regulation and adaptation of labor market institutions.
- The **benefits and opportunities**, as well as risks and difficulties of working on platforms were discussed in the session. Among the opportunities and benefits of this type of work, the following were mentioned: it allows better access to products and services; allows companies to access an agile and dynamic workforce; facilitates labor participation, particularly of some more vulnerable populations; offers income opportunities; can contribute to the transition to formality by giving self-employed workers the opportunity to network with companies in a more formal way; provides more flexibility and autonomy for workers, which allows them, among other things, to have a better work-life balance. The latter was cited as a particular benefit for women, with positive repercussions for their greater labor participation; in any case, reproducing stereotypes about the sexual division of labor and gender inequality should be avoided in this discussion.
- Regarding the **difficulties and risks** of working on platforms, the following can be highlighted: At a macro level, unfair competition between traditional companies and platform companies, as well as challenges regarding tax evasion. In labor matters: the use of automated control and decision-making systems, named by some “algorithmic management”, which allows the algorithm to assign tasks, define schedules and remuneration, etc.; the limited coverage of social protection (more on this later), including inadequate protection in the event of accidents or occupational diseases; difficulties in the exercise of freedom of association and collective bargaining -it was mentioned that companies have been able to organize themselves in an agile manner, while workers have difficulty organizing themselves given the nature of their work-;

personal data use and protection; lack of definition regarding the type of employment relation and the applicable labor rights and obligations.

- Possible **decent work deficits** in platform work were mentioned, according to ILO studies, particularly in terms of: labor income; working time (rest periods, the possibility to disconnect, and waiting time are not taken into account); health and safety at work, given that there is evidence that it can exacerbate some health problems (cardiovascular or mental health); and conflict resolution.
- Defining if whether **an employment relationship exists or not** is at the center of debates about the platform economy throughout the region. This is a fundamental issue because labor protection and social protection in most countries are linked to an employment relationship. As presented by the ILO representative, the number of disputes regarding employment relationships on platforms has been increasing, and there is no unanimous position of the courts of justice; even within the same country the courts have reached different conclusions. In the case of Europe, where there are statistics on the matter, 85% of cases are linked to transport/delivery platforms, and in 75% of cases the judicial decision has been to classify workers as salaried employees.
- In the ILO presentation, three trends were identified in the classification of platform workers at a global level: 1) the presumption of the existence of an employment relationship under certain criteria and the full granting of labor rights with it, 2) classifying them as independent workers, but guaranteeing certain rights; and 3) classify them within a third legal category (between independent worker and salaried employee), in the countries where this category exists.
- The **estimation/measurement of work** on platforms, in terms of the number of people employed in the sector, was recognized as a challenge by international delegations and organizations. There are multiple studies that analyze the phenomenon, but most are focused on work on location-based platforms (particularly transportation or delivery). An important contribution to the measurement of the phenomenon is the ILO Resolution concerning statistics on work relationships, adopted in 2018, which creates the measurement category “dependent contractor”, which refers to workers who have an agreement of a commercial nature (not an employment relationship) to provide goods or services through another economic unit. This will allow in the near future to have labor statistics on this type of work.
- The World Bank presented the recently published study “Work without borders: The promise and peril of online gig work”. It is worthy to highlight that the study analyzes gig work that is not done in a particular location but online, complementing the majority of studies on the platform economy, which have focused on location-based platforms. Below are some of the key findings of the study:
 - Online gig work accounts for 12% of the global labor force (435 million people). In Latin America and the Caribbean, around 46 million people are online gig workers; 41% have this job as a secondary job, 33% have it as a “marginal” job and 26% as a main job. The percentage of the labor force employed in this sector varies greatly among countries; worthy to mention Trinidad and Tobago, Costa Rica, Argentina and Jamaica with over 25% of the labor force participating in online gig work.

- There are about 545 online gig platforms; even though global platforms are more visible, 73% of gig platforms are regional (smaller and operating in languages different than English). These regional platforms play an important role in local ecosystems.
 - Regarding how inclusive online gig work is: 1) The majority of workers in these platforms are between 15 and 29 years old (for LAC: 53%), this holds potential for countries grappling with high levels of youth unemployment or underemployment; 2) in some regions women are participating in the online gig economy to a greater extent compared to the general labor market, in surveys they are citing flexibility in schedule and working from home as benefits (however, this has to be analyzed carefully as to not deepen occupational segregation), 3) over 6 in 10 gig workers live in smaller cities, which is contrary to general belief that they were concentrated in the capitals; this means, the platforms are an opportunity to bring jobs to areas where there are no other local jobs.
 - Policy recommendations of the study: 1) design social protection policies to cover all people in the informal sector, all people who are self-employed, not just gig workers; 2) in the short run, innovate and experiment with social insurance designs; 3) collect data, track, and monitor scale of gig work through augmented labor force surveys; 4) partner with digital work platforms on broader policy goals, e.g., expanding social registries and economic inclusion; 5) support modern innovative models of collective bargaining; and, 6) for higher capacity governments, support steps to clarify status in employment.
- **Social protection**, particularly the very low coverage of social protection within platform workers, was a recurring theme during the discussion. There is broad consensus that it is one of the greatest, if not the greatest, challenge of this way of working. Additionally, various recommendations were made in this matter. The main elements of the discussion on social protection are summarized below:
 - Despite multiple efforts to expand social protection coverage, it is very low in the region and is even lower among independent or self-employed workers than it is among salaried workers. It is particularly low among those working on digital platforms.
 - The low coverage of social protection throughout the region demonstrates, among other things, shortcomings in social security models. There is a broad consensus on the need to reform them. The debate is centered on how these reforms should occur and their guiding principles. Representatives of the World Bank and the IDB pointed out that the models are based on assumptions that are no longer valid in the current context and that do not respond to the realities of the region's labor markets, particularly their high levels of informality.
 - The ILO representative highlighted the ILO's vision in favor of universal social protection and the establishment of social protection floors. He indicated that reforms to social protection systems must be carried out not only under sustainability and coverage criteria, but also equity.
 - The World Bank and IDB representatives emphasized the need to innovate in the design of social protection policies to cover all people in the informal sector, all

people who are self-employed, not just gig workers. The World Bank pointed out the “invisibility” of informal workers, that was evident during the pandemic when it was very difficult for governments to reach them. In this sense, it is advisable for governments to partner with the platforms in order to reach people who tend to be informal.

- The IDB representative raised some recommendations derived from the IDB’s “Laboratory of Digital Social Security” and the study “Improving the Lives of the Self-Employed: The Road to Effective Insurance”, to increase access and coverage of social security for independent workers, in which platform workers are classified. He highlighted that independent work will continue to increase, as work on platforms expands and considering the expectations of new generations and the high job rotation, among others. This represents a big challenge for the coverage of social protection, designed for traditional employment relationships. He indicated that gig work did not arise with technological change, the region has had this type of employment for many years, what has changed is that now with the platforms the income of the population can be traced and, to that extent, important progress in protection can be achieved. He mentioned seven critical processes necessary to insure independent workers: 1) electronic registration and identification systems, this is a first step and several countries have focused their efforts on creating these systems; 2) add incomes to calculate contributions and incomes, considering that most online gig workers work in more than one platform; 3) flexibility of coverages, considering that the current system was based on family and social organization models that have changed; 4) automatic discounts in the source (for payment of contributions); 5) coordination with the tax system to achieve simultaneous payments of taxes and contributions; 6) coordination of information with the financial system to track income; and 7) provide tax incentives and have social programs for people who do not earn enough income to have coverage. He emphasized that the most important point is that policies achieve complementarity of actions and are person-centered; the key is to optimize the path that independent workers must take to be insured in a simple and effective way.
- It was observed that social dialogue is very limited among online workers, as stated by the ILO, this is due to practical challenges such as the isolation of workers and the individualistic nature of work, also because there are new forms of mobilization and action where traditional channels of representation are no longer being used. The World Bank highlighted that collective bargaining is critical in this sector and that gig workers need a voice, but institutional approaches need to be updated; it was recommended to have systems so that workers can rank platforms and clients, and create partnerships with existing unions.
- It is clear that there is still a broad debate and that governments and social actors are exploring and defining the best policies to address this phenomenon. Several regulatory advancements are starting to be seen in the region. The following were mentioned by the delegations:
 - In Chile, the Digital Platforms Law was approved in March 2022, with the objective of regulating relations between workers on digital service platforms and platform companies.

- The Labor Reform project in Colombia, currently ongoing in Congress and considered an ambitious labor rights project, has multiple provisions to recognize and guarantee rights for workers on digital platforms. Colombia has taken elements from the experience of Chile and Spain, among others. The Reform aims to guarantee social protection for all people who work on platforms (regardless of how the employment relationship is considered and the time dedicated to said work), as a step towards formalizing labor. It also refers to human supervision, which should not be replaced by the algorithm, and to the protection of personal data, among others.
 - The Government of Canada has consulted with stakeholders and the Canadian public to define how to update current federal labor protections to better protect gig and digital platform workers. Ensuring that gig workers have access to labor protections is a priority area for the Ministry of Labor. Currently Canada is focused on examining legislative changes that would bring more clarity to employment classifications under the Canadian Labour Code to help further address the issue of misclassification (between self-employed, independent contractors, rather than employees).
 - In Argentina the draft Law on Work on Digital Platforms is currently before Congress and, in previous years, since the pandemic, there were some other bills presented on the same subject.
- The Digital Platforms Law of Chile, approved in 2022, is considered a pioneer in the region. Hence, there was a dedicated space at the meeting for its presentation. Below are some important points of the Law and its implementation:
 - The Law establishes two special contracts incorporated into a new chapter of the Labor Code; the worker will be considered dependent or independent, depending on whether or not certain requirements established in the Law are met. In practice, the modality that has predominated since the approval of the law is that of an independent worker.
 - An important development of the law is that it pushes for the tax formalization of companies, given that they must be registered in the Chilean tax system, while promoting the formalization of work.
 - Main components of the law: Minimum payment per hour of work, social security coverage, obligation of disconnection by the company, right of access to the programming algorithm and explanation of how it operates, delivery of elements of personal protection and insurance against damage to personal property, the right to unionize, among others.
 - After a year of implementation: the size of the workforce in the sector has not changed, and informality was reduced from 90% to 75% as an initial effect of the law, but has remained constant since then.
 - Main actions of the Ministry of Labor in implementing the law: accompany union organization and social dialogue processes; training of companies and workers; ensure safety and health conditions at work through the Health and Safety Superintendency. The Directorate of Labor has functions of both interpretation and supervision of the Law, it has created the first inspection

programs in health and safety at work (which has been an emphasis until now), and is responsible for identifying situations of subordination and dependency in the working relationship. To this extent, it is very important to provide more capacity to said Directorate.

- By provision of the Law itself, the Higher Labor Council (tripartite) will evaluate the implementation after 3 years of its enactment, with the objective of proposing adjustments and improvements.
- The delegate of COSATE highlighted that for the union movement, addressing this issue is a strategic priority and expressed concern that platforms are instruments for companies to evade their fiscal and labor responsibilities. He indicated that the union movement recognizes that there are platforms that can contribute to formalization, as long as technology allows that possibility, but that in many cases technology is used to ignore the employment relationship, which contributes to precariousness and informality. He claimed the status of workers for those who carry out tasks through the platforms, and pointed out that the Trade Union Confederation of the Americas (TUCA) recently produced a document of guidelines for a Model Labor Code, which details the position of the union movement on the matter. He also highlighted some challenges of platform work: obstacles accessing social protection; opacity in the data collected by platforms; and “algorithmic direction”, among others. He raised some recommendations, which are included, along with the others presented during the discussion, at the end of this section of the report.
- The delegate of CEATAL stressed that employers are equally interested in ensuring adequate protections for those who are engaged in the platform economy. She mentioned that the complexity and diversity of the phenomenon poses challenges for regulators and indicated that “no one-size regulatory model can hope to make a meaningful and constructive impact”. She clarified that platform work should not be exempt from regulation, but that its objective and consequences should be carefully considered. She considered futile and counterproductive to try to make the new reality of work in the platform economy conform to outdated legal frameworks, rather, she indicated policy makers must redesign social safety nets and worker protections to accommodate technological innovation and new ways of organizing work. She stressed that both businesses and workers themselves must be part of envisioning policy solutions, as they can provide the necessary expertise to ensure that those solutions not only provide worker protections, but also empower labor market participation, lifelong learning, and sustainable employability. She mentioned that the benefits of platform work are contingent to access to digital infrastructure but, very prominently, digital skills, and called upon governments and social actors to work together in closing the digital divide which affects millions of people in the Americas, particularly in rural communities.
- During the discussion, different recommendations were proposed to address work on digital platforms, the most prominent are listed below:
 - Deepen cooperation and exchange among countries on work on digital platforms, recognizing the challenges that this type of work has represented and continues to represent for public policy and regulation of the world of work. Create a repository or portfolio of ideas or good practices.
 - Focus actions and public policy on expanding social protection and guaranteeing coverage for platform workers. This topic is discussed in greater detail in a

previous section of this Report. In the discussions, it was emphasized that it is a priority to increase the number of workers who contribute to social security; preventively identify and address physical and psychosocial risks of this type of work, including the delivery of appropriate work equipment by companies; address occupational health and safety, among others.

- Promote institutionalized social dialogue, freedom of association and collective bargaining in the sector, recognizing that there are difficulties in organization and unionization.
 - Increase training and awareness actions on labor rights and obligations, occupational health, and risk prevention, among others.
- The **debate and the position of different governments and social actors** in the region on work in the platform economy continues to develop. The regulatory debate within the ILO stands out, within the International Labor Conference of 2025 and 2026, which would allow for a new international standard or standards on decent work in the platform economy. In January 2024, countries will receive a report and questionnaire from the ILO to begin this process. Additionally, within the OAS itself, a RIAL Workshop on future of work and new forms of employment will be held in Costa Rica, in May 2024, in line with the IACML 2022-2024 Work Plan.

Panel 3: Gender equality and gender mainstreaming in labor and employment policies

Moderator: Marisol Bolaños, Head a.i. of the International Affairs Department of the Ministry of Labor of Costa Rica, and Vice-Chair of WG1

Presentations by María Claudia Camacho, Chief of Labor and Employment Section, DHDEE, and Beatriz Piñeres, Specialist of the Inter-American Commission of Women (CIM), OAS; María Isabel Salazar, Vice-Minister of Labor Administration of Guatemala; and Raúl Balmaceda Valdez, Director of Labor Inclusion and Child Labor of the General Directorate for Social Welfare, Ministry of Labor and Social Welfare of Mexico.

The main points of the presentations made, as well as derived from the interventions of Bolivia, Costa Rica, Panama, Dominican Republic, Trinidad and Tobago, and Uruguay, are summarized below:

- Gender equality in the world of work and gender mainstreaming in the Ministries of Labor are topics that have been gaining relevance over the years within the Inter-American Conference of Ministers of Labor. Today they are an unquestionable priority of this ministerial process. Multiple efforts have been deployed from the OAS, through the RIAL and with the support of the Inter-American Commission of Women (CIM), with the purpose of strengthening gender mainstreaming in the Ministries, including participatory gender diagnoses, studies, hemispheric and sub-regional workshops, virtual dialogues and bilateral cooperation.
- The creation of the RIAL/GENDER -the first specialized network of the RIAL- in 2022 was highlighted in the meeting. It is comprised of the gender focal points (specialized units or offices) within the Ministries of Labor, its objective is to strengthen these units through cooperation and using all the RIAL tools. The Technical Secretariat presented the document “Creation and achievements of the Network of Gender Focal Points -

RIAL/GENDER”, distributed within the meeting documents (CIMT-21/GT1-GT2/doc.5/23) detailing all the activities carried out. It is worthy to highlight that seven virtual hemispheric dialogues have been held with the participation of an average of 27 Ministries of Labor, which attest to their usefulness and relevance. They have centered on fundamental issues for gender equality at work such as labor inspection with a gender focus and the closing of occupational gaps.

- The CIM delegate reiterated the Commission's commitment to continue providing technical and substantive support to the IACML and the RIAL/GENDER, processes that, she considers, nourish the work of both the countries and the OAS General Secretariat to achieve gender equality. She underlined that the CIM has been working on the agenda of economic empowerment of women with the objective of making concrete regulatory tools available to States to strengthen the protection of women's economic rights. Within this framework, in 2021 the CIM presented the Inter-American Model Law on Care and is currently working on a document of affirmative measures aimed at balancing the differential situations that affect women and men as they enter the labor market. The goal is to provide States with a model law on this issue, which will contribute to closing labor participation gaps.
- Ensuring that labor inspection has a gender focus was considered an axis of the efforts of the Ministries of Labor to advance towards equality, considering that inspections allow for the identification in situ of actions or omissions that threaten, in a differentiated way, the labor participation and job quality among men and women. Situations linked to occupational health and safety were especially mentioned, such as the use of equipment (helmets, boots) sized or designed for men by women.
- There are recent and promising developments in the region to mainstream the gender approach within inspection. Below are some of the highlighted initiatives:
 - In Guatemala, thanks to exchanges within the RIAL with the Ministries of Argentina and Ecuador, and also with the Ministry of Labor of Spain, starting in 2022, all inspectors have been sensitized and trained in gender perspective, including officers who recently joined the area. The number of women within the inspection area -traditionally dominated by men- has increased (today they are 60%). In addition, specific topics such as the verification of industrial safety equipment with gender perspective and the wage gap, among others, have been included in the inspection records. This represents greater institutional capacity and sustainability over time.
 - The Ministry of Labor and Social Welfare (STPS) of Mexico is developing a protocol for inspection with a gender, non-discriminatory and human rights perspective, and has defined 10 indicators to guarantee compliance with rights and equal opportunities for men and women.
- It was widely recognized that achieving gender equality at work requires actions on various fronts, as well as the existence of regulatory frameworks and inter-institutional policies that affirm the commitment at the State level and not the government-level with this great purpose. Among the strategies developed by the Ministries of Labor to advance gender equality, the following stand out:
 - Establishment of gender units or areas in charge of gender mainstreaming in the Ministries. The panel highlighted: The Gender Equality Unit in the STPS of

Mexico under the Social Security Directorate; the Specialized Gender Unit of the Ministry of Labor of Uruguay, created in 2021; the Working Women's Section of the Ministry of Guatemala; and the Department of Gender Equality of the Directorate of Equal Opportunities and Non-Discrimination in the Ministry of Labor of the Dominican Republic. In addition, the “Manual for Gender Units of Ministries of Labor – ABC for their creation and operation” created by the RIAL/OAS, was mentioned as a valuable contribution.

- Increase links with other government entities, particularly mechanisms for the advancement of women (Ministries, institutes, etc.). The experience of the STPS of Mexico stands out, which is in charge of 44 specific actions of the National Program for Equality between Women and Men 2020-2024, the country's roadmap in this matter under the responsibility of the National Women's Institute. Trinidad and Tobago highlighted that, although the Ministry of Labor does not have a unit, it is part of the network of government focal points on the matter run by the Office of the Prime Minister-Gender and Child Affairs.
- Develop training programs aimed especially at women and focused on STEM and other skills in greater demand, aiming to close participation gaps; as well as promoting the strengthening of women's productive units and cooperatives. This last point was particularly highlighted by the Minister of Labor of Bolivia,.
- Provide services and address the particular needs of working mothers, ensuring that workplaces have breastfeeding spaces, and increasing access to daycare centers. The Ministry of Labor of the Dominican Republic highlighted that, in coordination with the Ministry of Health, it has managed to increase awareness and promote the installation of lactation rooms in workplaces.
- Address and close the salary gaps that persist in the region. Panama mentioned the International Coalition for Equal Pay and invited countries to join this international process.
- Address, prevent and eradicate gender-based violence at work. The Comprehensive Model for Women Victims of Violence in Guatemala was highlighted, which allows inter-institutional work at the State level to address this phenomenon; as well as the Manual to prevent and eradicate gender-based violence at work prepared by the Ministry of Labor of Uruguay in 2023 as a product of a RIAL bilateral cooperation with Argentina.
- Guarantee safe and orderly labor mobility processes with a gender perspective. The “Labor Mobility” program of Guatemala was mentioned, which has allowed over 4,000 Guatemalans to work in the United States temporarily and return to the country under a circular mobility model; this is being developed with Italy and Germany as well, and there has been an increase in the number of women taking advantage of this program.
- Recognition and certification of workplaces in terms of labor equality and non-discrimination. The Interinstitutional Council in Mexico was mentioned, pointing out the Mexican Standard 025 on labor equality and non-discrimination, which seeks to promote the certification of workplaces that have good labor equality and non-discrimination practices.

- Promotion of union participation of working women and their leadership in union decision-making spaces, recognizing that the union sector continues to be highly masculinized. The Minister of Labor of Bolivia emphasized this issue and highlighted developments in her country; she referred to the concept of “de-patriarchization” which is preferred to emphasize (instead of the concept of gender equality) to refer to dynamics of oppression not only against women, but against indigenous populations and other groups.
- Address and guarantee rights in the domestic work sector. The Interinstitutional Domestic Work Agenda of Costa Rica was mentioned, a programmatic instrument to articulate actions to improve the working conditions of domestic workers under five axes: formalization, inspection, employability, promotion of a culture of compliance, and social dialogue. This Agenda takes back lessons and good practices from Uruguay, after the RIAL/OAS bilateral cooperation between both countries.
- It was recommended to continue strengthening training and cooperation within the Ministries -particularly using the available mechanisms of the RIAL-, to strengthen the actions of the Ministries in terms of gender mainstreaming and take advantage of the path traveled and the lessons learned by different countries. Some of the topics mentioned for future training and cooperation actions were: unpaid domestic work; care economy and availability of services to increase female labor participation; violence and harassment at work; labor inspection; and strengthening gender units or areas.

Other Relevant Topics – Presentation of the Work Plan performance report and RIAL Workshops on informality and the future of work

The Meeting of Working Group 1 was also the opportunity to present the performance report of the Work Plan 2022-2024 of the IACML, the results of the RIAL Workshop on transition to formal employment, and the preparation of a Workshop in 2024 about the future of work. These Workshops were discussed at this meeting, given that they cover topics within the competence of Working Group 1, below is a brief summary:

- The Technical Secretary of the IACML, María Claudia Camacho, presented the “Performance Report as of September, 2023 of the Work Plan 2022-2024 of the Inter-American Conference of Ministers of Labor (IACML)” distributed within the meeting documents (CIMT-21/GT1-GT2/doc.3/23). The Secretary highlighted that the Work Plan has been 100% fulfilled so far and mentioned the three hemispheric workshops held, the creation of the RIAL/GENDER and its virtual dialogues, bilateral cooperation, the updating of portfolios and repositories, the biweekly newsletters, and the holding of the Meeting of the Working Groups. She pointed out that the Working Groups are a cornerstone of the ministerial process because they follow up on ministerial mandates and, at the same time, provide guidance and reflection on the future priorities of the process.
- The representative of the Ministry of Labor, Employment and Social Security of Argentina, Diego Schleser, Undersecretary of Planning, Studies and Statistics, presented the results and recommendations of the RIAL Workshop “Social Dialogue for a rights-based transition from the informal to formal employment” held in Buenos Aires, from October 21 to 22, 2022, and collected in the document: CIMT-21/GT1-GT2/doc.6/23. He recommended that interested parties read this document, which he considered “an unavoidable reference guide for the diagnosis and definition of policy on informality in

the region” and highlighted only some of the main results and recommendations of the Workshop, including: the vicious circle that exists between informality and inequality, which is nourished by multiple dynamics of discrimination and exclusion; the recognition of informality as a heterogeneous and multidimensional phenomenon, which requires interventions on multiple fronts; the existing relationship between informality and productivity, which does not necessarily imply that productivity gains are distributed equitably; for this reason, among others, social dialogue is crucial in the design and implementation of strategies to transition to formal employment. The aforementioned document contains policy recommendations related to labor market, productivity and social protection policies, among others. Its reading is highly recommended.

- The Work Plan 2022-2024 of the IACML contemplates a RIAL Workshop on the future of work and new forms of employment to be held in April or May 2024. The delegate of the Ministry of Labor of Costa Rica expressed the Ministry’s commitment at the political level with the theme of the Workshop and the interest in carrying it out in the country. She indicated that they will explore support conditions to make it a reality. As a note from the Technical Secretariat, the Work Plan contemplates the allocation of RIAL resources to co-finance the event.
- To conclude, the Chair and Vice-Chairs of Working Group 1 addressed the attendees, thanking them for their participation and highlighting the relevance and depth of the discussions held. They encouraged the delegations to continue maintaining Inter-American dialogue and cooperation within the framework of the IACML/OAS. Lastly, the delegate of Chile, Chair of the Group, recalled that it has been 50 years since the Coup d’état in his country and thanked the OAS for naming the main door of the General Secretariat building with the name of former President Salvador Allende. He thanked the delegations again and declared the meeting of Working Group 1 of the IACML adjourned.