

HRCT Trade Group Board meeting



Copenhagen, September 5th-6th, 2013

Item 10: IUF policy on Tourism

10.1 Summary Report Tourism Steering Group – Geneva, May 24th

General

- Participants were updated about process of implementing the “IUF Policy on Tourism” with a new chapter on “Child Exploitation”, which would be endorsed by the EC.
- An update about “All-inclusive” holidays research was provided.
- The IUF activities inside UNWTO and WCTE were reported. Jens-Peter Hagen (Fellesforbundet) asked the secretariat to circulate IUF speeches during UNWTO/WCTE meetings to show IUF’s role in national governments and to urge these Governments to back the IUF position within these institutions.
- Participants proposed to invite UNI Global and ITF representatives to the Steering Groups when common issues are on the agenda.
- Participants also proposed to review the Tourism Steering Group’s structure to be more effective and less time/money-consuming, and asked the secretariat to elaborate a proposal for next HRCT Trade Board meeting.

10.2 IUF Policy for Tourism

Attached as Appendix 1, you will find the IUF policy on Tourism endorsed during last EC meeting on May 29th – 30th.

10.3 UNWTO and WCTE

Appendix 1: IUF Policy on Tourism

IUF POLICY FOR THE TOURISM SECTOR

For the sustainable development of tourism

Lack of consistency and of co-ordination in tourism development has resulted in the sector being controlled mainly by private interests seeking short-term profits.

A negotiated development

The development of tourism should follow guidelines drafted at the international, national, regional and local levels, after consultations with all parties concerned, including the unions representing workers of the sector. The unions should ensure that their views are duly taken into account prior to tourism projects being undertaken.

Trade unions ought to support all initiatives of an economic, social or fiscal nature aimed either at consumers or at the industry and designed to promote sustainable tourism development.

A balanced development

IUF affiliates should in particular promote the following principles:

- ❖ tourism revenues should be fairly allocated and redistributed amongst the different regions;
- ❖ the existing balance between socio-economic factors should be maintained (tourism should not monopolize natural resources, at the expense of other sectors, such as agriculture);
- ❖ natural sites should be protected and strict provisions adopted to prevent pollution and to control the use of energy and natural resources;
- ❖ existing cultural practices in such areas which are helpful to safeguarding the sites should be upheld;
- ❖ eco-tourism should be promoted as much as possible particularly in small island states where the ecological balance is very fragile.

- ❖ The local population today and for generations to come should have free access to beaches and beach lands in their own country.

Involvement of unions

IUF affiliates should demand that they be included in the process of drafting, implementation and monitoring of environmentally-sound programs for the tourism sector.

Promotion of forms of tourism

IUF affiliates are invited to promote forms of specialized tourism that are less dependent on market forces (social and group tourism, rural tourism, etc.). They should support public efforts aimed at developing non-profit hospitality facilities, democratically operated and under the control of the trade union movement or those close to it.

that are less dependent on market forces

Governments, employers and workers' organizations should put special emphasis on "social tourism". Low-income workers and their families should have access to domestic and foreign facilities and contacts should be established between unions and other workers' organizations in various countries which operate their own tourism services.

IUF affiliates that have their own tourism facilities should make them available to members of other IUF affiliates at the same terms and conditions as those applying to their own membership.

Local priority

Respect of the local environment requires that tourism contribute to the preservation of the local economic and social fabric. In this connection, IUF affiliates should encourage the use of local businesses and products for tourism development projects. As much as possible, local labour should be employed and trained to handle tourism projects in their locality.

IUF affiliates should seek to ensure that subsidies and loans for the development of tourist facilities are used to further their stated aims and are contingent on their recipients complying with minimum standards, including union recognition and the respect of trade union rights.

Diversified development

Balanced tourism development requires, among others, the diversification of transportation, destinations and types of tourism. IUF affiliates should call upon decision makers to provide incentives in favour of non-polluting means of transportation in tourism.

Transnational companies respectful of basic rights, including those of trade unions

Transnational companies should be allowed to invest and operate in host countries only if they comply fully with local laws and practices, as well as with the provisions of the ILO Tripartite Declaration on Multinational Enterprises and basic ILO Conventions governing industrial relations,

including trade union rights and the prohibition against forced and child labour.

IUF affiliates should ensure that companies fully respect workers' freedom of association and right to bargain collectively and, as required by the ILO Declaration, have a positive attitude towards trade union activities, including those of international associations of unions.

IUF affiliates should further see to it that the companies draw most of their workforce from the local population and provide employees with the training necessary to eventually replace expatriate employees. Affiliates should also make sure that transnational companies are not granted investment incentives that could place them at a distinct advantage in relation to local firms. They should seek to obtain that entities operated under franchise or management contracts respect the same basic rights, including union rights, as those owned and operated by the transnational companies.

For jobs and improved working conditions

A better image of the HRCT sector, which alone will enable it to attract the skilled workers it needs in the long run, requires that working and living conditions in the sector be improved.

Collective bargaining

Improvements can come about only through collective bargaining in the sector. IUF affiliates must put an absolute priority on initiatives aimed at securing recognition for unions, collective bargaining and the implementation of collective labour agreements at all local, national and international levels. IUF affiliates should seek to obtain that union representatives be granted free access to all HRCT-sector workplaces.

Stable jobs

IUF affiliates in the HRCT sector should put a priority on the creation of stable, permanent, full-time jobs. Given the seasonal nature of tourism in certain regions and/or in the case of certain activities, unions should actively support efforts aimed at extending the tourist season, or else at implementing measures to ensure that seasonal workers can return every season to jobs with the same employer. To avoid persistent exploitation of seasonal or casual labour, efforts should be made to unionise these categories of labour in order for them to have bargaining power.

Stable jobs are threatened by the growth in unreported work. This type of illegal employment undermines the job security of legally employed workers, collectively bargained wages and working conditions and organizing in the sector, while at the same time causing a sizeable loss of revenue for the social welfare system. IUF affiliates should seek the implementation of measures to fight illegal work, including through international organizations.

Conditions similar to those of other sectors

IUF affiliates should seek to narrow any differences in wages and working conditions that may exist between the tourism and other economic sectors. They are invited to urge their governments to ratify ILO Convention 172 and to use as a model the provisions contained in Recommendation 179, adopted by employer, government and union delegates at the International Labour Conference of June 1991. Working conditions within international chains should, as much as possible, be similar in all countries. For instance, where similar jobs are being performed and similar services rendered, working conditions in a developing country should not be different from those that exist in developed countries.

Minimum employment standards for the hotel and catering sector

IUF affiliates are called upon to defend the following minimum standards:

- **All workers should enjoy the same rights and respect as human beings, regardless of their origin, race, sex, language and creed or religion.**
- **All workers should receive the same pay for work of equal value, regardless of sex or age.**
- **The working conditions, wages and fringe benefits of seasonal, temporary or part-time workers, or of the employees of subcontractors, should not be below those of full-time permanent workers.**
- **The use of subcontracting should be limited and negotiated with the unions representing the employees of the entity concerned. IUF affiliates should see to it that subcontracting is not used by employers as a way of preventing the organizing and effective representation of employees on payroll, or to exert downward pressure on the wages and working conditions of all of the entity's personnel, or even of all those employed in the sector.**
- **Temporary and part-time work should not be used as a substitute for permanent full-time jobs. IUF affiliates should ensure that employers are not entitled to government assistance for the creation of casual jobs.**
- **Workers in the HRCT sector are entitled to a decent base pay, equal to at least the average in the country. All employees are entitled to a regular wage for regular hours. Whenever compensation is dependent on the volume of business (pay based on service charge, compensation linked to sales), employees must also be guaranteed a minimum salary.**
- **All workers in the HRCT sector should be entitled to retirement benefits providing a decent standard of living after retirement, as well as to disability insurance.**
- **Tips and gratuities, understood to refer to sums freely given by customers to employees, are to be treated as fully distinct from wages. Workers should have access to company documents to verify the amount of tips and service charge they are entitled to.**

- **Working hours** in the HRCT sector should be set by collective bargaining and efforts should be made to eliminate differences that may exist in this respect with other economic sectors.
- **Any hours** during which workers are required to be on call should be considered working hours and paid as such. Workers should not be restricted from entering the workplace during their rest period or on days off.
- **Whenever feasible**, workers should work uninterrupted shifts. In the event of broken shifts, adequate compensation should be negotiated.
- **HRCT workers** should be entitled to a rest period of at least 12 hours between two shifts and 48 consecutive hours of weekly time off.
- **The manner** in which overtime is computed, assigned and compensated should be collectively bargained. Provisions applicable to night work or work on holidays should also be bargaining issues.
- **Safety and health issues** should be included in collective bargaining. Emphasis should be on the need to train workers in the sector, particularly in light of the specific nature of the hotel and restaurant professions with respect to contacts with customers.
- **The introduction** of new technologies with a potential impact on working conditions should be examined together with the workers concerned; the conditions under which new technologies may be introduced should be considered a collective bargaining issue.
- **The sub-contracting** of jobs to outside firms shall be subject to consultation in order to prevent the deterioration of existing working conditions.
- **Working conditions** laid out in staff handbooks written solely by the employer shall not supersede what has been agreed upon in the collective bargaining agreement.

Equal opportunities

IUF affiliates should seek to negotiate agreements guaranteeing full equality between women and men in employment, working conditions and advancement. They should encourage the adoption of programs aimed at facilitating the career development of women with dependent children.

A worker shall be protected from discrimination on the basis of union membership and enjoy all opportunities for promotion on the job, given the necessary skills.

Vocational training

IUF affiliates should place a high priority on vocational training. They should ask to be consulted on the selection standards and contents of basic vocational training programs. They should require that further training programmes be provided in the form of courses which would enable employees to progress in the jobs they are performing. Training should be financed by employers and/or the government and be scheduled during regular working hours.

Specific courses should be offered to employees based on their needs and expectations (training of seasonal workers during the off season, special courses on safety and health issues, etc.). Employers should also permit workers to pursue courses relevant to the sector by granting them paid study leave.

Fight against financial crime

IUF affiliates should take steps to help fight financial crime in the HRCT sector. This entails, among other things, more thorough checks of the qualifications of owners of tourist facilities, increased crack downs on trafficking at such locations and stricter controls of financial transactions.

Cost cutting should not be seen as a means for employers to increase profits at the expense of employees.

Regular verification should be carried out to ensure that statutory deductions of social security, provident and pension fund contributions from staff salaries and employers' contributions are properly made and paid into the relevant funds.

Protection of children

from sexual exploitation

IUF affiliates are called upon to adopt or improve policies to fight sexual exploitation of children:

- **Affiliates** should propose to adopt the Code of Conduct to Protect Children from Sexual Exploitation in Travel and Tourism
- **Affiliates** should sign agreements with enterprises based on the “Fight Against Child Exploitation in Tourism – Model Agreement”
- **Affiliates** should negotiate agreements with specific language to guarantee that the recruitment of minors in the HRCT sectors is to be limited to those departments and duties that are not at risk of sexual harassment, and in any case minors won't be employed into jobs or tasks involving contact with customers, except at the presence of an adult colleague.

***Appendix 2: Fight against child
exploitation in Tourism***

**FIGHT AGAINST CHILD EXPLOITATION
IN TOURISM
MODEL AGREEMENT**

For negotiation between employers and unions in the tourism sector

The company (or employers' association) and the union(s) hereby agree as follows:

1. Hotels shall refuse to do business with travel agencies or tour operators identified as having connections with child prostitution;
2. Employees of tourism organizations are encouraged to report to their union any requests having to do with prostitution tourism. Unions shall examine, jointly with the management of said organizations, ways and means to discourage such requests.
3. Employees of transportation companies are encouraged to disseminate any available information concerning the fight against prostitution tourism.
4. Hospitality facilities (hotels, restaurants, bars, etc.) shall display and make available to their customers information concerning the fight against prostitution tourism.
5. Employees at hospitality facilities shall have the right and make it their duty to report to their union any customer request having to do with child prostitution. Unions shall inform management about those matters and examine ways to discourage this type of requests.
6. Employees shall have the right and make it their duty to refuse to respond to any request having to do with child prostitution. In the event thereof, management of hospitality facilities undertakes to support employees in any dispute with customers. No disciplinary measure whatsoever shall be taken against an employee having declined to act upon a request by a customer having to do with child prostitution.

7. No children may be employed in hospitality facilities, even on a voluntary basis. As a rule, young workers shall not work at night, in particular at jobs where they are in contact with customers.
8. Trade unions are encouraged to urge employees in the sector to report any suspicious situation, so that unions may act upon the matter with employers.
9. Employers' associations undertake to take steps - if necessary with respect to their own members - aimed at putting a stop to the sexual exploitation of children wherever it comes to their attention.