



LECTURE

delivered by

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**Distinguished Organization of Commonwealth Caribbean
Bar Associations (OCCBA) Lecture Series**

2nd Lecture – in Honour of
Aston Chase OE, SC

TOPIC:

**Embracing International Labour Standards and Best
Practices in the Workplace:
The Future of Work in the Caribbean**

TUESDAY 21ST NOVEMBER, 2023
5:30PM (JAMAICA TIME)
4:30PM (BELIZE TIME)
6:30PM (AST/EASTERN CARIBBEAN TIME)

I am deeply honoured and I wish to extend my heartfelt thanks to Organization of Commonwealth Caribbean Bar Association (OCCBA) for the invitation to be a part of the celebration of the life of Ashton Chase, a pioneer whose service to his country in the many spheres is unparalleled. Mr. Chase, Senior Counsel was an author, an advocate at the bar, a champion for workers' rights and a founding member of Guyana's People's Progressive Party among other things. These great achievements and accomplishments make him a true icon, not only of Guyana but in the region. I feel certain that his legacy will live on through the countless lives he touched and the positive changes he brought to Guyana in the legal, political and labour spheres.

The theme for discussion today is “Embracing International Labour Standards and Best Practices in the Workplace – the Future of Work in the Caribbean.” This theme is very timely and important particularly post Covid 19.

The history of labour and economics in the Caribbean is a history of forced labour through slavery and labour by indentureship. Labour as you know is essential to, and is at the heart of a country's socio-economic development. It propels economic development by driving productivity, innovation and overall societal wellbeing.

One may ask what are International Labour Standards? Why embrace them? How do they promote good governance to support economic and social development in the Caribbean, a region with a history of slavery, indentureship and colonialism?

To understand international labour standards and their significance to the Caribbean and the global economy, one has to understand the work of the International Labour Organisation, commonly called the ILO.

The ILO, which is the only tripartite specialist agency of the United Nations, comprises of governments, employers and workers representatives of 187 member states. Unlike the UN, the ILO has been in existence more than a century, since 1919. The main work of the ILO is to set labour standards and promote policies of decent and productive work, in conditions of freedom, equity, security and dignity for all men and women around the world.

The preamble of the ILO's Constitution explains that, "universal and lasting peace can be established **only** if it is based on social justice."

The ILO's Declaration of Philadelphia of 1944, embodies basic principles of economic and social justice. The International Community adopted this Declaration and accepted that "Labour is

not a commodity”. The Declaration asserts that labour is not an inanimate product, like an apple or a television set that can be negotiated for the highest profit or the lowest price. Work is part of everyone’s daily life and is crucial to a person’s dignity, wellbeing and development as a human being. Therefore, economic development should include the creation of jobs and working conditions in which people can work in freedom, safety and dignity. In short, economic development is not undertaken for its own sake, but to improve the lives of human beings.

The Declaration of Philadelphia also asserts that poverty anywhere contributes a danger to prosperity everywhere, and that social justice is the condition for lasting peace.

In June this year, during the International Labour Conference (ILC), the ILO hosted the World of Work Summit 2023 under the theme “Social Justice for All”. The featured speaker, the Prime Minister of Barbados the Honourable Mia Mottley, in support of the ILO stated that, “this work of Social Justice within the relationship between the global North and the global South is also a work that must be done. And who better to anchor this than the ILO, the only institution that has tripartite membership globally, in the UN system.”

I guess after listening to the key points of the Declaration, you may discern that the ILO is a standard setting organization whose aim is the promotion of social justice by means of the advancement of decent work for all.

The International Labour Standards are the main constitutional tools for reaching this objective. They reflect the outcome of negotiations among the three ILO constituents: governments, workers' and employers' organisations, and are adopted by vote by the plenary sitting of the International Labour Conference (ILC). These international standards are there to ensure that focus remains globally on improving the life and dignity of men and women.

The ILO's Constitution provides for a unique supervisory system to ensure the application and promotion of the International Labour Standards. This system is a fundamental part of the functioning of the organization¹ and is designed not only to regularly examine the implementation of the ratified conventions, but also to assist countries through technical assistance and social dialogue to solve problems identified in the process.

¹ See NORMES web page under the heading Applying and Promoting International Labour Standards

The Committee of Experts

One of the key components of this supervisory system is the Committee of Experts on the Application of Conventions and Recommendations, of which I am a member. The Committee of Experts is an independent body responsible for analysing reports on how International Labour Standards are applied in law, and in practice in the 187 member states, while cognizant of different national realities and legal systems. The Committee of Experts was established in 1926 and is composed of 20 legal experts from different geographical regions representing different legal systems and cultures. This diverse background remains a key feature of the Committee of Experts with jurists from six continents.

The reports and comments of the Committee of Experts are very useful guides to governments for the implementation of International Labour Standards, which in turn serve as a pathway of decent work and an important means of sustainable development.

The ILO promotes these International Labour Standards, as a means of ensuring that economic growth and development go hand in hand with the creation of decent work. Indeed, the ILO's unique tripartite structure ensures that the views of the social partners are

closely reflected in the Labour Standards, and in shaping policies and programmes in the world of work.

International Labour Standards also form an essential component of the international normative framework, their central role in the implementation of the 2030 sustainable development goals are highlighted in several specific targets related to the world of work. According to the ILO, International Labour Standards are first and foremost about the development of human beings. They ensure that economic development remains focused on improving human life and dignity, laying down the basic minimum social standards agreed upon by all players in the global economy.

The ILO has described these standards as crosscutting policy drivers. Their implementation sustains the attainment of full productive employment and decent work for all, which in turn means, the achievement of sustainable development, based on the respect on the rights at work including labour related human rights.

As part of the UN normative framework, the International Labour Standards contribute to the rule of law and the creation of legal institutions for good governance. The rule of law is the vehicle for the promotion and the protection of the common normative framework providing a structure through which the exercise of

power is subjected to agreed rules, guaranteeing the protection of all human rights, including the labour related human rights.

International Labour Standards take the form of conventions, which are legally binding on the ILO member States that have ratified them, and recommendations, which serve as non-binding guidelines. In many cases, a convention lays down basic principles to be implemented and the related recommendation supplements it by providing more detailed guidelines on the application.

International Labour Standards, whether binding as a result of ratification or referenced as guidance, by national authorities, offer important direction with respect to establishing an effectively governed labour market. They are often used as models and tools for governments which, in consultation with employers and workers, are seeking to draft and implement labour law and social policy. International Labour Standards are also used in legal systems and administrations at the national level, thus enabling governments to refer to international consensus on how a particular labour issue can be addressed, since these standards reflect knowledge and experience from all corners of the world.

In his opening remarks at the 110th Session of the International Labour Conference in May 2022, the ILO's then Director-General Guy Ryder, stated, among other things, that:

“.... the rule of law must prevail. just as the flouting of the UN Charter by military aggression is not to be tolerated and must not prevail, so the violation of International Labour Standards must not go unanswered”.

I think that by now you can agree that International Labour Standards are crucial for promoting fair and decent working conditions globally. Moreover, they protect workers' rights, ensure equitable treatment and establish a framework for economic and social development. I therefore submit that all countries and all work places should embrace these standards, some of which have been in place for more than a century.

International Labour Standards have sometimes been perceived as costly and therefore a hindrance to economic development. However, a growing body of research has indicated that compliance with International Labour Standards is often accompanied by improvements in productivity and economic performance in organisations and in countries. I invite you to briefly consider the following examples of International Labour Standards

and their importance to countries in the Caribbean and the rest of the world.

1. Minimum Wage standards serve as a crucial tool for promoting economic fairness by ensuring a baseline income for workers. They contribute to reducing income inequality, improved living standards, and increased consumer spending, thereby stimulating the economy. Additionally, minimum wages can enhance employee motivation and productivity while decreasing reliance on social welfare programmes.
2. Occupational Safety and Health standards offer several advantages including the protection of workers from workplace hazards, the reduction of workplace accidents, injuries and illnesses, improved employee morale and productivity and a decrease in health care cost for both employers and society. These standards ensure a safe and healthy working environment and enhance overall employee wellbeing and productivity. They also contribute to long term economic benefits by minimising absenteeism, turnover and the legal and financial consequences associated with workplace incidents. Overall, they create safer and healthier

work environments benefiting both employees and employers.

3. Social Protection standards such as unemployment schemes and active labour market policies can facilitate labour market flexibility.
4. Worktime standards and respect for equality standards can translate into greater satisfaction, improved performance of workers and reduced staff turnover.
5. Maternity Protection standards provides for maternity leave, protection from dismissal during pregnancy and measures to ensure women return to work after pregnancy. This is crucial for gender equality in the workplace, for supporting the wellbeing of both mothers and children and enhancing social stability.
6. Employment Protection standards can encourage workers to take risk and to innovate.
7. Investment in Vocational training can result in a better trained workforce and higher employment levels.

8. Freedom of Association and collective bargaining can lead to better labour-management consultation and cooperation, thereby improving working conditions, reducing costly labour conflict and enhancing social stability. Freedom of association and collective bargaining also foster fair labour relations ensuring that workers have a voice in decisions which affect their working conditions.
9. Minimum Age standards safeguards young workers by ensuring they receive proper education and protection from hazardous work by establishing a minimum age for employment.

It is important to note that International Labour Standards call for the creation of institutions and mechanisms which can enforce labour rights. In combination with a set of defined rights and rules, functioning legal institutions can help to formalize the economy and create a climate of trust and order which is essential for economic growth and development.

The beneficial effects of embracing International labour standards are often not unnoticed by foreign investors. Recent studies have shown that in their criteria for choosing countries in which to invest, foreign investors rank workforce quality and political and social

stability above low labour costs. At the same time, there is little evidence that countries which do not respect Labour Standards are more competitive in the global economy.

At a basic level, economic development should include the creation of jobs and working conditions in which people can work in conditions of freedom, safety and dignity. We should always remind ourselves that economic development is not undertaken for its own sake, but to improve the lives of human beings. Therefore, the International Labour Standards are there to ensure that like the rest of the world, countries in the region remain focused on improving the lives and dignity of men and women.

The Future of Work

If you were to ask, what would the future of work look like in 2030, in keeping with the UN's sustainable development goals. I will say that I cannot give a definite answer. This is so because of how very dynamic and volatile the world has become with rapid technological advancements, globalisation and societal shifts. No one could have predicted the Covid 19 pandemic nor could we have predicted the war between Russia and Ukraine and the recent conflict in Israel.

The 2030 Agenda of sustainable development goals is really a universal call to end poverty, to protect the planet and to improve

the lives and livelihood of everyone, everywhere. The hope is that in the future, by 2030, most of these goals will be achieved. In my respectful view, no one predict what the future of work will look like in 2030.

Before we examine the future of work in the Caribbean, permit me to briefly examine the profound changes the Caribbean and indeed the world have experienced post Covid 19 and where we are at present as a region.

The ILO Management Report of 2023² noted that the Latin America and the Caribbean region is undergoing a slow and uneven recovery from the COVID-19 pandemic. Strong inflationary pressures have been observed in both 2022 and 2023, regionally and globally, mainly due to rising energy and food prices. These factors have led to higher interest rates and rising inequality. At the same time, the ILO warns that the slow recovery of regional employment rates is accompanied by greater informality and an increase in the number of workers in poverty. Vulnerable groups, such as young people and women, continue to have greater difficulty in finding decent work.

² ILO's Management Report 2022-2023 and ILO/Cinterfor Work Plan 2024-2025 – October 2023

In the region, training, which is key to the transitions the world is currently experiencing, had also been strongly affected during the period of the pandemic, especially in relation to the drop in the number of hours people were able to dedicate to study and the number of hours offered by teachers. A high percentage of participants faced difficulties in connecting remotely to online classes and experienced reduced possibilities for interaction with peers and teachers during the school cycle.

The Report explains that while the digital transition in vocational training has accelerated, new opportunities have emerged that should be considered when designing public policies for vocational training. Digital divides have also worsened, adding to structural divides in the region, such as informality, low productivity and economic and social inequalities. However, technical and vocational education and training institutions in the region did respond swiftly to the pandemic, adopting initiatives that accelerated the use of digital media in their activities and strategies deployed to sustain their training activity.

Indeed, the region is undergoing one of the great transitions of our time: there is rapid transformation towards digital societies and economies. This process of widespread adoption and use of digital technologies is impacting in multiple aspects of social and

economic life, ranging from communication and access to information by individuals, to business operations and government services. To the extent that this is a process that causes both the obsolescence of certain knowledge, tasks, activities and occupations, as well as the generation of new employment and business opportunities, the role of vocational training policies becomes fundamental. Only through the adequate design and implementation of such policies can the inevitable economic and productive transformation be socially just.

Another trend of growing importance globally, is the transition towards more sustainable and carbon-free societies and economies. This transition consists of reducing dependence on fossil fuels and high carbon emissions by replacing them with more sustainable, renewable and environmentally friendly energy sources, and by introducing modes of production and consumption that contribute to reducing wasted energy and materials and pollution³.

As in the case of the digital transition, the sustainable transition also creates opportunities for economic development and employment, provided it is simultaneously fair. This implies that the process does not leave behind people and communities that

³ ILO World Employment and Social Outlook – Trends 2023

depend on sectors or industries that will be affected by this transition.

Again, training appears as part of the policies that can minimise negative social and economic impacts and take advantage of emerging opportunities. The ILO noted that the region's vocational training institutions have taken note to adapt their training delivery and respond to the growing demands of the new "green" sectors or of the traditional sectors that seek to adapt to this transition.

A third transition with strong significance for the region, but of a different nature, is the demographic transition. In a general and simple way, this consists of the transition of populations from high to low birth rates and towards longer life expectancy. This transition which is unfolding at different stages in the countries of the region, has important consequences for labour markets and poses significant challenges for public policies on employment, social protection, health, education and vocational training, among others. In countries with a high and growing proportion of young people, there are quantitative and qualitative challenges for training policies. They must simultaneously meet a growing demand for training services in a relevant and high-quality way, for young people to acquire the necessary competencies to confront the conditions posed by the other transitions mentioned above. On the

other hand, countries in more advanced stages of this transition, face processes of increasing population ageing that pose various challenges.

The quality and relevance of training for young people is key to their access to quality job opportunities that contribute to improving productivity of the economy and enterprises. At the same time, the increase in life expectancy, together with a higher proportion of older people, generates new demands in terms of production and fundamentally, services.

The care sector in a broad sense (education, health, social services) has the potential to generate more jobs and consequent demand for skills. Providing opportunities for the development of such skills is key to harnessing this potential and also to promoting equal opportunities for men and women in employment and career development.

Another demographic phenomenon is that of migratory flows. It is noteworthy that the region, in addition to facing the challenges of transitions, is also experiencing a major migration crisis.

Globally, most countries have not yet returned to the levels of employment and hours worked seen at the end of 2019, before the outbreak of the COVID-19 health crisis. Yet, a series of supply

shocks, predominantly in food and commodities markets, have raised producer prices, causing spikes in consumer price inflation and pushing major Central Banks into a more restrictive policy stance. In the absence of corresponding increases in labour incomes, the cost of-living crisis directly threatens the livelihoods of households and risks depressing aggregate demand. Many countries worldwide have accumulated a significant amount of debt in part to address the severe fallout from the pandemic. The risk of a global debt crisis therefore looms large.

In the midst of these challenging circumstances, major decent work deficits persist around the world, undermining social justice. Hundreds of millions of people lack access to paid employment. Many of those who are employed often lack access to social protection and fundamental rights at work, the majority of workers in the informal economy are unable to express their interests through social dialogue. Incomes are distributed highly unequally, such that many workers fail to escape poverty. Labour market prospects are highly unequal, not only across but also within countries. Gender gaps exist in all areas of the world of work, and young people face particular challenges.

It is useful to remember that decent work is fundamental to social justice. Households rely overwhelmingly on labour income,

generated by decent work opportunities that offer a fair income and security in the workplace.

Beyond the gap in employment, job quality remains a key concern. Without access to social protection, many people simply cannot afford to be without a job. Some accept any kind of work, often at very low pay and with inconvenient or insufficient hours. Furthermore, with prices rising faster than nominal wages, some workers may experience rapidly declining disposable incomes even when they can keep their current jobs.

As we look at the future of work, the working landscape is evolving quickly, with remote work becoming a prominent change in recent times. As technology keeps advancing and bridging gaps between people, remote work is growing more appealing to both employees and employers.

Remote work, sometimes referred to as telecommuting or working from home, enables employees to carry out their job responsibilities from any location with a stable internet connection. This flexible work style is becoming more prevalent in the Caribbean and is reshaping how people approach their careers. Remote work has the potential to transform the Caribbean job market, creating new avenues for growth and progress.

Data from recent years show that remote work has grown consistently in the Caribbean. According to a 2021 survey by the Caribbean Development Bank, 53% of respondents switched to remote work during the COVID-19 pandemic, and many reported a desire to continue working remotely after the pandemic was over.

However, within the Caribbean, especially in the public sector, it is necessary to ensure that institutions and employees have up-to-date, well maintained equipment and are trained to use them. The service providers in the Caribbean also have to do what is required to provide a high quality service at a price which users can afford.

I am certain that many of us here today have experienced poor or unreliable telephone and internet service and we sit and pray that we survive a meeting without a hiccup from our service providers. Further, the security of information is of paramount importance, as a result, many countries across the region have been formulating cybersecurity policies and introducing legislation to protect users.

I therefore respectfully submit that the future of work in the Caribbean will be influenced by the rapid pace of technological advancement and automation. Countries in the region will have to address the changing and competing forces in the world of work. Work as we know it, one or two decades ago, will be profoundly

changed and economies will be transformed by new and dynamic jobs while some sectors will decline and some jobs will become obsolete. Digitizing is already changing the way we work in many sectors but it is also leading to new jobs as in the platform economy.

Climate change will lead to alterations in the way we produce and work but will also give rise to new sectors in the green and blue economies and to the decline of contaminating sectors.

The rise of new and flexible work arrangements is challenging most social protection systems worldwide and may pose great challenges to the trade union movement as they seek to provide a voice for workers. What influence will the continuing march of technology, automation and artificial intelligence (AI) have on where and how we work, only time will tell.

In my humble view, the shape that the workforce of the future takes, will be the result of complex, changing and competing forces. Some of these forces are certain, but the speed at which they unfold can be hard to predict. Regulations and laws, the governments that impose them, broad trends in consumer, citizen and worker sentiment will all influence the transition toward an automated

workplace. The outcome of this will determine the future of work by 2030.

It is critical that International Labour Standards and International best practices continue to be the bedrock for social, economic development and advancement in the Caribbean and the rest of the world.

Governments and organisations in the region should take a proactive approach to training and skill development, an openness to new work structuring and a commitment to fostering a resilient and inclusive workforce.

Employers and their organisations, unions and workers alike should embrace the spirit of adaptability, continuous learning and collaboration.

The emphasis in the workplace should be on the human aspect including the wellbeing and safety of workers in the face of the technological advancements.

As we step into the future of work, the ability to thrive as a region will hinge on our collective capacity to embrace change, cultivate resilience and envision a workplace that aligns with the evolving needs and values of the global community. I end by reinforcing the

fundamental principle of the ILO, which is that the adoption and application of international labour standards are paramount, and that decent work in conditions of freedom, equity, security and dignity for all men and women globally, can be achieved if we apply these standards and best practices in the workplace.

Thank you for listening.