



# Governing Body

343rd Session, Geneva, November 2021

Institutional Section

INS

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## Report on the status of pending representations submitted under article 24 of the ILO Constitution

**Summary:** As requested by the Governing Body, this document provides information on the status of pending representations submitted under article 24 of the ILO Constitution.

**Author unit:** International Labour Standards Department (NORMES).

**Related documents:** None.

1. At its 334th Session (October–November 2018), the Governing Body approved a series of measures concerning the operation of the procedure for the representations submitted under article 24 of the ILO Constitution and asked the Office to make available an information document on the status of pending representations at each March and November session of the Governing Body.
2. The table below lists the representations submitted under article 24 of the ILO Constitution that are currently pending before the Governing Body.

Country	Convention	Complainant organizations	Representation status
Argentina	Occupational Safety and Health Convention, 1981 (No. 155); Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)	Confederation of Workers of Argentina (CTA Autonomous), Association of State Workers (ATE), and Union of Educational Workers (UTE)	<p>At its 340th Session (November 2020), the Governing Body decided that the representation was receivable and set up a tripartite committee to examine it (GB.340/INS/19/4, paragraph 5).</p> <p>The Office informed the complainant and the Government of the possibility of undertaking efforts at conciliation with ILO assistance should it be requested. The parties have jointly accepted conciliation and requested ILO assistance. The complainant subsequently informed the Office that conciliation had ended. The Government submitted its observations.</p> <p>In the process of designating members of the ad hoc tripartite committee. <b>Designations are urgently awaited.</b></p>
Argentina	Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); Right to Organise and Collective Bargaining Convention, 1949 (No. 98); Labour Relations (Public Service) Convention, 1978 (No. 151); Collective Bargaining Convention, 1981 (No. 154)	Two representations submitted by the Federation of Trade Unions of Municipal Workers of Santa Fe Province (FESTRAM) and the Federation of Municipal Trade Unions of Santa Fe Province (FESIM), respectively	At its 342nd Session (June 2021), the Governing Body decided that both representations were receivable and, as they relate to Conventions dealing with trade union rights, to transmit them to the Committee on Freedom of Association (CFA) for examination as per the procedures set out in the Standing Orders on articles 24 and 25 of the Constitution (GB.342/INS/9/6, paragraph 7). Both representations are now pending at the CFA.

Country	Convention	Complainant organizations	Representation status
Brazil	Labour Inspection Convention, 1947 (No. 81); Collective Bargaining Convention, 1981 (No. 154)	Central Organization of Workers of Brazil, General Confederation of Workers of Brazil, Single Central Organization of Workers, Força Sindical, New Central Union of Workers, General Union of Workers, and Confederation of Brazilian Trade Unions	<p>At its 328th Session (October–November 2016), the Governing Body decided that the representation was not receivable in respect of Convention No. 81.</p> <p>It also decided that the representation was receivable in respect of Convention No. 154 and, by virtue of article 3(2) of the Standing Orders, since the representation relates to a Convention dealing with trade union rights, referred it to the Committee on Freedom of Association (CFA) for examination in accordance with articles 24 and 25 of the Constitution (GB.328/INS/18/4, paragraph 5). The representation is currently pending at the CFA.</p>
Brazil	Indigenous and Tribal Peoples Convention, 1989 (No. 169)	Union of Rural Workers of Alcântara (STTR), and Union of Family Agriculture Workers of Alcântara (SINTRAF)	<p>At its 337th Session (October–November 2019), the Governing Body decided that the representation was receivable and set up a tripartite committee to examine it (GB.337/INS/13/5, paragraph 5).</p> <p>The Office informed the complainant and the Government of the possibility of undertaking efforts at conciliation with ILO assistance should it be requested. Efforts to undertake conciliation ended and the Government communicated its observations.</p> <p>In the process of designating members of the ad hoc tripartite committee. <b>Designations are urgently awaited.</b></p>

Country	Convention	Complainant organizations	Representation status
Chile	Discrimination (Employment and Occupation) Convention, 1958 (No. 111)	Single Central Organization of Chilean Workers (CUT)	<p>At its 334th Session (October–November 2018), the Governing Body decided that the representation was receivable and set up a tripartite committee to examine it (GB.334/INS/14/2, paragraph 5). The ad hoc tripartite committee was established and held its first meeting during the 336th Session (June 2019) of the Governing Body. The Government's observations were submitted.</p> <p>At the request of the tripartite committee, the Office informed the complainant and the Government of the possibility of undertaking efforts at conciliation with ILO assistance should it be requested. The parties have jointly accepted conciliation and requested ILO assistance which is in process.</p> <p>Meanwhile, the Government member of the tripartite committee needs to be designated again. <b>Designation is urgently awaited.</b></p>
Chile	Old-Age Insurance (Industry, etc.) Convention, 1933 (No. 35); Invalidity Insurance (Industry, etc.) Convention, 1933 (No. 37)	National Federation of Municipal Workers of Chile (FENTRAMUCH)	<p>At its 340th Session (November 2020) the Governing Body decided that the representation was receivable and set up an ad hoc tripartite committee to examine it (GB.340/INS/19/1, paragraph 5). In the process of designating members of the ad hoc tripartite committee.</p> <p>The Office informed the complainant and the Government of the possibility of undertaking efforts at conciliation with ILO assistance should it be requested. The parties have jointly accepted conciliation and requested ILO assistance which is in process.</p>

Country	Convention	Complainant organizations	Representation status
Chile	Discrimination (Employment and Occupation) Convention, 1958 (No. 111)	Federation of Associations of Officials of Municipal Education Administration Departments of the Ñuble Region (FEFUDAEM-ÑUBLE)	<p>At its 341st Session (March 2021), the Governing Body decided that the representation was receivable and set up a tripartite committee to examine it (GB.341/INS/14/4, paragraph 5). In the process of designating members of the ad hoc tripartite committee.</p> <p>The Office informed the complainant and the Government of the possibility of undertaking efforts at conciliation with ILO assistance should it be requested. The complainant has accepted conciliation and the Government has informed the Office that it will send its reply following internal coordination.</p>
Colombia	Maternity Protection Convention, 1919 (No. 3); Workmen's Compensation (Agriculture) Convention, 1921 (No. 12); Workmen's Compensation (Accidents) Convention, 1925 (No. 17); Workmen's Compensation (Occupational Diseases) Convention, 1925 (No. 18); Sickness Insurance (Industry) Convention, 1927 (No. 24); Sickness Insurance (Agriculture) Convention, 1927 (No. 25); Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)	Single Confederation of Workers of Colombia (CUT), General Confederation of Labour (CGT), and Confederation of Workers of Colombia (CTC)	<p>At its 342nd Session (June 2021), the Governing Body decided that the representation was receivable and set up a tripartite committee to examine it (GB.342/INS/9/4, paragraph 5).</p> <p>The Office informed the complainant and the Government of the possibility of undertaking efforts at conciliation with ILO assistance should it be requested. In the meantime, the Government communicated its observations on the complaint.</p> <p>In the process of designating members of the ad hoc tripartite committee. <b>Designations are urgently awaited.</b></p>

Country	Convention	Complainant organizations	Representation status
Costa Rica	Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); Right to Organise and Collective Bargaining Convention, 1949 (No. 98); Workers' Representatives Convention, 1971 (No. 135)	Rerum Novarum Confederation of Workers (CTRN), Costa Rican Workers' Movement Confederation (CMTC), Unitary Confederation of Workers (CUT), and Juanito Mora Porras Trade Union Confederation (CSJMP)	At its 328th Session (October–November 2016), the Governing Body decided that the representation was receivable and, by virtue of article 3(2) of the Standing Orders, since the representation related to a Convention dealing with trade union rights, referred it to the Committee on Freedom of Association (CFA) for examination in accordance with articles 24 and 25 of the Constitution (GB.328/INS/18/3, paragraph 5). The case is currently pending before the CFA.
Ecuador	Indigenous and Tribal Peoples Convention, 1989 (No. 169)	Public Services International (PSI), National Workers' Federation of Provincial Governments of Ecuador (FENOGOPRE), and National Confederation of Public Servants of Ecuador (CONASEP)	At its 341st Session (March 2021), the Governing Body decided that the representation was receivable and set up a tripartite committee to examine it (GB.341/INS/14/2, paragraph 5). In the process of designating members of the ad hoc tripartite committee.  The Office informed the complainant and the Government of the possibility of undertaking efforts at conciliation with ILO assistance should it be requested. The complainant accepted conciliation in the form for submission of the representation and a reply is expected from the Government.

Country	Convention	Complainant organizations	Representation status
France	Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); Right to Organise and Collective Bargaining Convention, 1949 (No. 98); Termination of Employment Convention, 1982 (No. 158)	General Confederation of Labour–Force Ouvrière (CGT–FO), and General Confederation of Labour (CGT)	Declared receivable by the Governing Body as far as Convention No. 158 is concerned at its 329th Session (March 2017). An ad hoc tripartite committee was established in March 2017 but following Governing Body elections in June 2017, the Government member changed and was not available for a committee meeting in 2018. The tripartite committee has been fully reconstituted and has carried out its examination since the 335th Session of the Governing Body (March 2019). With regard to Conventions Nos 87 and 98, the Governing Body decided that the allegations be referred to the Committee on Freedom of Association (CFA) for examination in accordance with articles 24 and 25 of the Constitution (GB.329/INS/21/2, paragraph 5). The elements relating to Conventions Nos 87 and 98 are now pending at the CFA.
France	Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)	Union of Performers and Teachers of Music, Dance, Drama and Performing Arts-related Occupations (SAMUP)	At its 342nd Session (June 2021), the Governing Body decided that the representation was receivable and, as it relates to a Convention dealing with trade union rights, to refer it to the Committee on Freedom of Association (CFA) for examination in accordance with articles 24 and 25 of the Constitution (GB.342/INS/9/5, paragraph 5). The case is now pending at the CFA.

Country	Convention	Complainant organizations	Representation status
France	Labour Inspection Convention, 1947 (No. 81)	General Confederation of Labour (CGT) of Social Affairs of Franche-Comté; Interdepartmental union CGT-Work, Employment and Vocational Training (CGT-TEFP) of the Departmental units 21 (Côte d'or), 58 (Nièvre) and 71 (Saône and Loire) of the Regional Directorate for Enterprises, Competition, Consumer Matters, Labour and Employment (DIRECCTE) Bourgogne Franche-Comté; and CGT-TEFP	<p>At its 342nd Session (June 2021), the Governing Body decided that the representation was receivable and set up a tripartite committee to examine it (GB.342/INS/9/1, paragraph 5).</p> <p>The Office informed the complainant and the Government of the possibility of undertaking efforts at conciliation with ILO assistance should it be requested. In the meantime, the Government communicated its observations on the representation.</p> <p>In the process of designating members of the ad hoc tripartite committee. <b>Designations are urgently awaited.</b></p>
Guinea	Labour Inspection Convention, 1947 (No. 81); Protection of Wages Convention, 1949 (No. 95); Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)	International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF)	<p>At its 341st Session (March 2021), the Governing Body decided that the representation was receivable and set up a tripartite committee to examine it (GB.341/INS/14/6, paragraph 5). In the process of designating members of the ad hoc tripartite committee.</p> <p>The Office informed the complainant and the Government of the possibility of undertaking efforts at conciliation with ILO assistance should it be requested.</p>
Mexico	Social Security (Minimum Standards) Convention, 1952 (No. 102)	Workers' Federation of the State of Sonora and nine other unions in the State of Sonora	<p>At its 340th Session (November 2020), the Governing Body decided that the representation was receivable and set up an ad hoc tripartite committee to examine it (GB.340/INS/19/6, paragraph 5). In the process of designating members of the ad hoc tripartite committee.</p> <p>The parties jointly accepted conciliation with ILO assistance and conciliation is in process.</p>



Country	Convention	Complainant organizations	Representation status
Peru	Hours of Work (Industry) Convention, 1919 (No. 1)	Federation of Mineworkers of Shougang Hierro Peru and Annexes [Federación de Trabajadores Mineros de Shougang Hierro Perú y Anexos (FTMSHPYA)]	<p>At its 340th Session (November 2020), the Governing Body decided that the representation was receivable and set up a tripartite committee to examine it (GB.340/INS/19/5, paragraph 5).</p> <p>The Office informed the complainant and the Government of the possibility of undertaking efforts at conciliation with ILO assistance should it be requested. The Government's observations have been received. At its 341st Session (March 2021), the Governing Body decided that this representation be examined together with the representation presented by the Santa Luisa de Huanzala Mineworkers' Union (STMSLM) on the same Convention (see below).</p> <p>In the process of designating members of the ad hoc tripartite committee. <b>Designations are urgently awaited.</b></p>
Peru	Hours of Work (Industry) Convention, 1919 (No. 1)	Santa Luisa de Huanzala Mineworkers' Union (STMSLM)	<p>At its 341st Session (March 2021), the Governing Body decided that the representation was receivable and that it would be examined together with the representation alleging non-observance by Peru of Convention No. 1 declared receivable in November 2020 (see above) (GB.341/INS/14/7, paragraph 6).</p> <p>The Office informed the complainant and the Government of the possibility of undertaking efforts at conciliation with ILO assistance should it be requested. The Government's observations have been received.</p> <p>In the process of designating members of the ad hoc tripartite committee. <b>Designations are urgently awaited.</b></p>

Country	Convention	Complainant organizations	Representation status
Peru	Discrimination (Employment and Occupation) Convention, 1958 (No. 111); Workers with Family Responsibilities Convention, 1981 (No. 156); Safety and Health in Mines Convention, 1995 (No. 176)	National Federation of Mining, Metal, Iron and Steel Workers of Peru (FNTMMSP)	<p>At its 340th Session (November 2020), the Governing Body decided that the representation was receivable and to set up an ad hoc tripartite committee to examine it (GB.340/INS/19/7, paragraph 5).</p> <p>The Office informed the complainant and the Government of the possibility of undertaking efforts at conciliation with ILO assistance should it be requested. The Government has communicated its observations.</p> <p>In the process of designating members of the ad hoc tripartite committee. <b>Designations are urgently awaited.</b></p>
Peru	Equal Remuneration Convention, 1951 (No. 100); Discrimination (Employment and Occupation) Convention, 1958 (No. 111); Social Security (Minimum Standards) Convention, 1952 (No. 102); Maternity Protection Convention, 2000 (No. 183)	College of Nurses of Peru [Colegio de Enfermeros del Perú (CEP)], and Federation of Nurses of Peru [Federación de Enfermeros del Perú (FEP)]	<p>At its 342nd Session (June 2021), the Governing Body decided that the representation was receivable and set up a tripartite committee to examine it (GB.342/INS/9/2, paragraph 5). The Office informed the complainant and the Government of the possibility of undertaking efforts at conciliation with ILO assistance should it be requested. The Government communicated its observations.</p> <p>In the process of designating members of the ad hoc tripartite committee. <b>Designations are urgently awaited.</b></p>
Poland	Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); Right to Organise and Collective Bargaining Convention, 1949 (No. 98); Collective Bargaining Convention, 1981 (No. 154)	Trade Union of Engineers and Technicians LOTOS Group (ZZIT LOTOS Group)	<p>At its 341st Session (March 2021), the Governing Body decided that the representation was receivable with regard to Conventions Nos 87 and 98 (not with regard to Convention No. 154 as Poland has not ratified Convention No. 154) and, as it relates to Conventions dealing with trade union rights, to refer it to the Committee on Freedom of Association (CFA) for examination in accordance with articles 24 and 25 of the Constitution (GB.341/INS/14/5, paragraph 5). The representation is now pending at the CFA.</p>

Country	Convention	Complainant organizations	Representation status
Portugal	Nursing Personnel Convention, 1977 (No. 149)	Portuguese Nurses' Union (SEP)	<p>At its 340th Session (November 2020), the Governing Body decided that the representation was receivable and set up an ad hoc tripartite committee to examine it (GB.340/INS/19/10, paragraph 5).</p> <p>The Office informed the complainant and the Government of the possibility of undertaking efforts at conciliation with ILO assistance should it be requested.</p>
Portugal	Labour Inspection Convention, 1947 (No. 81); Labour Inspection (Agriculture) Convention, 1969 (No. 129); Occupational Safety and Health Convention, 1981 (No. 155)	Union of Labour Inspectors	<p>At its 340th Session (November 2020), the Governing Body decided that the representation was receivable and set up a tripartite committee to examine it (GB.340/INS/19/8, paragraph 5). In the process of designating members of the ad hoc tripartite committee.</p> <p>The Office informed the parties of the possibility of undertaking efforts at conciliation with ILO assistance should it be requested. The parties accepted conciliation. The complainant subsequently informed the Office of the end of the process. A reply from the Government is awaited.</p>
Sri Lanka	Labour Inspection Convention, 1947 (No. 81); Protection of Wages Convention, 1949 (No. 95)	Flight Attendants' Union (FAU)	<p>At its 334th Session (October–November 2018), the Governing Body decided that the representation was receivable and set up a tripartite committee to examine it (GB.334/INS/14/3, paragraph 5).</p> <p>The Office informed the complainant and the Government of the possibility of undertaking efforts at conciliation with ILO assistance should it be requested. The Government has communicated its observations.</p> <p>In the process of designating members of the ad hoc tripartite committee. <b>Designation of the Government member of the ad hoc tripartite committee is urgently awaited.</b></p>

Country	Convention	Complainant organizations	Representation status
Sudan	Discrimination (Employment and Occupation) Convention, 1958 (No. 111)	Sudanese Workers Trade Union Federation (SWTUF)	<p>At its 342nd Session (June 2021), the Governing Body decided that the representation was receivable and to establish a tripartite committee to examine it (GB.342/INS/9/3, paragraph 5). In the process of designating members of the ad hoc tripartite committee.</p> <p>The complainant declined the possibility of undertaking efforts at conciliation in the form for submission of the representation. The Government's observations are awaited.</p>
Tunisia	Labour Inspection Convention, 1947 (No. 81)	Union of Labour Inspectors	<p>At its 340th Session (November 2020), the Governing Body decided that the representation was receivable and set up a tripartite committee to examine it (GB.340/INS/19/3, paragraph 5).</p> <p>The Office informed the complainant and the Government of the possibility of undertaking efforts at conciliation with ILO assistance should it be requested. In the meantime, the Government communicated its observations.</p> <p>In the process of designating members of the ad hoc tripartite committee. <b>Designations are urgently awaited.</b></p>
Uruguay	Protection of Wages Convention, 1949 (No. 95); Social Security (Minimum Standards) Convention, 1952 (No. 102)	Single National Union of Doctors of Law, Lawyers, Attorneys and Allied Workers of Uruguay	<p>At its 341st Session (March 2021), the Governing Body decided that the representation was receivable and set up a tripartite committee to examine it (GB.341/INS/14/3, paragraph 5).</p> <p>The Office informed the complainant and the Government of the possibility of undertaking efforts at conciliation with ILO assistance should it be requested. In the meantime, the Government communicated its observations.</p> <p>In the process of designating members of the ad hoc tripartite committee. <b>Designations are urgently awaited.</b></p>