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Report of the Joint Meeting on Employment and Conditions of Work in Water, Gas and Electricity Supply Services

Geneva, 5-13 May 1987

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CONTENTS

	<u>Page</u>
<u>INTRODUCTION</u>	1
<u>DISCUSSION OF THE REPORT</u>	5
General discussion	5
General background	6
Employment	9
Labour-management relations	11
Working time	13
Remuneration	15
Occupational safety and health	16
<u>EXAMINATION BY THE MEETING OF THE DRAFT REPORT ON THE DISCUSSION AND OF THE DRAFT CONCLUSIONS AND RESOLUTIONS</u>	19
Draft report on the discussions in the plenary sittings	19
Draft conclusions	19
Draft resolutions	19
Draft resolution concerning freedom of association and the right to collective bargaining in water, gas and electricity supply services	20
Draft resolution concerning ILO activities in the field of water, gas and electricity supply services	20
<u>CLOSURE OF THE MEETING</u>	21
<u>ANNEXES</u>	
I. <u>CONCLUSIONS AND RESOLUTIONS ADOPTED</u>	
Conclusions on employment and conditions of work in water, gas and electricity supply services	25
Resolution concerning freedom of association and the right to collective bargaining in water, gas and electricity supply services	33
Resolution concerning ILO activities in the field of water, gas and electricity supply services	34
II. <u>LIST OF PARTICIPANTS</u>	37

INTRODUCTION

1. The Joint Meeting on Employment and Working Conditions in Water, Gas and Electricity Supply Services was held at the International Labour Office in Geneva from 5 to 13 May 1987.

2. The Meeting was convened by the Governing Body of the International Labour Office at its 226th Session (May 1984) and its agenda was "Employment and working conditions in water, gas and electricity supply services". The International Labour Office had prepared a report covering the following subjects: the general economic and social background of these services; employment; labour-management relations; working time; remuneration; and occupational safety and health.

3. In accordance with a decision taken by the Governing Body, the Meeting was chaired by Mr. D. JOEDONAGORO, representative of the Government of Indonesia on the Governing Body. The Meeting elected two Vice-Chairmen, Mr. H. MANKER (India) for the group of representatives of water, gas and electricity supply services and Mr. C. CUERRIER (Canada) for the group of representatives of workers in those services.

4. The Meeting was attended by Government members representing the water, gas and electricity supply services from the following 12 countries: Argentina, Australia, Austria, Cameroon, Canada, China, France, India, Kenya, Syrian Arab Republic, United Kingdom, Venezuela; four Employer members representing the private sector of water, gas and electricity supply services; and 20 members representing workers in water, gas and electricity supply services.

5. The Governing Body was represented by Mr. D. JOEDONAGORO (Indonesia) for the Government group, Mr. M. NASR for the Employers' group and Mr. A. SUDONO for the Workers' group.

6. Observers from the Arab Labour Organisation and the United Nations Environment Programme attended the session.

7. Observers from the following international non-governmental organisations were also present at the session: International Confederation of Free Trade Unions; International Federation of Chemical, Energy and General Workers' Unions; International Federation of Employees in Public Services; International Organisation of Employers; Postal, Telegraph and Telephone International; Public Services International; The Nordic Confederation of Supervisors, Technicians and Other Managers; Trade Unions International of Public and Allied Employees; Trade Unions International of Workers in Energy; World Confederation of Labour; World Federation of Industry Workers; and World Federation of Trade Unions.

8. A list of the persons attending the session is given in an Annex to the present report.

9. The two groups elected their officers as follows:

Representatives of water, gas and electricity supply services:

Chairman: Mr. R. GUMP (Austria)

Vice-Chairman: Mr. J. LEINO (Employer)

Secretary: Mr. A. PEÑALOSA (International Organisation of Employers)

Representatives of workers in these services:

Chairman: Mr. G. HECHT

Vice-Chairmen: Mr. H. HONDA
Mr. J. VAN HOOF
Mrs. G. SOROKINA

Secretary: Mr. H. ENGELBERTS (Public Services International)

10. The Secretary-General of the session was Mr. R. MILNE, Director of the Sectoral Activities Department of the International Labour Office; the Deputy Secretary-General was Mrs. H. SARFATI, Chief-Designate of the Salaried Employees and Professional Workers Branch. The Executive Secretary was Mr. V. KLOTZ of the same branch. There were two representatives of the Secretary-General, Messrs. V. KLOTZ and J. McLIN. The ILO experts were Mr. D. BROWN, Mr. P. DUIKER, Mrs. E. EPSTEIN and Mr. L. KOHLER.

11. The Meeting appointed two working parties to draw up draft conclusions and a third to examine draft resolutions submitted in accordance with the Standing Orders. Working Party No. 1, which was responsible for the preparation of draft conclusions on the general background and the subjects of employment and occupational safety and health, was composed as follows:

Chairman: Mr. M. JERAM

Representatives of water, gas and electricity supply services:

Mr. R. GUMP (Austria)
Mr. S. KHANNA (India)
Mr. R. MONEYANG-MEKA (Cameroon)
Mr. C. MOREIRA FERREIRA (Employer)
Mr. Y. WEI JIE (China)

Deputy member:

Mr. E. ADESANYA (Employer)

Representatives of workers in these services:

Mr. A. BUNN
Mr. H. HONDA
Mr. C. MPAMPI
Mr. S. PASSEY
Mrs. G. SOROKINA

Deputy members:

Mr. T. SHAMANG
Mr. Y. TAKAHASHI

12. Working Party No. 2, responsible for the preparation of draft conclusions on the subjects of labour-management relations, working time and remuneration, was composed as follows:

Chairman: Mr. J.M. PODESTA (Argentina)

Representatives of water, gas and electricity supply services:

Mr. J. GONZALEZ (Venezuela)
Mr. J. LEINO (Employer)
Mr. P. NGURE (Kenya)
Mr. D. POULTER (Australia)
Mr. H. SALLIS (United Kingdom)

Deputy members:

Mr. D. DIAGNE (Employer)
Mr. M. ENOBO KOSSO (Cameroon)
Mr. G. PERREAULT (Canada)
Mrs. M. RICHARD (France)
Mr. V. SAVANT (India)
Mr. M. SERRANO (Argentina)
Mr. R. WRAGG (United Kingdom)

Representatives of workers in these services:

Mr. C. CUERRIER
Mr. S. DORENBOS
Mr. C. GARAVAGLIA
Mr. J. VAN HOOF
Mr. L. RAMOS

Deputy member:

Mr. A. KHAN

13. The third working party, which was responsible for examining the draft resolutions, was composed as follows:

Chairman: Mr. D. JOEDONAGORO (Chairman of the Meeting)

Representatives of water, gas and electricity supply services:

Mr. E. ADESANYA (Employer)
Mr. H. MANKER (India)
Mrs. M. RICHARD (France)

Deputy members:

Mr. D. DIAGNE (Employer)
Mr. R. GUMP (Austria)
Mr. J.M. PODESTA (Argentina)

Representatives of workers in these services:

Mr. G. HECHT
Mr. J. VAN HOOF
Mr. M. JERAM

Deputy members:

Mr. A. BUNN
Mr. C. MPAMPI
Mr. R. PEREYRA

14. The Joint Meeting held nine plenary sittings.

15. On behalf of the Director-General of the International Labour Office, Mr. Milne, Director of the Sectoral Activities Department, welcomed the participants. He recalled that this was the first occasion in which the ILO had convened a meeting of this kind to discuss the specific labour and social problems in the water, gas and electricity supply services. The Governing Body of the International Labour Office had decided to hold this Meeting in response to several requests made by its standing Joint Committee on the Public Service. By so doing, it had very clearly demonstrated its recognition of the distinctive nature of the labour and social problems in the water, gas and electricity supply services and of the vital role that these services played in the social and economic well-being and development of each country. He drew the attention of the participants to the purposes of the Meeting, which were to examine the issues and problems related to the employment and working conditions in the three services, particularly in view of the far-reaching changes in their corporate structures, ownership, technologies and markets. The Meeting should not, however, concern itself with issues of a political or other nature outside the mandate of the International Labour Organisation. Such joint meetings should deal with problems specifically relating to their own sectors and not disperse their attention over broader questions for which the Governing Body, the International Labour Conference and other United Nations bodies were more competent. He emphasised that joint meetings should attempt to seek general consensus, rather than majority support for views which continued to be controversial. The conclusions of the Meeting would acquire their value from the very fact that they were arrived at by consensus. He was sure that the Meeting could serve as a timely global forum for an examination of the labour implications and consequences of the changes taking place and of issues and problems that were perhaps of even longer standing.

16. After welcoming the participants, the Chairman of the Meeting recalled that the water, gas and electricity utilities were at present undergoing profound economic and technological changes which had influenced their production and distribution processes, employment and working conditions and the composition of the industry's workforce as well as plant and labour productivity. Environmental and safety concerns combined with uncertainty about energy prices had led to changing energy policies. In the developing world, the water, gas and electricity services had not expanded rapidly enough to keep pace with fast population growth and large sectors of the population were still deprived of water and sanitation as well as electrical facilities. Furthermore, manpower constraints in the sector meant that the challenge facing it in terms of planning and training was enormous. Many developing countries were now taking into account the lessons learned by countries with long experience in the supply of water, gas and electricity and increased opportunities existed for co-operation among developing countries with a view to encouraging the growth of indigenous energy sources and to improving

existing water supply facilities. Indeed wider access to and the better quality of water, gas and electricity were closely linked to the improvement of employment and working conditions for the workers in this sector. The variety and wealth of experience brought to the Joint Meeting by the representatives of governments, workers and private employers from countries in all parts of the world, with different social and economic systems and at varying stages of development, would certainly greatly enrich the discussions and provide a fruitful exchange of experience. He was convinced that the Joint Meeting would serve as a foundation for greater social progress in the water, gas and electricity supply services and for this purpose appealed to the participants to give him their full support and co-operation in the valuable work the Meeting was about to undertake.

17. Mr. Sudono, the Governing Body representative for the Workers' group, emphasised the key position held by the water, gas and electricity industries for the labour force and the trade union movement, in view of the overall infrastructure they helped to develop as well as their major role in job creation. Although the sector had witnessed considerable growth in employment levels in recent years, it had by no means escaped the grave consequences of the present world economic crisis. The imbalance between the pace of job creation and the increasing volume and quality of production, resulting from government austerity measures and the advent of technological change, were causes of great concern to the Workers' group. A prerequisite to the achievement of a sound and well-functioning industrial relations system was the existence of strong and independent trade unions; and yet, unions in the water, gas and electricity industries were exposed to the controversial problem of government decisions concerning essential services and the right to strike. Nevertheless, there was evidence that existing systems in a number of countries had provided sufficient safeguards, both in terms of respecting workers' and trade union rights and from the point of view of securing minimum services. He hoped that the Meeting would be able to examine in detail the wide variety of problems and conditions existing in the water, gas and electricity supply services and looked forward to receiving the conclusions of the Meeting.

18. Mr. Nasr, the Governing Body representative for the Employers' group, following his arrival in Geneva, was unable to participate in the opening session of the Meeting for health reasons.

DISCUSSION OF THE REPORT

19. The Deputy Secretary-General provided a general overview of the report and drew attention to the specific issues which might be of particular interest or concern to the Meeting.

20. The Meeting then proceeded to a discussion in plenary sitting of the report submitted by the International Labour Office.

General discussion

21. The participants at the Meeting welcomed the initiative of the ILO in holding the Meeting. They laid great stress on the importance of the three sectors for the community at large and their vital role in economic and social development. The Worker members in particular expressed their satisfaction that the problems of workers in the services concerned were receiving attention at the international level and hoped that the Meeting would make a

major contribution to the improvement of working conditions in these services. The sectors were undergoing many changes, most of which affected the workers employed; these changes should therefore be kept under constant review with the full involvement of the workers' organisations concerned. The Workers were prepared to participate constructively in the discussions and hoped that the work of the Meeting would lead to positive results.

22. Several speakers expressed their appreciation for the Office report. It provided a very useful basis for discussion and highlighted the significance of the sectors and the major social and labour problems they were facing. The report generally reflected the existing situation in many countries.

23. The Workers regretted the fact that a number of governments had not consulted the unions concerned when replying to the Office questionnaire, and that an incomplete picture had therefore been obtained of the situation in many countries. The Workers' spokesman also noted that a number of the governments participating in the Meeting had not replied. He wondered whether, in future, invitations should be issued to governments that had not taken part in the preparatory work of the Meeting in question. In reply to a question by the spokesman for the representatives of the water, gas and electricity supply services, the Secretary-General indicated that the Governing Body, when deciding upon the composition of the Meeting, had not been aware of which governments had sent in replies to the questionnaire. In addition to the replies received, the material used in the preparation of the report had also included information obtained from a number of other countries for a study of conditions of work in the utilities, published by the ILO in 1982.

24. A representative of the private services from Finland said that the private sector participants were ready to make a positive contribution to the discussions. In many countries the private sector played an important role in the production and distribution of water, gas and electricity, and more and more governments were turning to the private sector in view of the flexible nature and lower cost of their operations.

25. The Worker members and a number of observers from international trade union organisations called for the setting up, by the ILO, of a standing joint committee on the water, gas and electricity supply services. Such a Committee would provide a regular forum for the study and discussion of the problems affecting the workers in these services and would contribute to the improvement of their working conditions and the effectiveness of the services. An observer from the Postal, Telegraph and Telephone International emphasised that the terms of reference of the Committee should include the production as well as the supply of water, gas and electricity.

26. During the general discussion views were expressed by several speakers concerning subjects covered by subsequent chapters of the report. These will be reported in the relevant sections below.

27. The Meeting then proceeded to a chapter-by-chapter discussion of the report submitted by the International Labour Office.

General background

28. The discussion of Chapter 1 dealt mainly with the role played by the three sectors in national economic and social development, and the trend towards privatisation and its effects on workers. There were also references to issues arising from the different legal statuses of workers in

organisations performing similar services, and to matters which called for international action.

29. Several speakers mentioned the essential role that the three sectors played in economic and social life in general. In view of the vital importance of these services for the community as a whole, public authorities should ensure that everyone had access to them and that consumers' interests were fully protected.

30. Worker representatives stressed the great importance of an adequate supply of safe water. Water was a basic human need. The Meeting should take account of the Plan of Action for Water Supply adopted by the United Nations Water Conference held in 1977 in Madel Plata (Argentina) and of the designation by the UN General Assembly of the 1980s as the International Drinking Water Supply and Sanitation Decade. Electricity and gas also played vital roles in the economy and society. Demand for these services was growing at different rates in different countries, influenced in part by their different rates of population growth and levels of economic development; account needed to be taken of these respective features.

31. Numerous speakers dealt with various aspects of the structure of ownership and especially the trend toward privatisation. Worker representatives indicated that trade unions, in general, were opposed to the privatisation of public utilities. However, when ownership changes took place, it was important that such changes should not lead to negative effects on employment and working conditions. Consideration should also be given to the protection of nature and the environment.

32. The spokesman for the water, gas and electricity supply services noted that different views and experiences were represented in his group, representatives of private services pointing to the positive contribution which the private sector could make in these industries. Several speakers from this group saw no conflict between public and private services. The two were complementary, and mixed systems were appropriate. It was pointed out that in some countries organisations were being transferred from private to public ownership and vice versa.

33. In any case, Worker representatives stressed, and representatives of supply services agreed, that the utilities should be publicly accountable, whatever the form of their ownership.

34. Several Worker speakers emphasised the need for consultation with workers and their organisations when shifts in ownership were contemplated and as they were carried through. Moreover they voiced their strong opposition to the privatisation of utilities in view of the vital responsibility of these services to the community as a whole. Representatives of supply services stressed that consumer interests should also be taken into account with regard to the effectiveness of the services provided.

35. An observer representing the Public Services International proposed that governments should establish energy and water advisory committees for advice and consultation before the passage of laws or regulations affecting the control, production and supply of these services.

36. Representatives of public and private services and Worker participants from a number of countries reviewed their experiences with public and private ownership of utilities, including changes of ownership and the labour and social consequences of these arrangements. These countries included Argentina, Brazil, India, New Zealand, Nigeria, Senegal, the United Kingdom and Venezuela. Past experience had been mixed, concerning the effects

of such changes on the level of employment and on working conditions. In the case of Argentina, where this issue had a considerable history, a representative of public supply services reported that a general national agreement was under way which included a sub-agreement on workers' participation in the management of state enterprises, including utilities. A Worker member from Argentina expressed his opposition to privatisation and his support for the renationalisation of privatised companies. A Worker member (India) stressed that the benefits achieved for workers in the utilities in his country were clearly associated with public ownership; the State had acted as a model employer. A Worker member (Nigeria) took the view that ownership and working conditions were related; privatisation should be discouraged. The representative of supply services in the United Kingdom and a Worker member from the United Kingdom presented two different perspectives on that country's recent experience of privatisation. The representative of supply services pointed to the continuity in employment and labour conditions associated with the recent privatisation of British Gas, which employed nearly 100,000 workers. The Worker representative believed, however, that it was too early to judge that experience and that previous cases of privatisation involving British Telecom, British Airways and British Aerospace had resulted in significant job losses and plant closures.

37. The Workers' spokesman stated that enterprises in these sectors, whether public or private, should harmonise their conditions of employment so that changes would not be to the detriment of the workers. Harmonisation should go in the direction of the most favourable prevailing conditions. He concluded by emphasising the vital importance of involving workers and their organisations at all stages of the co-determination of conditions of employment, particularly in view of the consequences of structural and technological changes.

38. Several suggestions were made for action at the international level. The representative of supply services in China proposed that the ILO set priorities for accelerating the improvement of working conditions in the three sectors. He also recommended that there be more frequent meetings for the sharing of experiences in these areas. The spokesman for the water, gas and electricity supply services felt that the ILO could make a very important contribution to these industries through seminars, studies, the compilation of statistics, the publication and dissemination of information on various related problems, and through technical co-operation. The Workers' spokesman supported calls for international action and noted that his group had submitted a draft resolution concerning ILO activities in the three services. This draft proposed a number of international measures; references to some of these were also made in interventions by individual Workers and by observers from international trade secretariats. In particular, the ILO could contribute significantly to improving the employment situation in the utilities in developing countries through technical co-operation in the fields of training and manpower planning. He also stressed the need for international action to take into account safety and health considerations, particularly in the nuclear industry. Adequate resources should be made available for this purpose. A Worker representative from Argentina called on the ILO to assist in finding a solution to a problem typified by a situation which existed in a joint hydro-electric installation on the Argentina-Uruguay border. In this particular case, workers were not protected by relevant national labour legislation or collective agreements, since no agreement had been reached regarding their application in frontier areas with binational facilities.

Employment

39. The discussion on this item concentrated mainly on: the effects of technological change; the provision of adequate skills for satisfactory services in water, gas and electricity supply services; and measures to ensure equality of opportunity and treatment for women. In addition, as noted under the preceding item, several speakers stressed structural and ownership changes which were taking place in these three industries and their effect on employment.

40. There was consensus that the introduction of new technologies is an important issue in water, gas and electricity supply services and should in general be welcomed. However, a Worker member from India indicated that the uncritical adoption of imported technology could lead to a deterioration in the conditions of employment and to a decline in services. It was stressed that the selection, adoption and development of new technologies should take into account the stage of economic development and the effects on the volume, structure and conditions of employment.

41. Several representatives of supply services emphasised the importance of the introduction of new technologies for an improvement in the quality and quantity of the services provided and their vital role in the further development of developing countries. The choice of technology was the employer's responsibility, but its introduction required both careful planning and consideration of the interests of all the parties concerned. This was an appropriate matter for joint consultations. When assessing this issue account should also be taken of the possible consequences of the non-introduction of such technologies. The sectors' primary objective was to provide vital services; if new jobs were created, then so much the better.

42. The spokesman for the Worker members stated that they too recognised the importance of the introduction of new technologies in all three services. In view of the tremendous technological progress that had taken place over the past ten years and which would doubtless continue in the future, attention should be given to ensuring that appropriate training, retraining and refresher courses were provided where necessary. Such training should be organised through co-operation between workers' and employers' representatives. When new technologies were introduced, care should be taken to provide adequate working conditions, to reduce employment fluctuations and to pursue the objective of full employment. He warned against the misuse of part-time, short-term and training contracts, which endangered job stability, particularly in the case of women. Every effort should be made to ensure that workers remained at their jobs and that the services continued at an adequate level. Since technological developments necessarily affected workers, guide-lines should be prepared for the introduction of new technologies. In this context, the workers and their representatives should be involved in each step of the process. The key concepts were stability and growth.

43. The representative of supply services in the United Kingdom considered that the introduction of new technology was in the very nature of the water, gas and electricity supply services, which were all capital-intensive industries. There had been a slow reduction in the number of workers employed in these industries over the past decade, and this trend was likely to continue. However, the necessary changes had been made in full consultation with Workers' representatives, and compulsory redundancies had been avoided. In his country, new technologies had always been introduced following consultations at the local level, and their introduction had often led to improvements in pay increments and the grading of workers involved. Many workers were using new technologies, and they would indeed be reluctant to revert to former working methods. There was a great need, however, for

appropriate training to be provided, not only in techniques, but also in attitude training. This should only be undertaken with full involvement of the workers and their organisations.

44. A Worker representative from the same country stressed that the successful introduction of new technologies had only been possible because workers and their representatives had been fully informed, had jointly elaborated an implementation plan, and were involved in the introduction of the new technologies.

45. Regarding the provision of adequate skills for the development of the water, gas and electricity supply services, several speakers from the group of representatives of supply services emphasised the need to maintain important capital outlays. In this respect they attached particular interest to appropriate training. In addition, the acquisition of skills as well as retraining and other measures would improve worker mobility and lead to continuity in employment.

46. The spokesman for the Worker members expressed his concern over security of employment and career development and the importance in this respect of training, retraining and refresher courses. There was also a need for worker involvement in decision-making and implementation machinery. Where this did not exist, legislation should be enacted to create bipartite and tripartite bodies for that purpose. There was general agreement that this should be done in accordance with national law and practice.

47. Several speakers from developing countries observed that structural factors and increased demand for services had put a heavy strain on human resources in these three sectors. This situation was aggravated by the outflow of skills through emigration. On the other hand, large numbers of unemployed could not acquire the necessary skills. It was felt that improved manpower and training needs assessment could assist in relieving this pressure. Representatives from some developing countries noted that good facilities already existed in their countries for training in water, gas and electricity services.

48. A representative of the utilities in an industrialised country mentioned that public training in his country was also adequate.

49. A Worker representative noted that there were differences of opinion on what constituted adequate training and that comparative studies might be useful in this respect. An observer representing the Public Services International urged the ILO to carry out country studies on training and manpower requirements and the effects of technological and other changes.

50. In respect of the employment of women in water, gas and electricity supply activities, there was general agreement that a concerted effort should be made to increase the number and diversity of positions held by women. The group of representatives of services considered that women should be free to choose the employment they wished and that they should have the employment rights and opportunities for which their training suited them. The group was in favour of eliminating wage discrimination. While the principle of equal pay for work of equal value was widely recognised, women received lower pay because they performed different work. The group considered that women should have the same access to professional training as men.

51. The Worker members observed that the number of women employed in the three sectors had increased in recent years but mainly in clerical and administrative posts although, theoretically, they did have access to higher positions. To overcome wage discrimination, women should have the same access

to vocational training as men. The problems of women with family responsibilities also needed attention. In many countries, women's access to employment was limited owing to legal provisions intended ostensibly to protect them. It was necessary to encourage women to enter occupations dominated by men, by giving them access to the necessary training.

52. An observer representing the Postal, Telegraph and Telephone International stated that a great deal still needed to be done at the national level before women could attain real equality. The report showed that there were still many cases where supposedly protective legislation or regulations barred women from certain jobs. In this respect, the application of new technologies could have important repercussions and could open new employment opportunities for women.

Labour-management relations

53. In the opinion of the Worker members, the free exercise of trade union rights in the water, gas and electricity supply services, and the practice of collective bargaining, are indispensable to satisfactory and peaceful labour-management relations. Their spokesman stressed that the Meeting's conclusions should emphasise the need for measures to implement the principles laid down in the relevant ILO Conventions, which should be respected throughout the world. He pointed out that, unfortunately, workers in the three services under discussion are still subject to restrictions on their trade union rights in a number of countries. These rights, which include the right to strike, need to be consolidated in relation to the settlement of disputes, in line with the Conclusions of the Meeting on Settlement of Labour Disputes in the Public Service, held in Geneva in October 1986.

54. The spokesmen for both groups emphasised the importance in this particular sector of activity of developing procedures for the prevention of disputes; to this end, governments should encourage and make provision for information, consultation and negotiation at all levels.

55. The Workers stressed that for negotiations to be meaningful, trade unions should have access to the required information. Joint consultation was felt to be particularly important, for example, on matters of occupational health and safety, as well as on major changes of a technological or structural nature.

56. With regard to dispute settlement procedures and the right to strike, the spokesman for the Workers' group recalled that the ILO supervisory bodies had always recognised the right to strike by workers and their organisations as a legitimate means of defending their social and economic interests.

57. The spokesman for the group of representatives of water, gas and electricity supply services pointed out that there were two different utilities sectors to be considered, the private and the public. In the latter, it was not always easy to go on strike in public utilities providing vital services. He recalled that the ILO's Freedom of Association Committee had also expressed the opinion that restrictions on the right to strike were justifiable in circumstances where an interruption of services would endanger the life, personal safety or health of all or part of the population. One of the representatives of private services referred to a recent decision of that Committee, acknowledging that the right to strike may be restricted or even prohibited in the civil service or in essential services in so far as a strike could cause serious hardship to the national community and provided that the

limitations were accompanied by certain compensatory guarantees for the workers concerned. A number of speakers from both groups expressed the view that the problem of strikes in the water, gas and electricity supply services should be dealt with in the light of these decisions.

58. Several of the Worker members pointed out that even if strikes were prohibited legally, they were bound to take place in cases where workers reached a high degree of exasperation with poor working conditions or believed that they were subject to injustices. A number of them referred to situations in their countries where strikes, although banned in the water, gas and electricity services, nevertheless occurred, as in Nigeria and in Zambia. In a number of other countries, although workers theoretically enjoyed the legal right to strike, it was subject to government bans in services where interruptions might endanger public health or security. In spite of various provisions for conciliation and arbitration of disputes, repressive action against striking workers had sometimes occurred. In Argentina, India and Senegal, the right to strike was guaranteed by legislation and was considered by the workers to be an essential weapon for ensuring their basic needs and redressing injustices. The speakers from these countries emphasised, however, that strikes should not be used for negative purposes against the public interest.

59. Other speakers drew attention to provisions for mitigating the impact of strikes in public utilities, for example, through collective agreements designed to protect security and to provide minimum services, as is the case in the United Kingdom. The importance of abiding by existing provisions for periods of notice of intent to strike, to allow for further negotiations to take place on the issues in dispute with a view to avoiding the interruption of services, was stressed by Worker members from New Zealand and Senegal.

60. The representative of supply services in Kenya stated that although in his country there existed a highly developed system of collective bargaining and dispute settlement procedures, culminating in arbitration by an industrial court, wildcat strikes still continued to occur. It was imperative above all else to maintain good will in industry. The Worker spokesman, referring to this statement, observed that in Kenya, the civil servants' union had been banned. He recalled that the Public Services International had addressed a communication to the Kenyan Government and that the matter had been raised before the ILO Committee on Freedom of Association;¹ he emphasised the Workers' concern in this respect and requested information on the response of the Kenyan Government.

61. Several speakers expressed the view that it was not always possible to control human behaviour by law and that strike action was a fundamental human response to intolerable situations.

62. The problem of lock-out, as a parallel to strike action, was brought up by some Worker members. The spokesman for the group of representatives of supply services observed that public utilities would not proceed to lock out employees in these vital sectors. He emphasised that although the strike weapon was obviously of importance to the unions, it should be used with great caution; otherwise such action might provoke a backlash reaction in the government or in the public. He sympathised with the Workers' request that governments should be called upon to ratify the relevant ILO Conventions but he reminded the Meeting that in some cases there were legal and practical

¹ This case is still under consideration by the ILO supervisory bodies.

impediments that made it difficult, if not impossible, for them to do so at the present time.

63. The Workers' spokesman reiterated that the only aim of the Workers was to obtain, in practice, what had already been granted in ILO Conventions and Recommendations to workers' organisations, including those in the public service.

Working time

64. The spokesman for the Workers' group said that his group's main objective was to achieve normal working hours in the water, gas and electricity supply services. Where this was not possible, joint negotiations should determine working time arrangements which took into account all the relevant factors, especially stress. Consideration should also be given to the voluntary reduction of working life through early retirement without losses in retirement benefits. Shorter working hours would contribute to improving the quality of life of employees and their families and would be in line with overall economic and social development. Special attention should be given in this context to overtime which imposes physical and psychological stress on the workers involved. If it were not possible to avoid overtime, then it should be adequately compensated by more holidays, extra time off and higher pay and allowances. Such compensatory payments should be included in the calculation of the worker's entitlement to retirement benefits. Overtime should never serve as a substitute for recruiting new workers or for reducing staffing levels. Several Worker representatives stated that employers preferred to resort to overtime rather than to recruit additional workers. This had a particularly negative effect in developing countries where unemployment levels were high. In the Workers' view, a reduction in regular overtime hours could be instrumental in reducing unemployment and creating new jobs.

65. Several other Worker members also expressed their firm opposition to regular overtime because of its harmful effects on health and said that overtime should be strictly monitored and only worked on an exceptional basis. If pay levels were adequate, workers would not need to work overtime. A representative of public services indicated, however, that although unions in his country generally tried to discourage overtime, there was considerable pressure from the workers themselves to increase overtime hours. In large power stations agreement had been reached with the unions involved to increase the number of workers per shift and this had led to both an increase in employment and a reduction in overtime.

66. As regards shift work and night work, the Worker members stressed that compensation for the special physical and psychological strains involved should be subject to collective bargaining in order to bring about balanced hours of work between enterprises and services.

67. The spokesman for the Workers' group said that with regard to shift work, much progress had been made in shortening hours and increasing the number of shifts in a 24-hour period. This question clearly depended on the industry involved but it could be settled with the participation of all the parties concerned and could lead to great improvements in the living conditions of many workers, especially in developing countries. The Worker members felt that the subject of working time was closely linked to further training and the provision of paid educational leave, as laid down in the Paid Educational Leave Convention, 1974 (No. 140).

68. The spokesman for the representatives of supply services said that his group also favoured normal hours of work, but this was not always possible due to the nature of the industry. The extent to which it could be achieved depended on the degree of development of the country concerned. He agreed that this was a subject that could be determined through collective bargaining. The structure of these services meant that it was impossible to avoid shift work and night work, although clearly compensation should be made for arduous work, either in terms of additional payments or the granting of free time. In many countries this issue was already adequately covered by regulations. He could not, however, agree that overtime payments should be included in the calculation of retirement benefits. Although the group of representatives of supply services was not opposed to calls for the ratification of Convention No. 140, problems remained at the national level in a number of cases.

69. A representative of private services from Finland doubted whether there was a link between the reduction in working time and the employment situation although there was a positive connection between reduced working time and increased productivity. Furthermore, reductions in normal working hours and in overtime, gave rise to higher costs for the enterprises. In his view flexibility in working time arrangements needed to be preserved.

70. Referring to the possibility of reducing overtime through the recruitment of more staff, the spokesman for the representatives of supply services noted that while in the private sector this could be financed from profits, in the public sector the burden fell upon the taxpayer.

71. A number of speakers from developing countries, both from the group of representatives of supply services and the Workers' group, said that longer hours of work in the three services were at times inevitable in view of the shortages of qualified manpower and the resulting breakdowns in the services. Interruptions of services were not sympathetically viewed by consumers and this caused additional pressure on the employees to work overtime. The Worker member from Nigeria, however, stressed the concern felt by his union at the detrimental effects of overtime on the health of workers; he noted that efforts had been made by his union to increase the awareness of its members in this respect.

72. A number of divergent views were expressed on the subject of early retirement and on the reduction of working life. The spokesman for the Workers' group said that although early retirement was clearly necessary in cases of workers carrying out arduous, dangerous and unhealthy work, it should also be linked to the working life of the worker. The basic aim in this connection was to raise the general level of life expectancy.

73. The spokesman for the group of representatives of supply services said that workers in the three services did not constitute such an exception as to justify a special reduction in their retirement age. Although many countries differed in the criteria they used for granting early retirement, workers in these services were not at a disadvantage in respect of other sectors. In his view the question of overtime should not be linked with early retirement nor should overtime payments be included in the calculation of retirement benefits.

74. A representative of supply services in Argentina considered that although the question of early retirement should not be linked to overtime, it should, however, be based on working conditions. It was necessary in cases of workers undertaking unhealthy, arduous or dangerous activities. The issue of early retirement was closely linked to the question of youth employment, since it encouraged a greater distribution of work. Nevertheless, early retirement

was a palliative used to compensate arduous working conditions: the real need was to eliminate those conditions. A representative of supply services in Canada observed that in cases where the retirement age was reduced, in view of the population's increased life expectancy, retired persons subsequently pursued a second career. The Worker member from the same country contested this statement.

75. The spokesman for the Workers' group welcomed the acceptance by the representatives of supply services of the principle of negotiating the question of early retirement, which was vital to the solution of working time problems. The question of early retirement should be seen in the same context as the reduction of the total working time and of working life.

Remuneration

76. The Meeting proceeded to a discussion of the various aspects of remuneration covered in the ILO report. The spokesman for the Workers' group said that although remuneration was a controversial issue, it should be possible to reach solutions through voluntary negotiations between employers' and workers' representatives. Such negotiations should result in the establishment of pay scales which would take into account performance, available skills and changes taking place in the sector. Recognition should be given, in wage scales, to ILO standards concerning equal pay for work of equal value. It was of great importance that the skills possessed by the workers should be recognised in their remuneration. Other factors that should also be reflected in wage levels were the location of enterprises, particularly those in outlying rural areas, new technologies and working time factors such as shift work and overtime. Taking these factors into account, wage differentials between the various categories should however not be too great. He called for greater clarity in the records of remuneration given to the workers, who should receive a clear overall picture of the remuneration they had earned. Pension entitlements should be calculated on the overall remuneration received by workers, and not merely on their basic remuneration. Although settlements regarding remuneration were reached on a national basis, the relevant ILO Conventions should be taken into account in negotiations.

77. The spokesman for the representatives of supply services agreed that remuneration should be subject to negotiation. Whereas in some cases, remuneration was established on a statutory basis, in nearly all cases negotiations took place before pay was determined. The representatives of supply services subscribed to the principle of equal pay for work of equal value. They were clearly interested in employing qualified staff. They expressed reservations, however, at the call for overall remuneration, and particularly overtime payments, to be included in the calculation of retirement benefits. They felt that it would be more appropriate to consider this question in the context of social security. Account should be taken of the present situation in various countries, since each country doubtless had its own provisions on this matter. With regard to the location of enterprises, new technologies for monitoring installations could be useful in allowing workers to spend less time in remote areas.

78. A number of speakers raised the issue of methods of determining pay. A Worker representative noted that the central issue was the way in which salary scales could be adapted to reflect the value of the work. He mentioned that in his country (Sweden) a system of evaluation criteria relating to both the private and public sectors as a whole had been recently submitted for discussion; it took into account nine key factors, including training, responsibility, workload, work environment and the physical and psychological conditions of the working environment. The fact that some

categories of workers, especially women in the cleaning services, were left out of the system, challenged the objectivity of the present evaluation criteria. In his view, the supply and demand situation of labour was also a factor to be taken into account when establishing pay structures.

79. The representative of the utilities in the United Kingdom indicated that in his country differentials between grades and pay had usually existed for many years and both sides had a degree of vested interest in maintaining them. Although job evaluation appeared to be a good way of establishing pay scales it was frequently merely a reflection of the status quo and the parties sought to change the weighting factors within job evaluation. The speaker stressed that successful negotiations required flexibility from the participants, together with good will, realism and a consideration of consumer requirements. The representative of supply services in India referred to the factors taken into account for determining pay structures in his country, namely the job category, the qualifications and skills required, the amount of responsibility involved, the arduous nature of the work and the location of the enterprise.

80. A Worker member from Nigeria, referring to the situation in his country, indicated that no negotiations whatsoever took place in the electricity service. Salary structures were uniform throughout the public service and it was difficult to attract or retain staff in the utilities. He therefore stressed the need for adequate pay and working conditions. A Worker member from Sweden said that the lack of skilled labour in the public service in his country was due to higher pay in the private electricity sector. Pay should therefore be increased in the public sector in order to attract and retain the necessary staff.

Occupational safety and health

81. The Worker members' spokesman expressed the view that it was a major task to deal adequately with all occupational safety and health needs. He called for action involving all the social partners, including the unions and, of course, individual workers. Solutions had still to be found to many occupational safety and health problems, and the ILO should give high priority to seeking remedies for these particular problems. Specific reference was made to the need for joint occupational safety and health committees at enterprise level, modelled on those that already existed in many countries. Such joint action was indispensable to ensure the exceptional action required to meet present-day problems such as the introduction of new technology, which could give rise to new and unforeseen hazards, and these had to be dealt with. Particular attention should be given to the protection of workers from the adverse effects of the transfer of technology, especially in the case of technology transfers to developing countries. In this connection, note was taken of the recent ILO Code of Practice on Safety, Health and Working Conditions in the Transfer of Technology to Developing Countries.

82. There was also a need, the Worker members felt, to pay attention to other situations such as: exposures that give rise to occupational diseases, especially those of a chronic nature; the adoption of appropriate safety standards for unusual and hazardous job situations; the taking into account of standards established by the ILO and WHO and, wherever appropriate, co-operation between the two organisations and other international bodies in agreeing upon occupational safety and health measures; and the need for member States not only to ratify, but also to apply, ILO occupational safety and health Conventions and to make full use of ILO Recommendations and guide-lines. The overall aim of occupational safety and health should be to establish a safe working environment for all workers on a long-term basis,

whether involved in new or existing plants and technologies. To this end, appropriate national legislation should be enacted, taking into account new technology and making use of the most up-to-date medical knowledge available. There should be periodic medical examinations of workers and this was considered to be particularly important for workers in nuclear installations. In-plant medical services should also be provided, all at no cost to the worker. Every worker should receive information on and explanations of the hazards associated with his work, along with instructions and training on how to carry out the work safely, and the Worker members reiterated the need to set up broadly based safety committees, and to ensure that safety measures were purposeful and effective.

83. The spokesman for the representatives of supply services endorsed the view that occupational safety and health measures were very important. He said that it was the intention of the supply services to ensure that the workers were protected against accidents. But attention was drawn to the different systems existing within member States and to the different bodies dealing with and supervising safety standards. In some States, for example, government officials carried out inspections and investigated accidents. His group noted that the effectiveness of joint safety committees might be limited in certain countries. The financial aspects of all the action being proposed must be taken carefully into consideration. Nevertheless governments should be called upon to ratify the relevant ILO Conventions and, in general, ILO occupational safety and health standards should be established and upheld.

84. The Worker members then reiterated their desire to have the ILO Occupational Safety and Health Convention, 1981 (No. 155), ratified by all member States and to have this Convention along with Recommendation No. 164 fully applied.

85. The Worker members repeated that they considered it an important principle that a worker should be entitled, without any prejudicial measures being taken against him, to refuse to carry out work which he considered dangerous. A Worker member from New Zealand said that this right was even more important than the right to strike.

86. The group of representatives of water, gas and electricity supply services, while recognising the intent of the Workers in calling for ILO standards to be applied, felt that some member States were not yet in a position to ratify certain ILO occupational safety and health Conventions. But they nevertheless agreed that national legislation on occupational safety and health, once enacted, must be applied.

87. A Worker member from New Zealand spoke of the use of dioxin which is used as a pesticide in his country. He drew attention to the fact that dioxin was being washed from the fields into rivers, and hence into the water supply for industry and domestic consumption. He also referred to stress, especially amongst power-line workers, and drew attention to the part of the Report dealing with the effects caused by exposure to electro-magnetic fields on the central nervous system. He drew attention to the hazards associated with asbestos, especially the need for special rules concerning the removal of asbestos which had been used as lagging, etc. Later in the discussion, the Secretary-General drew attention to a number of ILO codes of practice in the field of occupational safety and health, including the Code of practice on safety in the use of asbestos, published in 1984.

88. A Worker member from the USSR drew attention to the trend in her country where she said more attention was now being paid to environmental protection in the neighbourhood of the plant. This change of emphasis arose in part from the Chernobyl accident. The ILO could usefully study the

relationship between occupational safety and environmental protection. Representatives of international trade secretariats also drew attention to the links between occupational safety and the general environment. The Worker spokesman expressed the great concern felt by his group, particularly in view of the potential hazards of nuclear energy, for the safety and health of the workforce and the population as a whole.

89. In view of the discussion that had taken place, the spokesman for the group of representatives of water, gas and electricity supply services proposed that Article 19(f) of the Occupational Safety and Health Convention, 1981 (No. 155), might provide a basis for the Meeting's conclusions. He did not see the need to single out hazards in particular sectors.

90. A representative of supply services in India, referring to the legal procedure for the reporting of accidents in his country, stated that these rules required, amongst other things, that workers who manned power stations be fully and appropriately trained, not only in the technical aspects of operational maintenance but also in its safety components.

91. Reiterating the earlier comment that safety is not a negotiable item, a representative of private services from Brazil remarked that expenditure on safety was "an investment" - and a very important expenditure. Thanks to training and the setting up of joint committees, the safety situation in this sector had improved in his country. A Worker member from Canada, by giving general examples, drew attention to the important occupational safety and health principle of eliminating hazards, if at all possible, at their source.

EXAMINATION BY THE MEETING OF THE DRAFT REPORT ON THE
DISCUSSION AND OF THE DRAFT CONCLUSIONS AND RESOLUTIONS

92. At its eighth and ninth plenary sittings, the Joint Meeting had before it the draft report on its discussions in the previous plenary sittings, as well as the draft conclusions and resolutions submitted by its working parties.

Draft report on the discussions in
the plenary sittings

93. The Worker spokesman regretted that the draft report did not adequately reflect some of the views expressed by him and his colleagues in the debate, in particular those relating to the privatisation of public utilities and the need to consider problems related to the nuclear energy industry. The speaker deplored the fact that the draft report handled the latter issue in a single paragraph. He recalled that on several occasions he had raised the issue of the risks of radiation on working conditions and the need to protect workers not only in power plants but also in distribution services, and to protect the whole population in cases of radiation and chemical fallout. The Worker member from India pointed to the environmental hazards to which workers and their families who lived in the vicinity of the workplace were sometimes exposed. The Worker spokesman asked that these statements be incorporated into the final report. He also felt that the draft report did not adequately reflect the views of the Workers who had stressed that the misuse of both part-time and training contracts should be avoided, and that there was need to give due attention to unemployment problems, the aim being to attain full employment and to grant equal opportunities to women workers.

94. Several other members submitted amendments concerning their own statements to the text of the draft report. The Meeting agreed that these amendments should be incorporated into the final text of the report. The Meeting then unanimously adopted the draft report on its discussions in the plenary sittings, as amended.

Draft conclusions

95. The Meeting had before it for examination and adoption draft conclusions on general background, employment and occupational safety and health (submitted by Working Party No. 1) and on labour-management relations, working time and remuneration (submitted by Working Party No. 2).

96. The Meeting unanimously adopted the draft conclusions on these subjects. It agreed that the section in the conclusions dealing with international action (paragraphs 45-52) be deleted to avoid overlap with the corresponding formulation of Resolution No. 2 concerning ILO activities in the water, gas and electricity supply services. The text of the conclusions adopted are to be found in Annex I of this report.

Draft resolutions

97. Two draft resolutions were submitted for consideration and adoption to the Meeting by its Working Party No. 3 concerning respectively:

- freedom of association and the right to collective bargaining in water, gas and electricity supply services; and
- ILO activities in the field of water, gas and electricity supply services.

98. The Working Party had based its deliberations on draft resolutions submitted by the Worker members of the Joint Meeting. Before submitting the drafts to the Meeting for adoption, the Chairman of the Working Party gave a brief summary of the latter's discussions.

Draft resolution concerning freedom of association
and the right to collective bargaining in water, gas
and electricity supply services

99. The Meeting unanimously approved the draft resolution concerning freedom of association and the right to collective bargaining in water, gas and electricity supply services. The text is contained in Annex I of this report.

Draft resolution concerning ILO activities in the field of
water, gas and electricity supply services

100. The Clerk of the Meeting announced some changes in the wording of the text of the draft resolution on ILO activities in the field of water, gas and electricity services, which had been distributed to the Meeting. Considerable discussion arose over the reinsertion, in the text of the draft resolution, of the word "supply" in the phrase "water, gas and electricity services". The Worker spokesman stressed that the whole workforce employed in energy generation - including coal, nuclear and hydroelectric power generation - could not understand the artificial distinction between production and supply of energy which is hard to establish in practice. The Workers' group considered that this word had been deleted on purpose and agreement had been reached on this matter in Working Party No. 3. They insisted in particular upon the deletion of the word "supply" with reference to subparagraph (d)(iv) concerning co-operation between the ILO and other international bodies when dealing with radiation and chemical fallout. They argued that in many instances the generation and distribution of certain types of energy took place on the same premises and could therefore not be separated; moreover, some workers were employed to undertake tasks in both areas at the same workplace.

101. The spokesman for representatives of water, gas and electricity supply services indicated that his group was unable to reach unanimity on this issue. While he and most of his colleagues on the Government side could agree to the deletion, some representatives of public and private services felt that the generation aspects of energy were outside the mandate of the Meeting and that the word "supply" should therefore be maintained in the subparagraph under consideration.

102. The Chairman noted that there was considerable support in the Meeting for the deletion of the word "supply" in subparagraph (d)(iv) of the resolution. It was so agreed.

103. A representative of private services from Finland expressed a reservation concerning the above resolution because of the deletion of the word "supply". He felt that the Meeting did not have a mandate to discuss matters and adopt resolutions referring to interests other than those of the "supply" side of the water, gas and electricity services. He was therefore concerned that the deletion of the word "supply" in this resolution might affect interests that were not represented at the Meeting.

104. Subject to this reservation, the Meeting adopted the draft resolution concerning ILO activities in the field of water, gas and electricity supply services as amended. The text is contained in Annex I of this report.

CLOSURE OF THE MEETING

105. The Secretary-General of the Meeting stated that the debates had been extremely lively. The conduct of the Meeting and the quality of the debate had left no doubt in his mind as to the firm commitment of all participants to the public mission of the services provided. The level of commitment to the social goals of these services had been manifest and the members of the Meeting had been able, through negotiation and compromise, to reach valuable consensus on many subjects. The report of the Meeting would be brought to the attention of the Governing Body of the ILO, which would be invited to consider the report, the conclusions and resolutions, and the request for the establishment of a standing joint committee on the water, gas and electricity supply services. The working parties had clearly expressed the need for a broader programme of action by the ILO for the benefit of the public utilities sector. Repeated requests had been made for more research, codes of practice, seminars and technical co-operation in developing countries. Efforts would be made to respond to these requests, bearing in mind the severe financial constraints under which the ILO now operated. With regard to technical co-operation, the participants at the Meeting could make a useful contribution by requesting that the Office undertake new activities in these services and by helping to find the necessary funds. The Office could assist in: the identification and definition of the issues and problems to be dealt with; the design of the projects to be implemented; and the search for financial support for the execution of projects.

106. Mr. Nasr, Governing Body representative for the Employers' group, excused his absence from early sittings of the Meeting, due to illness. He welcomed the success achieved in the work of the Meeting and congratulated it on the clarity and content of its discussions. Together with his colleagues from the Governing Body he would make every effort to see that the requests of the Meeting, within its mandate, were implemented within the limits of resources available to the Organisation.

107. The Vice-Chairman for the group of representatives of supply services, extended his thanks to the Chairman, the participants at the Meeting and the Secretariat, and expressed the hope that all those present would be given another opportunity to meet in order to discuss the problems of the utilities.

108. The spokesman for the group of representatives of supply services welcomed the results of the Meeting and thanked all those involved.

109. The spokesman for the Workers' group said that the past few days in the Meeting had not been totally harmonious. Although the report, the

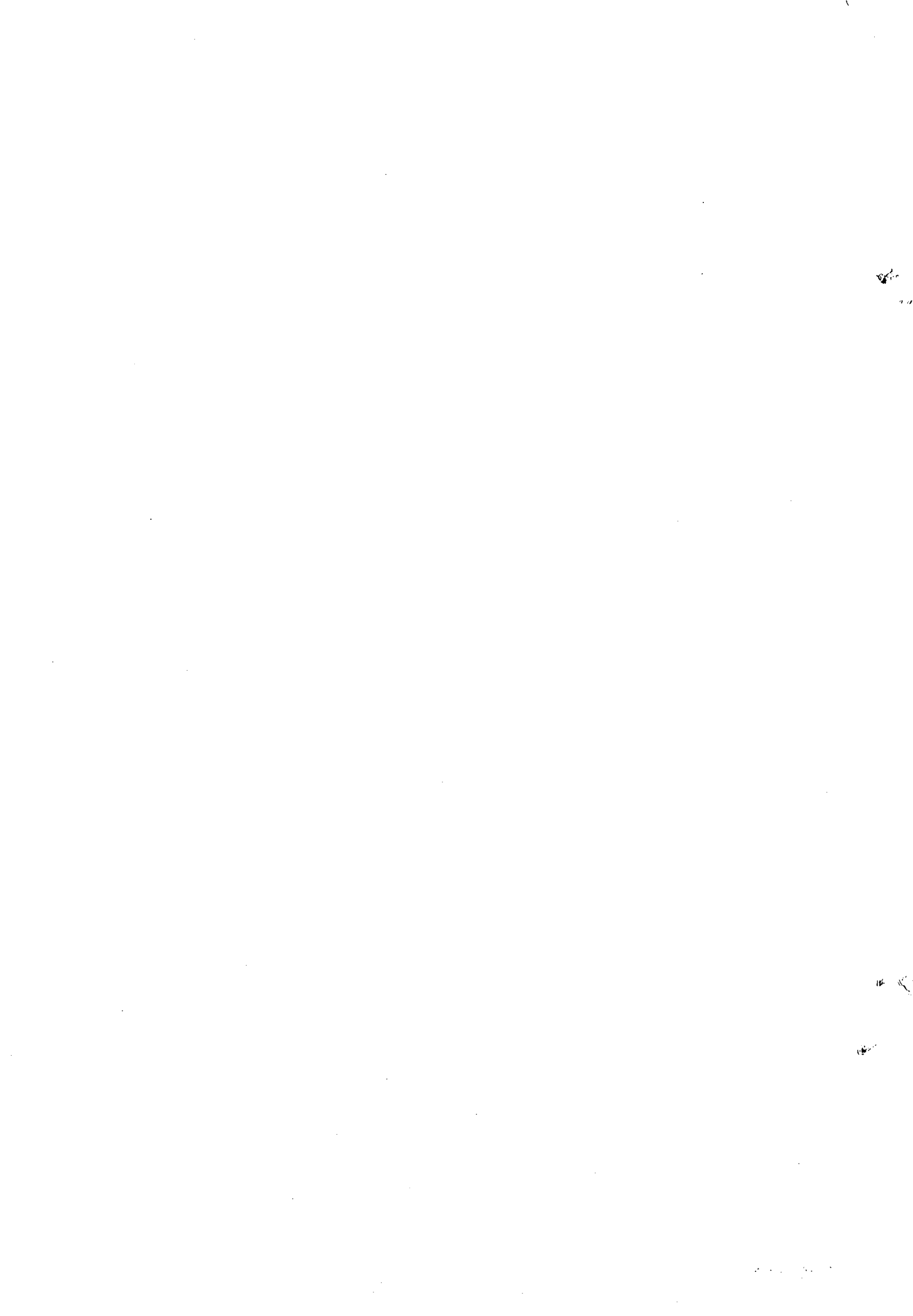
conclusions and the resolutions had all been adopted, which was in itself a positive achievement, he felt the need to underline some of the difficulties encountered. His group had come to the Meeting with positive intentions and with a will to understand the position of the other members of the Meeting and to compromise. Nevertheless, it had experienced disappointment at times because it had had to give way on a number of tactical positions. Although many delegates had been conciliatory and the proposed texts worthy of compromise, a number of other delegates had maintained a somewhat negative attitude. In ILO member States, the Meeting's decisions would have an important effect on millions of workers who were seeking better legislation and regulations to improve their working conditions, and the Workers would do their best to apply these decisions in a positive way. The Meeting had proved that there was a need to set up a joint standing committee as set out in the resolution on future ILO activities, in order to provide a forum, on a continuous basis, for discussion of the problems encountered by these vital services. It was necessary at this stage of the twentieth century to leave aside parochial politics and to make progress in the direction of more positive laws and regulations. He suggested that it would be helpful if the participants in this type of meeting were informed more fully of the ILO's objectives before the Meeting started. He finally expressed his appreciation to the delegates representing services, the Chairman, the interpreters and the members of the Secretariat for the valuable contribution they had made to the outcome of the Meeting.

110. The Chairman of the Meeting said that it had been a great pleasure for him to participate in the Meeting and to witness the exchange of information, views and experiences that had taken place for the mutual benefit of the participants. The positive contributions and the tolerant and compromising attitude of the participants had greatly assisted him in his task, and had been instrumental in ensuring the success of the Meeting. This was the first time that the new Standing Orders for Joint Committees had been applied and he was impressed by the smooth working of the formula that provided for the inclusion of private employers in the Government group but which, nevertheless, preserved the bipartite nature of the Meeting. At the Governing Body session to be held in November 1987, he would emphasise the strong support expressed during the Meeting for the setting up of a standing committee on water, gas and electricity supply services. He hoped that the deliberations that had taken place during the past week would add to a better understanding and recognition of the needs of these services, since they were of vital importance, not only to the workers they employed but to the public at large. He hoped that the outcome of the Meeting would contribute to improving the working conditions and employment opportunities of workers in these services.

111. The Chairman finally thanked the two Vice-Chairmen, the spokesmen for the two groups, his colleagues from the Governing Body and the Secretariat for their assistance which had greatly facilitated his work. He thereupon declared the Joint Meeting on Employment and Working Conditions in Water, Gas and Electricity Supply Services closed.

ANNEX I

CONCLUSIONS AND RESOLUTIONS ADOPTED



CONCLUSIONS

CONCLUSIONS ON EMPLOYMENT AND CONDITIONS OF WORK
IN WATER, GAS AND ELECTRICITY SUPPLY SERVICES¹

The Joint Meeting on Employment and Conditions of Work in Water, Gas and Electricity Supply Services,

Having been convened by the Governing Body of the ILO,

Having met in Geneva from 5 to 13 May 1987,

Adopts, this thirteenth day of May 1987, the following conclusions:

General considerations

1. Water, gas and electricity services provide a vital contribution to the quality of life of the population as a whole. These services are generally a prerequisite to the achievement of basic social and economic goals and play an important role in developing economic and social progress in all societies. In developing countries in particular, the rapid expansion of these services is essential to any efforts being made to improve the quality of life of the community.

2. Water is a basic human need. Pure water is crucial to human health and survival. In this connection, the Plan of Action for Community Water Supply adopted by the United Nations Water Conference held in Mar del Plata (Argentina) in 1977 and the UN General Assembly decision to designate the 1980s as the International Drinking Water Supply and Sanitation Decade are commendable and noteworthy. The very high priority which the international community has thereby given to the development and improvement of water supply services, especially in developing countries, is endorsed.

3. Electricity and gas services are of decisive economic and social importance. They play a vital role in meeting household fuel and power requirements and industrial energy as well as agricultural needs. While these services have been more frequently available within and near urban areas, they are increasingly being extended to rural areas, for example through major rural electrification programmes and the development of alternative sources of energy. Such efforts to expand these energy supply services are providing a crucial impetus and support for rural development.

4. Water, gas and electricity supply services have been encountering an increasing number of challenges to their ability to meet the demand for their services, and which may have an effect on workers. These include changes relating to ownership (such as privatisation and/or nationalisation), technological change, all aspects of safety and health, investment constraints, growing environmental concerns and socio-economic factors, including rapid population growth and urbanisation. In view of the economic and social importance of these services, governments should give a high priority to assisting water, gas and electricity authorities to overcome these

¹ Unanimously adopted.

challenges, and employers and workers' and, where appropriate, consumers' representatives, should be involved in order to ensure that these services are accessible to the entire population.

5. Experience with changes in ownership (including privatisation and/or nationalisation) varies among countries; while in some cases employment and working conditions have been maintained, or improved, in others they have been adversely affected. When changes in ownership are contemplated, every effort should be made to protect the rights and interests of workers and of employers; such endeavours should be done through negotiation, consultation and collective bargaining, in conformity with national law and practice.

6. Governments may consider the possibility of consulting representatives of the relevant public authorities, workers' organisations, employers' organisations and, where appropriate, consumers' representatives before the passage of laws or other regulatory measures affecting the supply of these services.

7. Regardless of the legal status and ownership structure prevailing in different countries, the services provided are of such vital importance that arrangements should be made to make them publicly accountable in accordance with national law and practice.

8. Differences in legal status and ownership structure should not be detrimental to the workers.

Employment

9. Because of the essential role of the utilities in the economy, they have a major impact on the level of activity and opportunities for employment in all sectors. By giving special attention to employment prospects - which should be such as to attract and retain qualified personnel to fulfil the necessary continuity and development of the industries in the public and national economic interest - employers and workers' organisations will contribute to securing improved services as well as higher levels of employment in the economy as a whole.

10. The employment implications of the kinds of ownership structures that exist in different countries should be carefully assessed. Timely factual and analytical information concerning these changes and their effects on employment and society should be provided to the workers and employers and their organisations. This information could be used by the employers and workers' organisations to develop programmes that ensure satisfactory social, employment and career prospects through appropriate measures.

11. Technological change is already an important feature of the three services and will increasingly affect employment. It offers opportunities for gains in productivity, improved quality of services and better working conditions. On the other hand, in particular in developing countries, the introduction of technology which is not adapted to national conditions can adversely affect employment. While decisions about the introduction of new and changed technology are the responsibility of the management organisations concerned, consultations, negotiations and exchange of information should take place between employers and workers' representatives in accordance with national law and practice.

12. In order to facilitate adjustment to structural and technological changes in these capital- and skill-intensive industries, special attention should be given to training, retraining and education of workers. While employers have the major responsibility for training, workers through their representatives should be closely involved in the planning and implementation of all training programmes in accordance with the provisions of the Paid Educational Leave Convention, 1974 (No. 140), and Recommendation, 1974 (No. 148).

13. Many water, gas and electricity services, particularly in developing countries, are experiencing serious shortages of skilled personnel. This deficiency is aggravated by the rapid expansion of these services. Carefully designed manpower and training needs assessments should be carried out at an early stage in these industries, with the involvement of the workers through their representatives. These assessments should identify vocational and management skill priorities and propose appropriate training and other personnel measures to meet those requirements.

14. In some countries, the share which women have in the total employment in the three sectors is relatively small. Protective legislation and traditional barriers impede their access to many occupations, although due regard should be paid to the effects on women of dangerous or hazardous work, e.g. ionising radiation during pregnancy. The lower level of pay women receive generally reflects their concentration in certain clerical and administrative jobs. Efforts should be intensified to eliminate any discrimination, where it exists, and ensure equal opportunity and treatment in access to training and employment for women. Employers and workers' organisations, taking into account national conditions and in accordance with national law and practice, should encourage women to acquire new skills and to take up occupations in which they are at present under-represented. New technologies may offer opportunities in this regard.

Labour-management relations

15. The right of workers to form or join trade union organisations of their own choosing, as enshrined in the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), should be enjoyed by all workers, of all grades, in the water, gas and electricity supply services, whether they are employed in public sector or private sector undertakings.

16. Governments should take the necessary measures to ensure that all workers in these sectors are guaranteed freedom of association and the free exercise of the right to organise. In particular, the protection of workers' representatives from acts of anti-union discrimination and the provision of facilities to enable them to carry out their functions effectively should be guaranteed, in line with the provisions of: the Right to Organise and Collective Bargaining Convention, 1949 (No. 98); the Workers' Representatives Convention, 1971 (No. 135), and Recommendation, 1971 (No. 143); and the Labour Relations (Public Service) Convention, 1978 (No. 151), and Recommendation, 1978 (No. 159).

17. Collective bargaining and the conclusion of collective agreements are widely recognised as methods satisfactory to both parties for determining their mutual relations and fixing conditions of work as well as for the settlement of labour disputes. The right to bargain collectively or to negotiate with employers in the water, gas and electricity supply services should, as far as possible, be encouraged so as to promote the full

development of voluntary negotiations between employers and workers and their organisations in these industries, in line with the provisions of the Collective Bargaining Convention, 1981 (No. 154), and Recommendation, 1981 (No. 163), and Conventions Nos. 98 and 151 cited above.

18. There has been a general trend towards increased workers' consultation and/or participation at the enterprise level in water, gas and electricity utilities, and it is recognised that these procedures normally lead to better industrial relations. Governments should encourage the process of co-operation at the level of the enterprise by providing, where necessary, the facilities for such consultations, in accordance with the provisions of the Co-operation at the Level of the Undertaking Recommendation, 1952 (No. 94), and the Consultation (Industrial and National Levels) Recommendation, 1960 (No. 113).

19. To be meaningful, workers' consultation and participation require adequate information being made available to them. Owing to the rapid pace of technological change as well as structural and ownership changes (including privatisation and nationalisation measures) and their repercussions on employees and employers, the organisations representing the workers and employers concerned should be informed and consulted at an early stage concerning plans for such changes, in accordance with national law and practice.

20. The need to ensure the uninterrupted provision of water, gas and electricity calls for the speedy settlement of labour disputes arising in connection with the determination of terms and conditions of employment in the public utilities. Labour disputes should preferably be settled through negotiations between the parties concerned. Appropriate measures should be taken, in accordance with national law or practice, to provide autonomous and impartial services for conciliation, mediation or arbitration of disputes in these sectors, in line with the provisions of the Labour Relations (Public Service) Convention, 1978 (No. 151), and the Voluntary Conciliation and Arbitration Recommendation, 1951 (No. 92), and taking into consideration the Conclusions of the Meeting on the Settlement of Labour Disputes in the Public Service, held in October 1986.

21. The ILO Committee on Freedom of Association has expressed the view that the right to strike is a legitimate means of defence of workers' interests, but that strikes may be limited or prohibited in essential services. Where strikes are legally permitted in these services, measures are frequently taken beforehand by legislation or collective agreement or by less formal understandings to ensure the continuance of a minimum level of service required to protect the security of equipment and public health and safety. Workers' representatives should be able to participate effectively in defining such minimum service.

Working time

22. The special character of work in water, gas and electricity services and the need to maintain their continuity and quality as well as safety standards impose particular constraints on working time and the organisation of work schedules, due account being taken of the specific requirements of each of the services.

23. The reduction in working time represents an improvement in the quality of life of workers and may also lead to job creation. In countries

where the standard of 40 hours has not yet been established, efforts should be made to apply this standard within a reasonable time, in accordance with the Reduction of Hours of Work Recommendation, 1962 (No. 116). In other countries progress has already been made in bringing the water, gas and electricity supply workers the benefit of shorter working hours. Since the scope of progress in this respect differs widely among countries it deserves more thorough study by the national competent authorities, as well as the employers' and workers' organisations. The cost-effectiveness of working time reduction measures would have to be taken into account together with the benefits resulting from them.

24. In applying measures to reduce working time, priority should be given to occupations involving particular physical or mental fatigue, or involving health risks for workers, as provided for in the above-mentioned Recommendation No. 116. In accordance with the provisions of that Recommendation, working schedules should be negotiated with the relevant workers and their organisations concerned. New technologies and innovative methods of work organisation should be used in order to try to reduce the number of workers subjected to night shifts, standby duties or other unsocial working schedules.

25. Collective bargaining machinery constitutes probably the best means for negotiating the reduction of working time. It should take into account the need to maintain the quality and continuity of services as well as the particular constraints affecting specific categories of employees.

26. Measures should be taken to combat systematic overtime, since it may, among other things, lead to physical or mental stress. Overtime should only be worked in cases of real necessity. It should not be a substitute for the recruitment of new workers. Where overtime and unsocial hours cannot be avoided, appropriate compensation, particularly in the form of increased remuneration, special monetary allowances and/or time off, should be given, in keeping with the laws and practices of particular countries.

27. Similarly, shift work should be subject to appropriate compensation. Shift workers should be informed of work schedules sufficiently in advance to enable them to organise their personal and family lives; these schedules should, as far as possible, be established in consultation and/or negotiation with the workers' organisations or representatives concerned. Attention should be paid to setting up and operating facilities for shift workers where the special circumstances of shift work may require them.

28. As a result of technological changes taking place within the utilities, and the resulting requirement for developing new qualifications and skills, measures should be taken to ensure that the workers concerned benefit from paid educational leave, in conformity with the provisions of the Paid Educational Leave Convention, 1974 (No. 140), and Recommendation, 1974 (No. 148).

Remuneration

29. The remuneration of workers in water, gas and electricity supply services should be determined through voluntary collective bargaining between employers' and workers' organisations, in accordance with the provisions of ILO Conventions Nos. 98, 151 and 154. Where such arrangements do not yet exist they should be promoted.

30. In the determination of remuneration in accordance with the procedures in the preceding paragraph, objective criteria should be used such as the level of qualifications, degree of responsibility, job requirements, job performance, nature of work, experience and length of service, as well as the specific constraints and hazards inherent in the various utilities' professions.

31. The principle of equal pay for work of equal value should apply to women in water, gas and electricity supply services in accordance with the Equal Remuneration Convention, 1951 (No. 100), and Recommendation, 1951 (No. 90). There is a tendency for women to be employed in certain occupational categories and in the low-wage levels. Measures should therefore be taken, in accordance with the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and Recommendation, 1958 (No. 111), to promote equality of opportunity and treatment for women in employment and occupation.

32. Given the importance and nature of water, gas and electricity supply services, governments have a special interest in these services, whether they be private or public. If these services are to function efficiently and to remain competitive, they should pursue policies which will enable them to attract and retain sufficient and appropriately qualified workers. Success in attaining this objective will, to a great extent, be determined by the ability of the services to ensure that the wages and conditions of employment are perceived as serving the interests of both workers and employers.

33. Pay and grading structures should be such as to attract and retain the qualified staff needed by the services in order to respond to the increasing demands posed by new technologies, the necessary expansion of the services and the growing requirements of the consumers. In examining pay differentials it may be desirable to take account of significant imbalances between the higher and lower categories of workers.

34. Remuneration scales and allowances should adequately compensate workers who are called upon to perform work in remote areas, in arduous conditions and during unsocial hours.

35. The various components of remuneration should be sufficiently transparent to enable workers to have a clear idea of their total entitlements; all elements, where relevant, should be taken into account for pensions and other social benefits.

36. Remuneration, including all indirect elements, should be periodically reviewed in order to take into account fluctuations in the cost of living, the labour market situation with regard to skills, level of responsibilities, changes in work organisation, increases in productivity and the acquisition of additional skills.

Occupational safety and health

37. In most countries, the water, gas and electricity supply services generally have made progress in improving occupational safety and health conditions. However, in some developing countries, much more has to be done. Continued vigilance as well as new efforts are therefore required in the light of the many changes occurring in these services. New techniques and processes should be introduced into water, gas and electricity plants to assist in removing hazards and stress. The important occupational safety and health principle of eliminating hazards at source should be applied.

38. Occupational safety and health should not be regarded so much as a cost to the operation, but rather as an investment to protect the workers.

39. Employers and workers should fulfil the provisions of Paragraphs 10-16 of the Occupational Safety and Health Recommendation, 1981 (No. 164).

40. Individual workers should not be compelled to carry out work which involves imminent, serious danger to the life or health of a worker, in accordance with the Occupational Safety and Health Convention, 1981 (No. 155), Article 19(f) which reads -

There shall be arrangements at the level of the undertaking under which -

...

(f) a worker reports forthwith to his immediate supervisor any situation which he has reasonable justification to believe presents an imminent and serious danger to his life or health; until the employer has taken remedial action, if necessary, the employer cannot require workers to return to a work situation where there is continuing imminent and serious danger to life or health.

No measures prejudicial to a worker should be taken by reference to the fact that, in good faith, he complained of what he considered to be a breach of statutory requirements or a serious inadequacy in the measures taken by the employer in respect of occupational safety and health and the working environment.

41. In addition to action within the working environment, action should be taken to protect workers in the water, gas and electricity supply services against hazards arising from the plant or process.

42. The causes of occupational diseases require special investigation. In particular, preventive action should be taken to eliminate exposure to substances or circumstances which give rise to such occupational diseases. This is especially so where the disease is of a chronic nature.

43. Occupational health services should be preventive in character. Medical services should be available, and preventive medical examinations should be available at no cost to the workers and should be carried out as far as possible during working hours.

44. A special need exists to protect workers against the hazards of asbestos. The ILO Code of Practice on "Safety in the Use of Asbestos" provides useful practical guidance in this regard and the general principles are established by the Asbestos Convention, 1986 (No. 162), and Recommendation, 1986 (No. 172).

45. Safety equipment should be adequate and readily available, and should keep pace with new methods and technology.

46. New technology may give rise to new and unforeseen hazards and effective action should be taken to deal with these hazards. There should be protection for the workers against the adverse effects of the transfer of technology, especially those transfers which are made to developing countries.

47. Every worker should be given appropriate information and explanation of the hazards to which he is exposed along with instructions and training in the procedures to be followed to carry out his work safely. As new technology often calls for new safety requirements, the training or retraining required

for operators of the new technology should generally be within working hours and should be of an appropriately high level.

48. Employers and workers' organisations should work together to establish an acceptable level of occupational safety and health. In accordance with national law and practice, safety and health committees, or safety and health representatives, depending on the size of the workplace, should be established.

RESOLUTIONS

RESOLUTION CONCERNING FREEDOM OF ASSOCIATION AND THE RIGHT TO COLLECTIVE BARGAINING IN WATER, GAS AND ELECTRICITY SUPPLY SERVICES¹

The Joint Meeting on Employment and Working Conditions in the Water, Gas and Electricity Supply Services,

Having met in Geneva from 5 to 13 May 1987,

Recognising that the promotion and protection of freedom of association and the right to organise and bargain collectively are among the fundamental aims of the ILO,

Reaffirming that the right to organise and bargain collectively is a basic human right as contained in ILO Conventions which apply to all workers, and therefore to all workers in water, gas and electricity supply services,

Recalling that the ILO Committee on Freedom of Association has expressed its disapproval of measures which might constitute a threat to peaceful relations and the free exercise of trade union rights and its belief that harmonious labour relations can only be developed if there is a peaceful social climate,

Stressing the importance and the need to strengthen the role the ILO plays in the protection and promotion of trade union rights,

Adopts, this thirteenth day of May 1987, the following resolution:

The Joint Meeting on Employment and Working Conditions in the Water, Gas and Electricity Supply Services invites the Governing Body of the International Labour Office to draw the attention of member States to its Report and Conclusions, and to call upon them to ratify, where this has not already been done, and to apply in full the provisions of the following ILO Conventions, in respect of workers in the water, gas and electricity supply services:

- (a) the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87);
- (b) the Right to Organise and Collective Bargaining Convention, 1949 (No. 98);
- (c) the Labour Relations (Public Service) Convention, 1978 (No. 151); and
- (d) the Collective Bargaining Convention, 1981 (No. 154).

¹ Unanimously adopted.

RESOLUTION CONCERNING ILO ACTIVITIES IN THE
FIELD OF WATER, GAS AND ELECTRICITY SUPPLY SERVICES¹

The Joint Meeting on Employment and Working Conditions in the Water, Gas and Electricity Supply Services,

Having met in Geneva from 5 to 13 May 1987,

Recognising the importance of these industries in all countries to the life of the community, to social and economic development and the vital role which these industries have in the provision of services to all other forms of activity and industry,

Considering that water, gas and electricity supply services should be expanded to meet the requirements of changes in industry and changes in the employment and social structure of the population,

Considering that technological changes are essential for the industries' development and for better services, although in some cases they may affect work organisation and processes, demand new skills and influence changes in working conditions of those employed in the industries,

Considering that experience with changes in ownership (including privatisation and/or nationalisation) varies among countries; while in some cases employment and working conditions have been maintained, or improved, in others they have been adversely affected,

Recognising that governments and employers who employ workers in water, gas and electricity supply services have responsibility for the safety and protection of workers and should play an active role in the improvement of conditions of employment and work in the water, gas and electricity supply services,

Recalling that water, gas and electricity supply services personnel are covered by many international labour Conventions and Recommendations laying down standards concerning such matters as freedom of association and the right to collective bargaining, equal remuneration and equal opportunities, voluntary conciliation and arbitration, hours of work, annual holidays with pay, paid educational leave, social security and welfare facilities, maternity protection and occupational health and safety protection,

Adopts, this thirteenth day of May 1987, the following resolution:

The Joint Meeting on Employment and Conditions of Work in Water, Gas and Electricity Supply Services invites the Governing Body of the International Labour Office:

- (a) when considering the new composition of industrial bodies, to examine separately, and on the same occasion, the feasibility of creating a standing Joint Committee for Water, Gas and Electricity Supply Services;
- (b) to consider fixing the agenda of the next meeting, from among the following items:

¹ Adopted by consensus.

- (i) training and retraining;
 - (ii) labour-management relations; and
 - (iii) occupational safety and health, including the introduction of new and emerging technologies;
- (c) to urge member States to ratify and enforce Conventions on occupational safety and health, especially the Occupational Safety and Health and the Working Environment Convention, 1981 (No. 155), and to follow the guidance of the related Recommendation, 1981 (No. 164);
- (d) to request the Director-General, when preparing the next programme and budget, to give consideration to providing sufficient resources:
- (i) to convene regional or subregional ILO seminars, on as regular a basis as possible, on the specific problems and the situation of water, gas and electricity supply services;
 - (ii) to study whether there is a need for any additional ILO codes of practice to be prepared on occupational health and safety in the water, gas and electricity supply services and to take appropriate action;
 - (iii) to ensure co-operation between the ILO and other international organisations, in particular the World Health Organisation, in establishing occupational safety and health standards and other measures;
 - (iv) to ensure the co-operation of the ILO with the competent international bodies when dealing with radiation and chemical fallout to the extent that they may affect working conditions and occupational safety and health of the workers in the water, gas and electricity services;
 - (v) to organise more technical assistance programmes in developing countries;
 - (vi) to include the following studies in the ILO's programme of activities for workers in water, gas and electricity supply services:
 - the impact of the introduction of new technology;
 - occupational safety and health, including the implementation of accident prevention and safety and health measures;
 - equality of remuneration and opportunities between men and women workers; and
 - comparative studies on training requirements in different countries.

ANNEX II
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LIST OF PARTICIPANTS
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REPRESENTATIVES OF THE GOVERNING BODY
OF THE INTERNATIONAL LABOUR OFFICE

REPRESENTANTS DU CONSEIL D'ADMINISTRATION DU
BUREAU INTERNATIONAL DU TRAVAIL

REPRESENTANTES DEL CONSEJO DE ADMINISTRACION DE
LA OFICINA INTERNACIONAL DEL TRABAJO

Government group: Mr. Danang D. JOEDONAGORO,
Groupe gouvernemental: Special Adviser to the Minister of Manpower,
Grupo Gubernamental: JAKARTA SELATAN

Employers' group: Mr. Marwan NASR,
Groupe des employeurs: Association of Lebanese Industrialists,
Grupo de los Empleadores: BEIRUT

Workers' group: Mr. A. SUDONO, MP,
Groupe des travailleurs: President,
Grupo de los Trabajadores: Indonesian Workers' Co-operative Alliance
(INKOPKAR),
President, Automative, Machine and Workshop
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JAKARTA

MEMBERS REPRESENTING WATER, GAS AND ELECTRICITY SUPPLY SERVICES
MEMBRES REPRESENTANT LES SERVICES DE FOURNITURE D'EAU,
DE GAZ ET D'ELECTRICITE
REPRESENTANTES DE LOS SERVICIOS DE SUMINISTRO DE
AGUA, GAS Y ELECTRICIDAD

Members representing the public services
Membres représentant les services publics
Representantes de los servicios públicos

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Accompanied by/Accompagné de/Acompañado por

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MEMBRES REPRESENTANT LES TRAVAILLEURS DES SERVICES
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Mr. T.A. SHAMANG, President, National Union of Electricity and Gas Workers, Lagos.

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ORGANISATION ARABE DU TRAVAIL
ORGANIZACION ARABE DEL TRABAJO

Dr Adnan EL TELAWI, chef de la Délégation permanente de l'OAT à Genève.

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REPRESENTANTES DE ORGANIZACIONES INTERNACIONALES NO GUBERNAMENTALES

INTERNATIONAL CONFEDERATION OF FREE TRADE UNIONS
CONFEDERATION INTERNATIONALE DES SYNDICATS LIBRES
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FEDERATION INTERNATIONALE DES SYNDICATS DE TRAVAILLEURS
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FEDERACION INTERNACIONAL DE ORGANIZACIONES SINDICALES DE TRABAJADORES DE LA
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Sr. Juan Carlos CRESPI, Secretario, Federación SUPE Argentina, Buenos Aires.

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FEDERACION INTERNACIONAL DE SINDICATOS DEL PERSONAL DE LOS SERVICIOS PUBLICOS

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Mr. Philip BOWYER, Organisation and Research Director, Le Lignon, Geneva.

Sr. Rubens FANDINO, Presidente, Federação dos Trabalhadores nas Indústrias Urbanas no Estado de Sao Paulo, Sao Paulo.

PUBLIC SERVICES INTERNATIONAL
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Mr. Harry BATCHELOR, Assistant General Secretary, Ferney-Voltaire, France.

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Sr. Juan Carlos COMAS, Rosario, Argentina.

Sr. Guillermo Jacinto OLIVERA, Presidente, Asociación de Profesionales Universitarios de Agua y Energía Eléctrica, Buenos Aires.

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CONFEDERATION NORDIQUE DES CADRES, TECHNICIENS ET AUTRES RESPONSABLES
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Mr. Ahti HILMOLA, Engineer, Helsinki.

TRADE UNIONS INTERNATIONAL OF PUBLIC AND ALLIED EMPLOYEES
UNION INTERNATIONALE DES SYNDICATS DES TRAVAILLEURS DE LA FONCTION PUBLIQUE ET
ASSIMILES
UNION INTERNACIONAL DE SINDICATOS DE TRABAJADORES DE SERVICIOS PUBLICOS Y
SIMILARES

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