

Welcome to our webinar on Exploring ILO Conventions 88 and 181!

Today, we welcome ILO, WEC, and WAPES speakers.

Bienvenue à notre webinaire sur l'exploration des conventions 88 et 181 de l'OIT!

Aujourd'hui, nous accueillons les intervenants de l'OIT, du WEC et du WAPES.

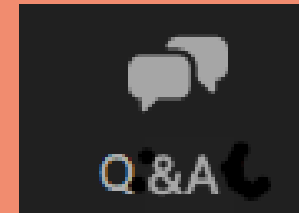
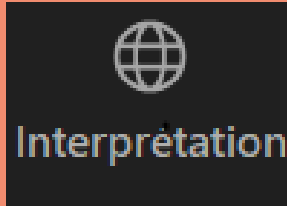
¡Bienvenidos a nuestra serie de webinarios "El mundo de los SPE"!

Hoy damos la bienvenida a los ponentes de la OIT, el WEC y el WAPES.



International
Labour
Organization





Please select your language (English, French or Spanish) by clicking on the globe icon below your screen.

Merci de sélectionner votre langue (anglais, français, espagnol) en cliquant sur le globe en bas de votre écran.

Por favor, seleccione su idioma (inglés, francés, español) haciendo clic en el globo situado en la parte inferior de su pantalla.

Questions can be asked via the Q&A chat only. Only a few questions will be answered live, the remaining ones will be attended afterwards, in the follow-up of the event.

Les questions peuvent être posées uniquement via le chat Q&A. Seules quelques questions recevront une réponse en direct, les autres seront traitées ultérieurement, dans le cadre du suivi de l'événement.

Las preguntas sólo podrán formularse a través del chat Q&A. Solo se responderán algunas preguntas en directo, las otras se atenderán después, en el seguimiento del evento.



International
Labour
Organization

C88 & C181 Ratification & Implementation

Labour market services for transition Unit - ILO, HQ, Genève
Anna-Karin PALM OLSSON, Technical Specialist Labour Market Services





Indispensable Role of Employment Services

Employment services are cost-effective labour market interventions

Play a significant role in responding to the future of work and in supporting jobs recovery

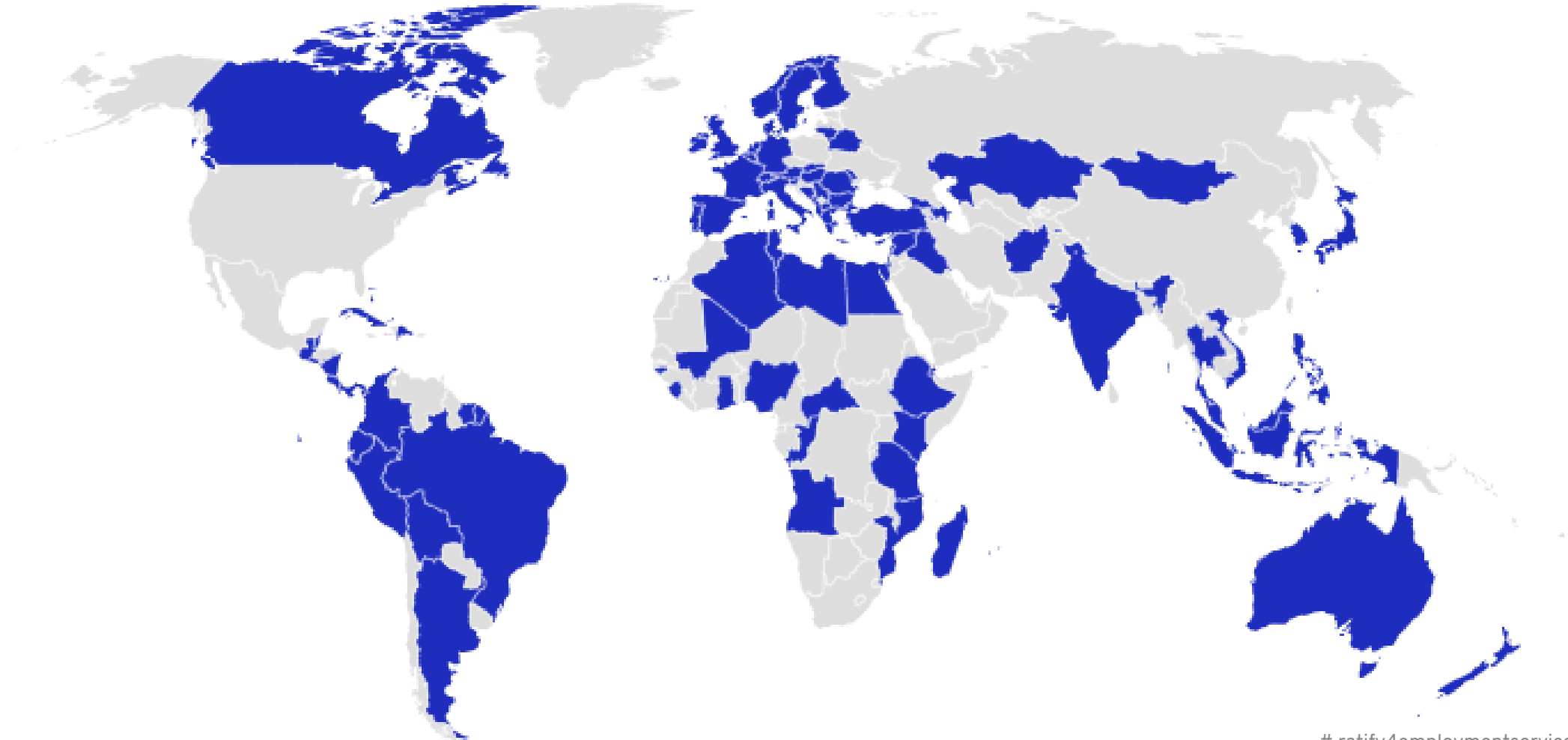
PES contribute to making the job market more transparent, fair, and inclusive

Private employment agencies can act as a stepping-stone to formal and regular employment,
if well-regulated and monitored



► Ratifications Convention 88 from 1948 on employment services

Ratifications : 92

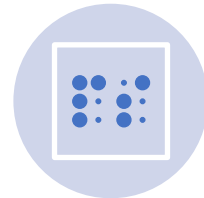




▶ Convention 88



Public service



Free



The role of
social partners



National system



Local network

▶ Main duties of PES



Job search and work placement



Regulatory services



Labour market information



Labour market programmes



Unemployment benefit management



▶ Convention 88

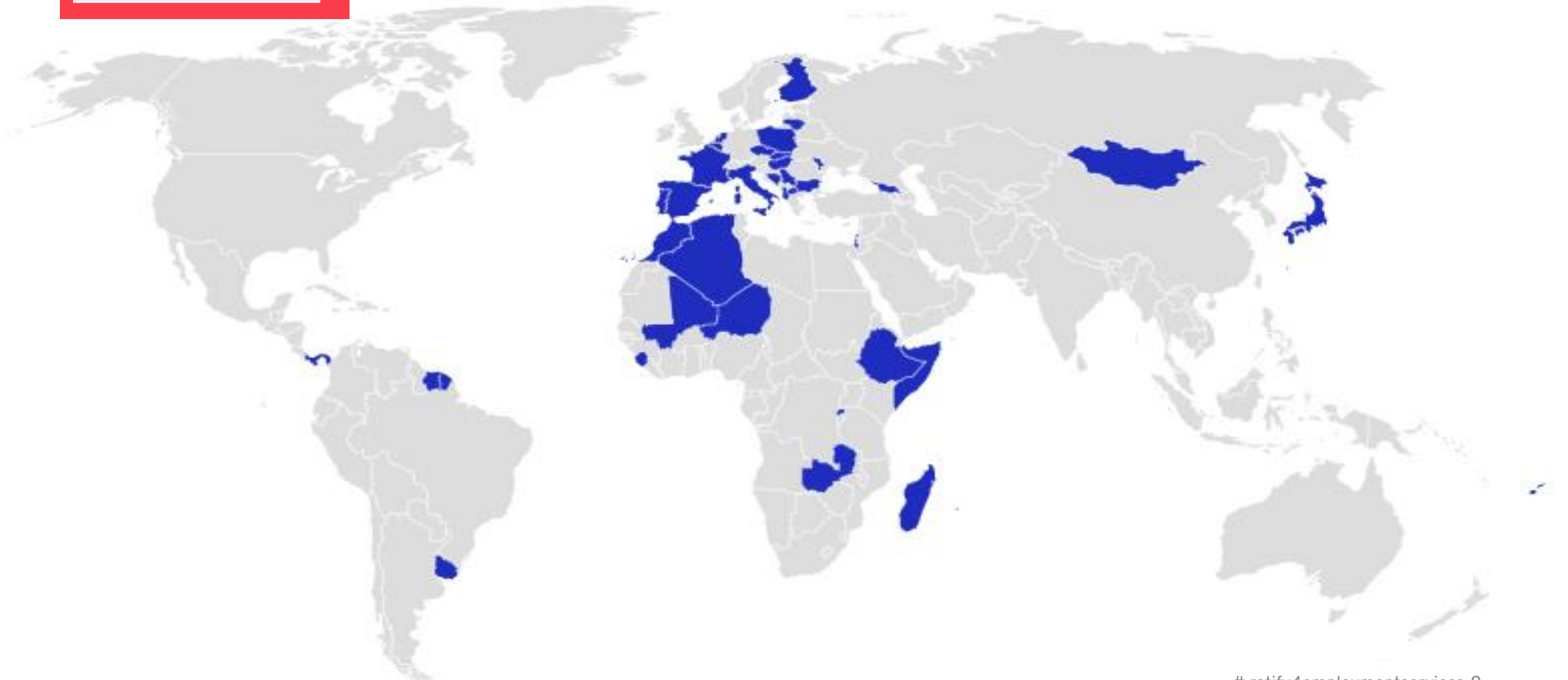
Article 1

1. Each Member of the International Labour Organisation for which this Convention is in force shall maintain or ensure the maintenance of a free public employment service.
2. The essential duty of the employment service shall be to ensure, in co-operation where necessary with other public and private bodies concerned, the best possible organisation of the employment market as an integral part of the national programme for the achievement and maintenance of full employment and the development and use of productive resources.



► Ratifications Convention 181 on private recruitment agencies

Ratifications : 38





► Convention 181 and Article 13

Allow private employment agencies to operate within the framework of a country-specific licensing or accreditation system, determining the conditions for carrying out their activities and providing for inspection mechanisms.

Article 13

« A Member shall, in accordance with national law and practice and after consulting the most representative organizations of employers and workers, formulate, establish and periodically review conditions to **promote cooperation between the public employment service and private employment agencies**. »

Protect workers using their services by:

Guaranteeing the fundamental rights of workers: freedom of association

Promote equal opportunities and treatment – prohibiting discrimination

Protect the use of personal data

Prevent abusive and fraudulent practices – especially against migrant workers

Organize mechanisms and procedures for filing and investigating complaints

▶ Article 7 of Convention 181

Article 7 (1)

“Private employment agencies shall not charge directly or indirectly, in whole or in part, any fees or costs to workers.”



Covers only PEAs providing the services as defined in the Article 1



Consultation: prior to the authorization of the exceptions, the most **representative organizations of employers and workers** have to be consulted



Transparency: Member States are required to create an appropriate legal framework indicating that the authorization is limited to **certain categories of workers, or specific types of services**, and that it constitutes an explicit exception

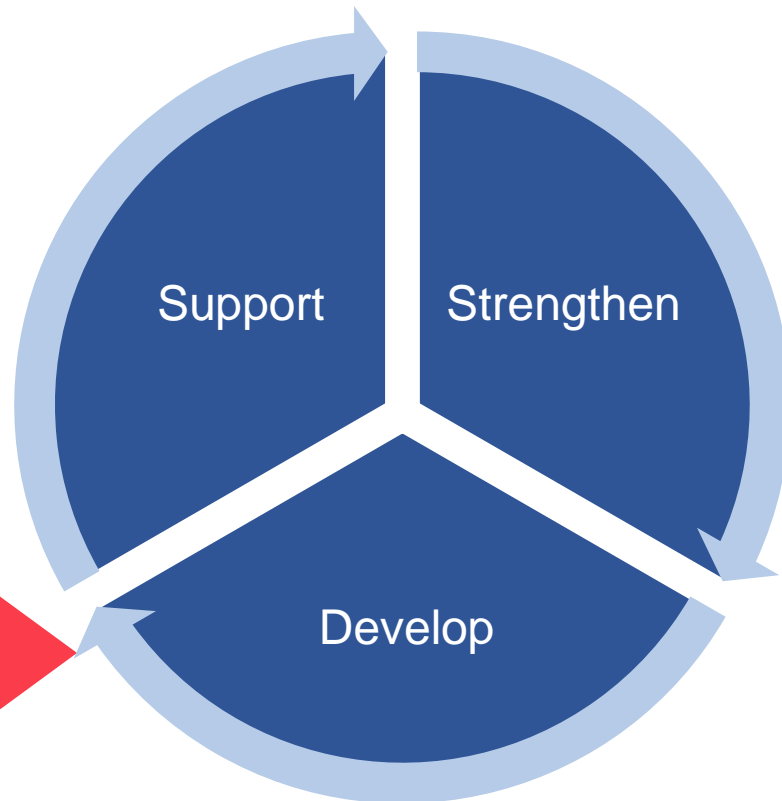


Fees and costs disclosure: it is necessary for the **fees and costs to be disclosed**. Not only the actual service fees, but also other expenses related to recruitment



Reporting: as part of their **reporting obligations** under article 22 of the ILO Constitution, member States need provide the Office with information and give the reasons for making use of the exceptions (Art. 7(3))

Why are Conventions No. 88 and No. 181 important?



Together, they provide a solid normative basis for effective employment services

Ratifying these Conventions provides a basis for development of a conducive national legal framework

An effective national legal framework ensures adequate checks and balances in the employment services ecosystem

► **Developments and trends**

Connecting to the megatrends of globalization, digitalization, demographic shifts and climate change

Build resilience – under the umbrella of sustainability

The partnership/collaboration/coordination most effective approaches

Increased interest in connection to migrant and domestic workers (C181)

Recognizing the contribution PrEAs make to the labour market while adhering to fair recruitment principles

Connecting to the enhancement of social protection systems (ALMPs)

Demographic shifts impacting operations





International
Labour
Organization

Ratify
C88
C181
for
Employment
Services



▶ Why ratify these Conventions?

ratify4employmentservices

▶ ILO support towards ratification



1

Analysis
of national law
and practice

2

Tripartite endorsement
and establishment
of a roadmap

3

National constitutional
requirements

4

Transmission
of the instrument
of ratification

5

Follow-up
and reporting



International
Labour
Organization

Ratify
C88
C181
for
Employment
Services

Examples from countries:



▶ Uruguay



▶ Japan



▶ Nigeria



▶ France



▶ Panama



▶ Ethiopia



International
Labour
Organization

Ratify
C88
C181

for
Employment
Services

ILO Webinar

The Australian Case Study

Charles Cameron
CEO



Public Employment Services in Australia

- Publicly funded and centrally managed. Delivered predominantly by private providers.
- Designed to help all jobseekers. Specialist support for the most vulnerable jobseekers.
- Online and on-site services.
- Over 1400 sites providing core employment services, along with hundreds of specialist youth employment sites and support services. Digital services platform for job-ready candidates.



Private Recruitment and Staffing - Australia

TEMPORARY STAFFING SERVICES

Revenue: \$41.1 billion

Employees: 562,000

Businesses: 14,600

PERM PLACEMENT RECRUITMENT

Revenue: \$20.3 billion

Employees: 209,000

Businesses: 8,300

Leveraging the strengths and networks across both private and public systems

Private employment services are one of the largest employers of public employment service job seekers



The importance of ratification

Confidence and surety for governments across both systems:

- Pastoral care for jobseekers.
- Professional and ethical behaviour and practice.
- Shared set of operating principles and structure.

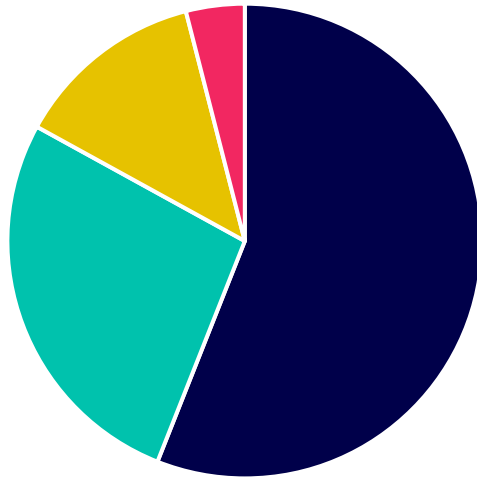


Exploring ILO Conventions 88 and 181: The Essential Roles of Public and Private Employment Services in Supporting Workers and Employers for Human-Centred, Job-Rich Labour Markets

Spangenberg – november 2024

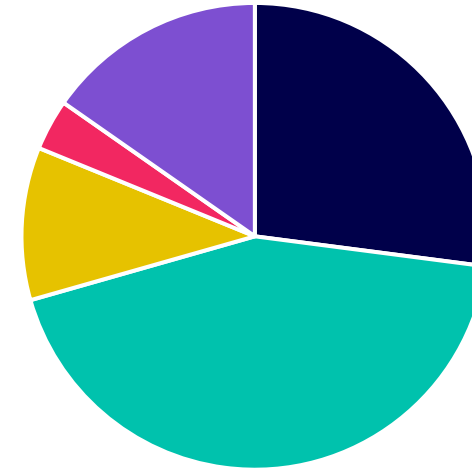
Flexible work in NL

Perm - flex - selfemployed (EBB, Q3 2024)



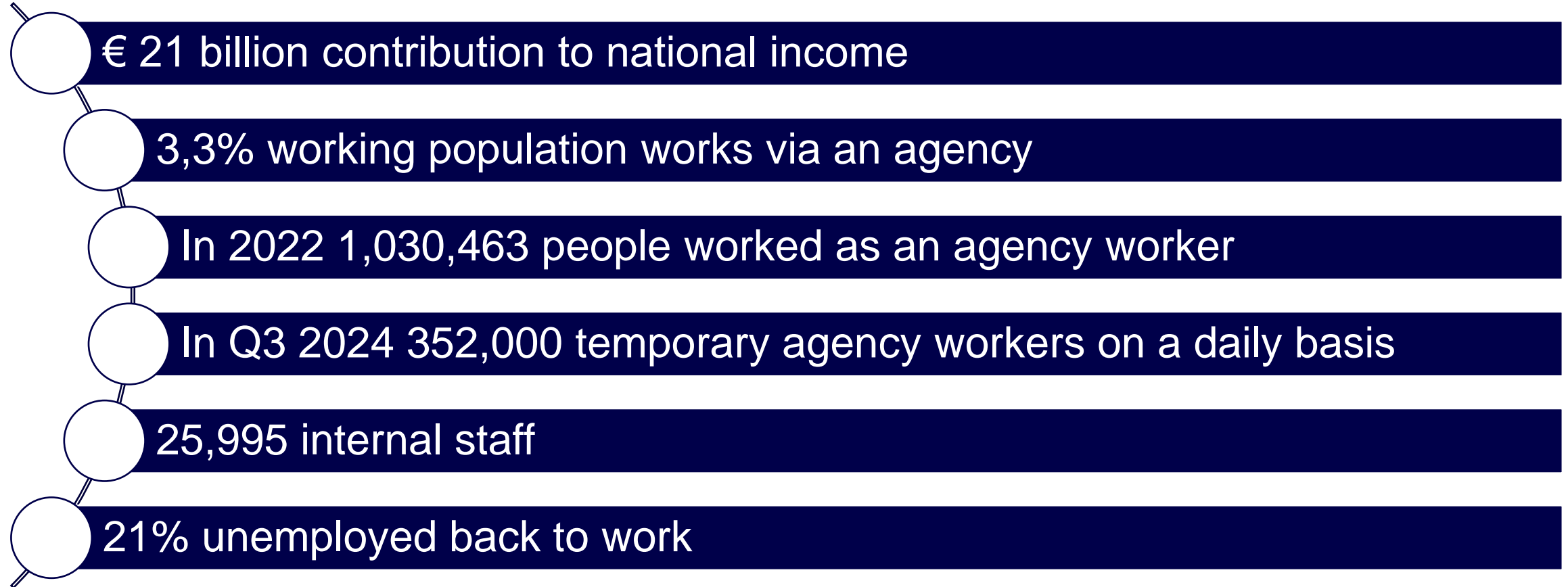
- Permanent 56%
- Flexibel 27%
- Selfempl. 13%
- Selfempl. With personel 4%

Types of flexible contracts (EBB, Q3 2024)



- Temp to perm 23%
- Temp < 1 year 9%
- Agency work 13%
- Temp >= 1 year 37%
- Flex, type of contract unknown 3%

Agency market in The Netherlands



Source: uitzendmonitor and flexbarometer

Agency market in The Netherlands

- ILO Convention 181 ratified in 1998;
- Important provisions in Dutch legislation;
- Agency work is an accepted form of flexible work;
- Bipartite initiatives:
 - Collective Labour Agreement
 - Pension Fund
 - Social fund
 - Doorzaam (Training fund)
 - SNCU (CLA-police)
 - SNF (Quality label housing)



Stichting Fonds Uitzendbranche



Regulation in NL

- No permit or licensing system (new system introduced in 2026/2027);
- Selfregulation;
- ABU-members checked two times a year;
- Additional ABU-rules for migrant workers;
 - Fair employment code
 - Housing quality label



Contribution agency work to the labour market

- Flexibility for employees and employers;
- Entrance to the labour market for job seekers and stepping stone;
- Less unemployment;
- Training and development;
- Diversity and inclusion.



Two special groups

- Migrants workers
 - Dedicated provisions in CLA on pay, rent and quality of housing
 - ABU-members actively involved in resolving problems;
 - Homeless migrant workers (200 in The Hague)
 - Unemployed migrant workers (8 via legal aid)
 - New projects coming (Venlo work and housing)
- People with a distance to the labour market
 - ABU-members active and specialized for municipalities (longterm unemployed) and UWV (unemployment benefits)
- ABU part of the national coregroup PPS
 - Setting up regional PPS platforms
- 50+ end WW pilot
- Longterm unemployed pilot Rotterdam

A photograph of three people (two women and one man) standing outdoors in front of a brick building with large glass windows. They are gathered around a tablet computer, looking at the screen with interest. The man is in the center, leaning in. The woman on the left is wearing a white top and a patterned skirt. The woman on the right is wearing a red top and glasses. A large blue banner with white text is overlaid on the bottom half of the image.

From ILO Convention 88 & 181 To Public – Private Partnership

Niels Lieman
Head of international relations, UWV
ILO-WEC-WAPES webinar 28-11-2024



ILO Conventions 88 & 181

C088 - Employment Service Convention,
07 March 1950

- Sets minimal standards for public employment services
- Foundation for national legislation

C181 - Private Employment Agencies
Convention, 15 September 1999

- Sets minimal standards for private employment services and temporary work agencies (TWA's)

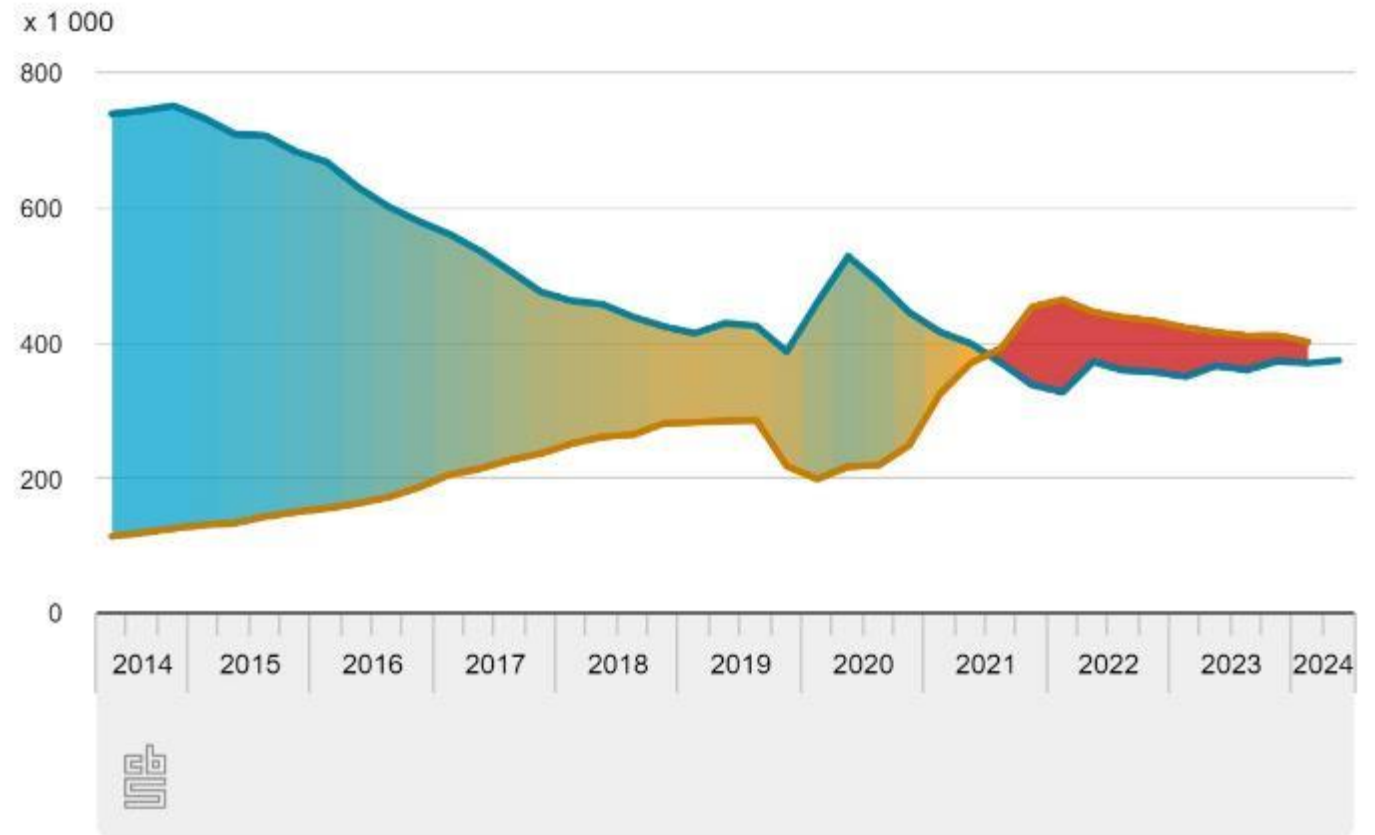
Public-Private Partnership because
together we can achieve more



Setting the Scene

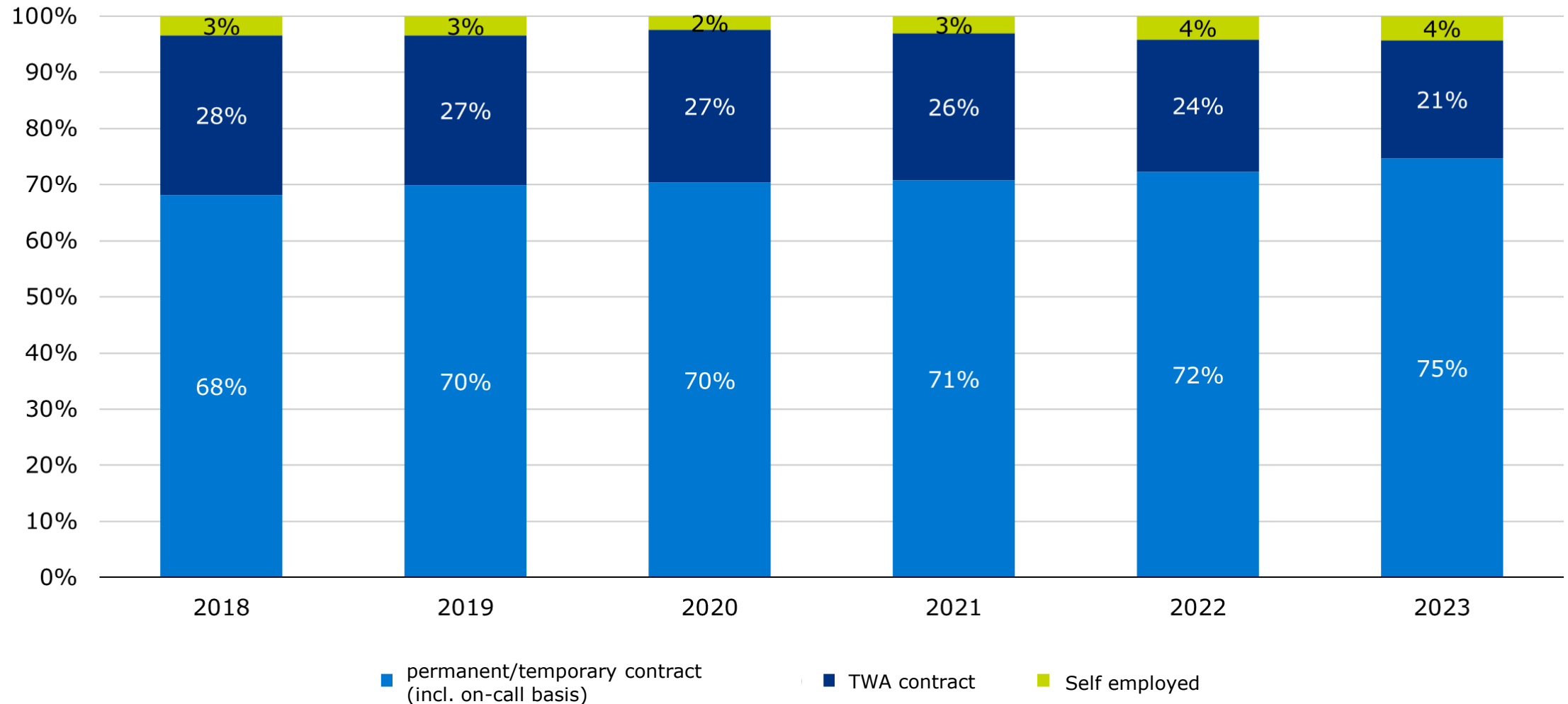
- UWV is only one of the actors in the ecosystem
- We step in when and where we are needed
- 3.6% Unemployment rate
- Labour scarcity

Open vacancies and unemployed working population (seasonally adjusted) (CBS.NL)



- Low-High tension
- More vacancies than unemployed
- Unemployed working population (seasonally adjusted)
- Open vacancies (seasonally adjusted)

Labour scarcity in the Netherlands - 21% of unemployed find work through TWA's



Union Criticism: The Golden Revolving Door Award

- High chance of repeat unemployment
- Financial insecurity
- Permanent positions filled with temporary employees





How we cooperate:

- Covenants with ABU & NBBU
- Service Point Flex
- Job Fairs & Vacancy Sharing
- Project for refugees with a technical background

Points for improvement

- Improve working conditions
- Permits for TWA's
- Utilizing labour potential to reduce labour scarcity through work centers
- Doorzaam foundation



Thank you for your attention

For more information:
Niels Lieman, niels.lieman@uwv.nl

ILO Conventions 88 and 181 Portuguese Case

**IEFP - INSTITUTE FOR EMPLOYMENT AND
VOCATIONAL TRAINING**



Conv. 88

Adopted

General Conference of the International Labour Organization at its 31st Session, held in Geneva on 9 July 1948



Background

Importance of Convention 88
Organisation of public employment services

IEFP

Ratified

Approval decree
[Decree-Law No 174/72 of 24 May 1972](#)



Objective

Submit the Portuguese case
Implementation of the ILO Convention 88



Integrated into the structure of the Ministry of Labour, Solidarity and Social Security

MISSION

To promote the creation and quality of employment and to combat unemployment by:

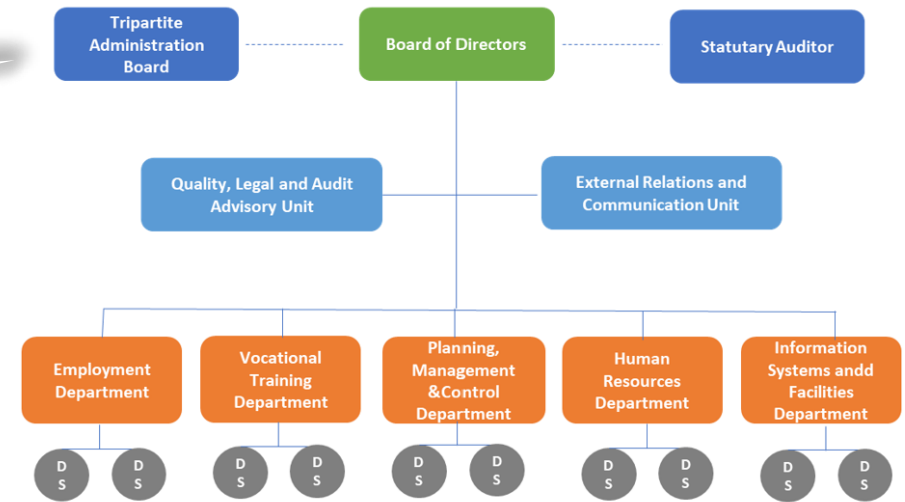
implementation of active labour market policies

including vocational training

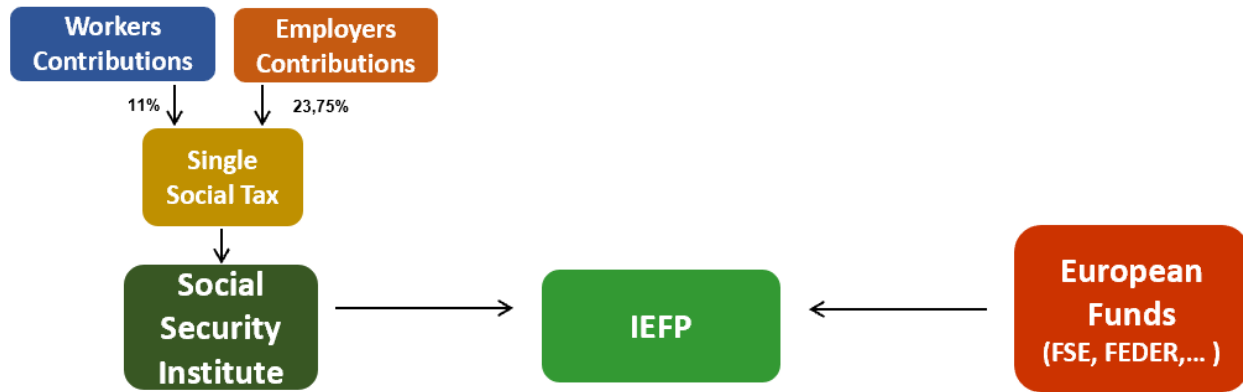


TRIPARTIDE
 Public Administration
 Trade union confederations
 Business confederations

CENTRAL SERVICES

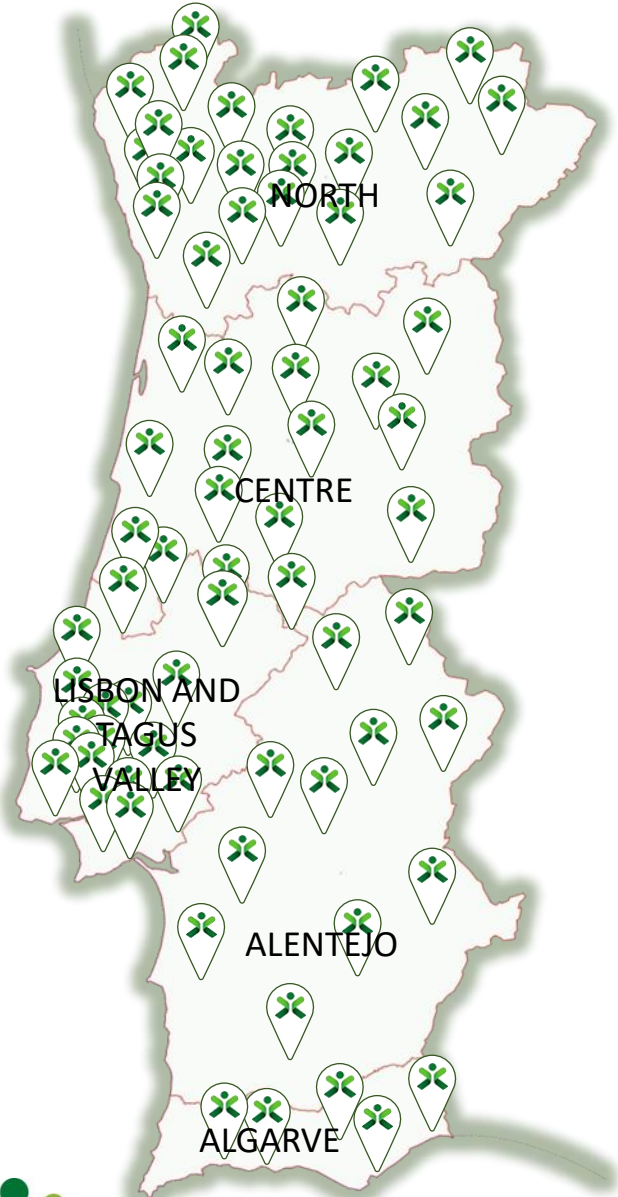


IEFP FINANCING



ORGANISATIONAL STRUCTURE - STAFF





5 REGIONAL DELEGATIONS

Azores and Madeira are autonomous regions, with their own employment service

30 Employment and Vocational Training Centres

1 Vocational Training and Rehabilitation Centre

Includes **83** Employment Services

23 Job Centres

28 Sectoral Vocational Training Centres



SERVICES FOR CITIZENS AND ENTITIES

CITIZENS



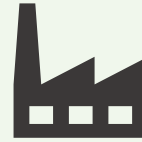
Job search support



Occupational guidance



Placement of job vacancies



Creating your own job or business



Support for professional integration



Vocational training



Vocational rehabilitation

ENTITIES



Recruitment and selection



Placement of workers



Support and incentives for hiring



Qualification of workers

PUBLIC IN GENERAL



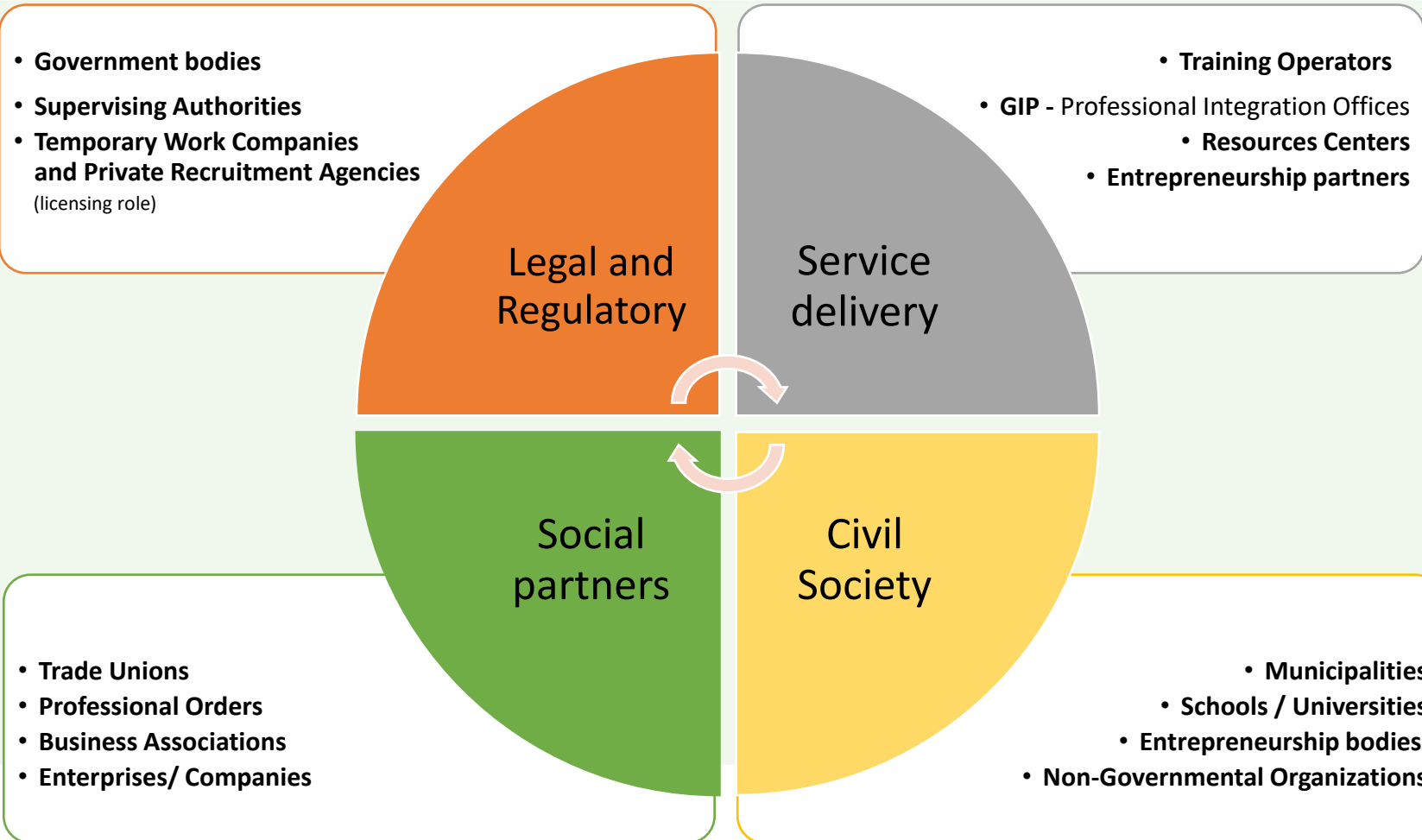
Dissemination of job vacancies



Statistics and studies



EMPLOYMENT ECOSYSTEM *non exhaustive*





EVOLUTION & DEVELOPMENTS IN THE PORTUGUESE PUBLIC SERVICE

INCEPTION 1960/1979



Some structures preceded the Public Employment and Vocational Training Service:

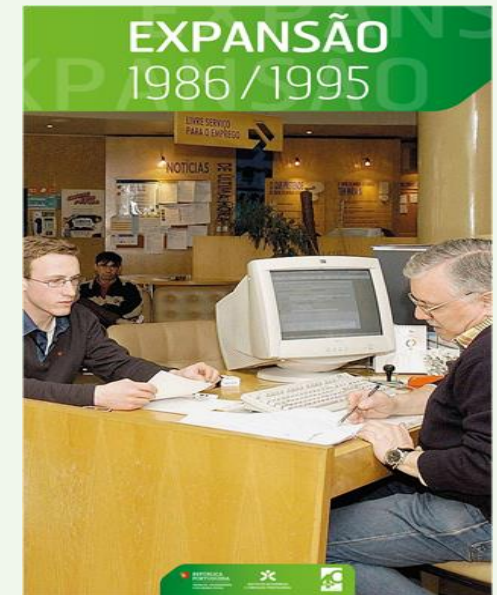
Fundo de Desenvolvimento da Mão-de-Obra (1962) Labour Development Fund

Instituto de Formação Profissional Acelerada (1962) Institute for Accelerated Vocational Training

Centro Nacional de Formação de Monitores (1965) National Training Center for Instructors

Serviço Nacional de Emprego – SNE (1965) National Employment Service

EXPANSION 1986/1995



AFFIRMATION 1979/1985



Public and free service



Portugal ratified Convention 88 in 1972



EVOLUTION & DEVELOPMENTS IN THE PORTUGUESE PUBLIC SERVICE

INTEGRATION 1996/2000



**TURNING POINT
2000/2010**



PARTICIPATION 2010/2019



**PANDEMIC AND RECOVERY
(2019 to date)**





IEFP has a network of Professional Integration Offices (GIP) promoted by accredited public and private **non-profit entities** to provide support to unemployed young people and adults in their path of (re)integration into the labor market.

Convention 88

ARTIGO 11.º

As autoridades competentes deverão tomar todas as medidas necessárias para assegurar uma cooperação eficaz entre o serviço público de emprego e os organismos privados de colocação que tenham fins não lucrativos.



In coordination and collaboration with IEFP,
GIP offers personalised
expert Support to jobseekers



IT IS IMPORTANT TO RETAIN

Main objective of Convention 88

Promoting full and productive employment

IEFP Case

Demonstration of positive impact

The implementation of the Convention

Universal and Free Service

Available to all citizens

No additional cost

Safety and Certainty

Assurance of national response

Especially for those with more difficulties

Choice Option

Possibility to search for other answers on the market

Collaboration between partners and entities is essential to create a powerful and effective public employment service



Conv. 181

Adopted

General Conference of the
International Labour Organisation at its
85th Session held in Geneva on 19 June
1997



Background

Private Employment Agencies

IEFP

Ratified

Ratification Decree

[Decree of the President of the Republic
No 13/2001 of 13 February 2001](#)



Objective

Submit the Portuguese case
Implementation of the ILO Convention 181



Overview of implementation ILO Conventions 88 and 181 in Africa

WEC-ILO-WAPES webinar
28 November 2024

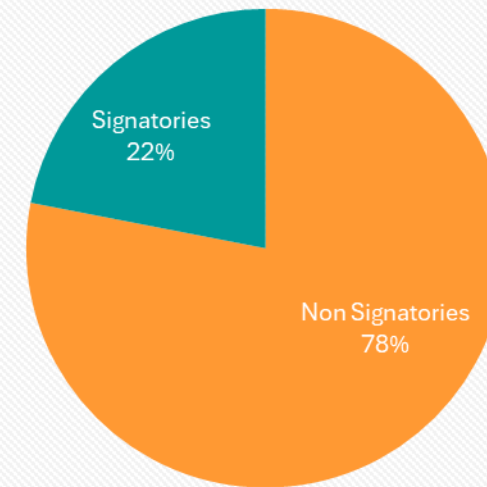


WAPES member countries (PES) signatories

Convention ILO n°88



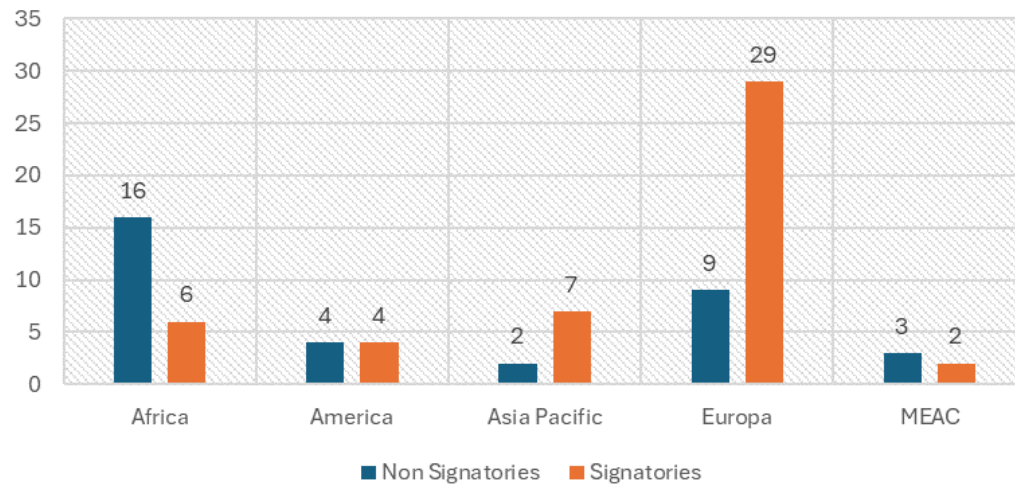
Convention ILO n°181



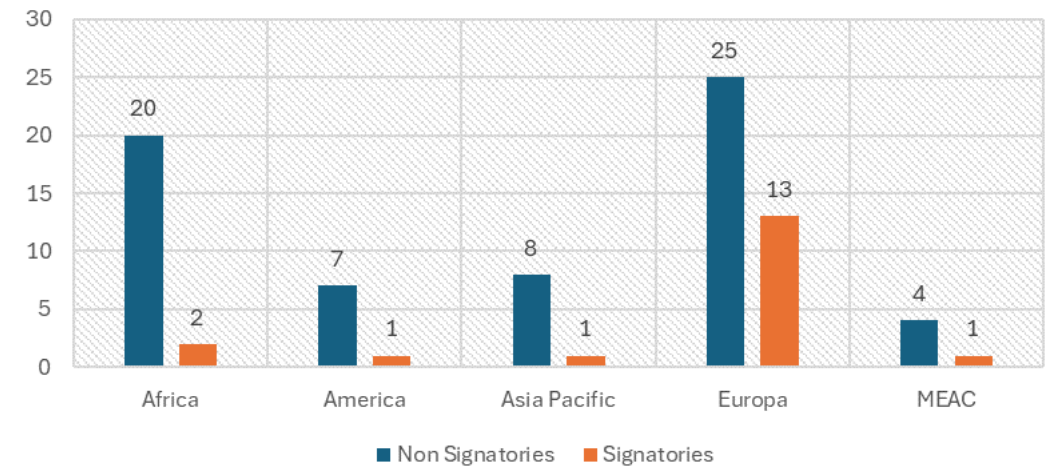


WAPES member countries (PES) signatories

Convention ILO n°88



Convention ILO n°181





Results of our express survey of African signatory members (3/6)

- The PES are quite familiar with these conventions
- The PES have had short or no specific training on their implementation
- The main common obstacle in the implementation of Convention 88 (public employment services) is the mismatch between the skills of jobseekers and the requirements of the labour market.
- Other obstacles include
 - Lack of funding is a key obstacle for several services.
 - A shortage of qualified staff limits capacity for action.
 - Difficulties with external parties, particularly the private sector, complicate implementation efforts.



Results of our express survey of African signatory members (3/6)

- Collaboration with private agencies remains to be developed:
 - Some departments work regularly with private agencies, while others have no relationship at all - This collaboration is sometimes limited in scope and effectiveness.
- Control mechanisms to verify the implementation of the conventions exist, but their effectiveness varies: they are inadequate for some departments and effective but perfectible for others.
- National laws partially cover the requirements of the conventions, according to several departments: a minority consider that coverage is complete.
The gaps mentioned are :
 - Lack of regulation for private employment agencies.
 - Weak penalties for non-compliance with standards



Conclusions & main recommendations

Theme 1: Training players

Objective: Strengthen the skills of public services to better implement agreements.

1. Develop ongoing training programmes: Train management and public service teams to understand the agreements, implement them and monitor results. This training should include practical tools and case studies.

2. Create harmonised guides and manuals: Provide standardised teaching resources to ensure uniform application of the directives at national level and strengthen international cooperation between services.



Conclusions & main recommendations

Theme 2: Public-private coordination

Objective: Strengthen collaboration with private-sector players to better match skills and initiatives.

3. Establish structured partnerships with the private sector: Actively involve companies and private employment agencies in the development of training courses and in identifying the skills in demand on the labour market.

4. Organise regular dialogue platforms: Set up forums or committees where public and private players meet periodically to share challenges, co-construct solutions and assess the effectiveness of joint actions.

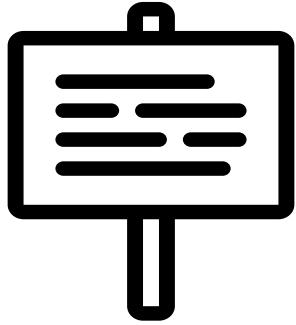


Thank you !

Special thanks to ANEM in Algeria, ANETI in Tunisia and ANPE in Mali for their rich and active contribution to this study.

Contact: thierry.huort@wapes.org

World Association of Public Employment Services
Association Internationale Sans But Lucratif
Boulevard de l'Empereur 11
1000 Bruxelles, Belgium



All documents will be available on the WAPES' members area.

Tous les documents seront disponibles sur la page membres de WAPES.

Todos los documentos estarán disponibles en el área de miembros.

<https://members.wapes.org/groups/world-of-public-employment-services-webinar-series>



All questions will be summarized after the webinar. If you have any additional questions, please contact Nicole Clobes.

Toutes les questions seront traitées à la fin du webinaire. Pour toutes questions additionnelles, merci de contacter Nicole Clobes.

Todas las preguntas serán atendidas después del webinar. Para cualquier otra pregunta, pueden contactar con Nicole Clobes.



nicole.clobes@wapes.org



A short survey will be available at the end of the webinar. We thank you in advance for your feedback.

Une courte enquête sera disponible à la fin du webinaire. Nous vous remercions d'avance pour vos commentaires.

Se compartirá una breve encuesta al final del evento. Les agradecemos de antemano sus comentarios.

Thank you!

Merci !

¡Gracias

