

**ACI 8**

**Protection of workers  
from unacceptable forms of work**



International  
Labour  
Office  
Geneva

# **UNACCEPTABLE FORMS OF WORK**

Results of a Delphi Survey



WorkQuality  
Department

**Areas of Critical Importance (ACI) 8:  
Protection of Workers from  
Unacceptable Forms of Work**

**Unacceptable Forms of Work: Results of a Delphi Survey**

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## FOREWORD

In June 2013, the ILO identified “Protecting workers from unacceptable forms of work” as one of the eight Areas of Critical Importance (hereafter referred to as ACI 8) for priority action by the Organization during 2014-15. Unacceptable forms of work (UFW) are described as comprising conditions that deny fundamental principles and rights at work, put at risk the lives, health, freedom, human dignity and security of workers or keep households in conditions of poverty.

ACI 8 is intended to strengthen the effectiveness and impact of the ILO’s action to promote respect for the fundamental principles and rights at work by eliminating egregious labour practices and making sustainable changes to the conditions that produce and perpetuate such practices. This ACI seeks to accelerate the transition to decent work by bolstering the synergies between the ILO’s Declaration on Fundamental Principles and Rights at Work (1998) and the ILO’s Declaration on Social Justice for a Fair Globalization (2008).

While the concept of UFW is relatively new in ILO discussions, the multiple and interrelated policy areas that address it are not. These include measures relating to the promotion of freedom of association and the right to effective collective bargaining, the abolition of child labour and forced labour, the promotion of non-discrimination and equality, occupational safety and health measures and working-time arrangements that protect workers’ health and safety, and well-structured minimum wage regulation coupled with effective wage protection measures that shield workers and their families from extreme income insecurity.

ACI 8 has tried to help develop a shared understanding of what constitutes UFW, what causes them, how to address them, and what is the concept’s added value. The present report is an important part of this effort. It documents the goals, main phases and results of a Delphi survey, conducted by the ILO in 2014 with experts from all over the world, to help identify a set of preliminary dimensions and indicators of UFW . The latter are intended to serve as a framework to identify what measures could facilitate transitioning from UFW to decent work.

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## 1. INTRODUCTION

The International Labour Organization was created in 1919 to improve the “*conditions of labour that involve injustice, hardship and privation to large numbers of people*”, as stated in the Preamble of the ILO’s Constitution. Almost 90 years later, the *Declaration on Social Justice for a Fair Globalization, 2008 (the Social Justice Declaration)* reaffirmed the importance of the ILO’s constitutional objectives, and the need to pursue the four strategic objectives of the ILO’s Decent Work Agenda relating to employment, social protection, social dialogue, and standards and fundamental principles and rights at work.

The Social Justice Declaration recognized that the process of economic cooperation and integration had helped a number of countries benefit from high rates of economic growth and employment creation, as well as foster innovation in product development and the circulation of ideas. Yet, economic integration had caused many countries and sectors to face income inequality, continuing high levels of unemployment and poverty, vulnerability of economies to external shocks, and the growth of unprotected work too. The Social Justice Declaration acknowledged that achieving a fair outcome for all had become even more necessary in a contemporary world, and the ILO had an obligation to provide support to its member States to put in place programmes aimed at achieving full employment, raising standards of living, establishing a minimum living wage, and extending social security measures to provide a basic income to all those in need.

At the 102<sup>nd</sup> Session of the ILO’s International Labour Conference in 2013, the Director-General’s Supplementary Report to the ILO’s Programme and Budget for 2014-2015 identified eight Areas of Critical Importance (ACI), each of which seeking to respond to situations both major and topical, and affecting large numbers of workers and employers, where the need for change is evident and where the ILO can make a difference.

One of these ACIs focuses on **the protection of workers from unacceptable forms of work (UFW)**, described as work comprising conditions that deny fundamental principles and rights at work,<sup>1</sup> that put at risk the lives, health, freedom, human dignity and security of workers or keep households in conditions of poverty.<sup>2</sup>

While work is underway on the different aspects of UFW, acquiring a more refined understanding about the dimensions and descriptors of the latter was deemed useful to guide practical action by the ILO and its constituency. This was especially so for the dimensions of UFW other than those relating to the denial of fundamental principles and rights at work (FPRW).<sup>3</sup>

As a preliminary step, an Experts’ workshop took place from 11-12 November 2013 in Geneva, bringing together ILO colleagues from various departments at headquarters and from four regions: Africa, Asia, Eastern Europe and Latin America. The workshop provided an opportunity to discuss wider questions linked to the meaning, scope and implications of the concept of UFW for the protection of workers and the advancement of the Decent Work Agenda, its relation to FPRW, International Labour Standards and the other ACIs, as well as to the role of regional and country offices.

The Experts’ workshop discussed and agreed on using the Delphi methodology to help identify possible dimensions and descriptors of UFW, with a view to facilitating a shared understanding of UFW. The workshop also identified a set of preliminary dimensions and descriptors that were further refined. In due course, a Delphi study was conducted with participants comprised of a broad range of national and international experts from all over the world.<sup>4</sup> The purpose of this report is to document the objectives and main phases of that survey, as well as its results.



## 2. METHODOLOGY

### 2.1. OBJECTIVES

The ILO's International Labour Standards Department (NORMES) and the Conditions of Work and Equality Department (WorkQuality) undertook an online survey of experts from a number of countries in all regions covered by the ILO. The objective of this Delphi study was to explore and find consensus among diverse stakeholders on potential dimensions and descriptors of UFW; this, in turn, would serve as a framework to identify what measures could be undertaken to enable transition from working conditions that are unacceptable, to conditions that allow workers to work and live in dignity. Relevant international labour standards provided the reference point to identify the dimensions and descriptors of UFW in the survey. The latter's purpose was neither to produce a legal definition of unacceptable forms of work, nor to generate new statistical indicators.

### 2.2. THE DELPHI METHOD

The methodology used to work towards a subjective-intuitive consensus among experts is known as the Delphi method. It was developed in the 1950s, intended initially to forecast technology needs and as an aid in group decision-making based on the opinions of experts. The method is used most often when long-term needs are being assessed to identify statements or topics that are relevant for the future. Since its origins, the method has been applied successfully in a wide range of fields, including medical, political and social science, and by the ILO.<sup>5</sup> This approach to group decision-making and consensus-building consists of a survey conducted over two or more 'rounds', then providing participants of a second round with the results of the first round, so that they can adjust their original assessment, if they feel it necessary, based on the group findings (Cuhls, 2003). Compared to more traditional means of 'expert judgement' surveys or focus groups, the Delphi process has the advantage of maintaining the respondents' anonymity - so that nobody will 'lose face' in front of others - during the course of the survey, and of preventing individuals' responses from being influenced by those with strong personalities (De Cock & Belsler, 2009). As survey questionnaires are the main means of communication between researchers and respondents, Delphi surveys are also very well suited to involving respondents who might be physically far removed from each other; this advantage becomes particularly evident when using online survey services. It should be noted that respondents are not selected to create a representative sample. Instead, they are selected explicitly and individually on the basis of their expertise.

The Delphi method works as follows: questionnaires are sent to a group of experts who provide independent and anonymous responses to a set of questions, which can be either closed or open-ended. Responses are then analysed and synthesized to produce a second, adjusted questionnaire. Findings of round I and the questionnaire of round II are then sent only to respondents who answered to round I. This way, the same experts assess the same matter once more, but this time in the light of the other experts' opinions. There can be two or more iterations of this process until a consensus is reached.

Since a Delphi survey is typically effective in situations where there is uncertain or incomplete information on a subject, any attempt at a consensus is based on estimates or respondents' intuitive responses. Therefore, good knowledge, by the latter, of the issues covered by the survey is essential. Equally important is selecting the respondents.

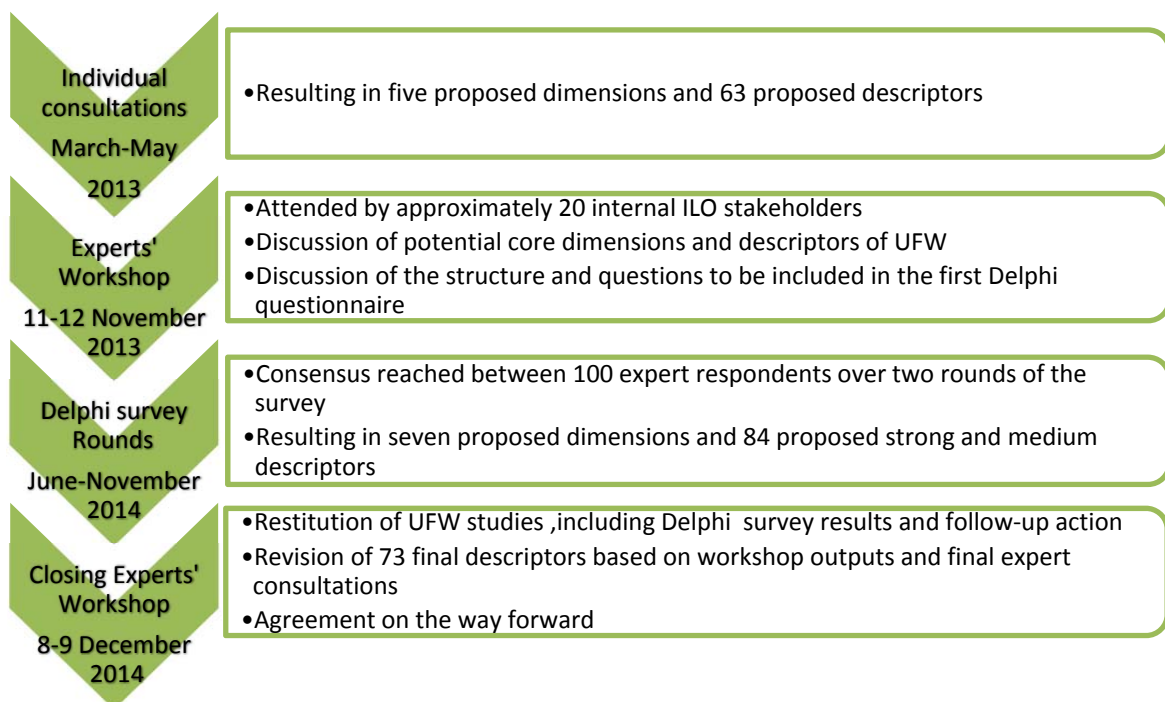
Delphi surveys are conducted online. Compared to paper or telephone surveys, online studies tend to have much lower response rates.<sup>6</sup> Nonetheless, there are several advantages to online surveys compared to paper or telephone surveys. For a relatively small cost, a large number of potential respondents can be reached and data can be analysed with relative ease. Furthermore, socially-desirable responding<sup>7</sup> tends to be reduced, due to the fact that surveys can be taken alone (away from an interviewer) and respondents are anonymous to one another. This being the case, researchers for Delphi studies need to make concerted

efforts to ensure a high response rate, not only for the first round, but particularly for follow-up rounds, as survey fatigue can set in easily by even the second round.

### 2.3. SELECTION OF ITEMS: DIMENSIONS AND DESCRIPTORS OF UFW

The selection of the first set of dimensions and descriptors involved various steps (Figure 1). Prior to the ILO experts' workshop mentioned above, and to obtain insights concerning both scope and thrust of the concept of UFW, semi-structured interviews were conducted with 24 ILO informants from different technical departments at headquarters and the field. The results of these interviews were shared with the workshop's participants and served as a basis for their deliberations. They singled out six dimensions as being essential to describe UFW: working time; employment-related income; recruitment and contractual arrangements; occupational safety and health; social protection; and prevention and access to remedies. A tentative list of descriptors for each dimension was also drawn. Participants stressed the importance that descriptors be grounded in related international labour standards, as these provided the tripartite-agreed benchmarks and thresholds. The workshop also discussed and concurred that respondents for this Delphi survey should have a proven knowledge of the technical issues at hand, and should represent not only the ILO's constituency, but other relevant institutions too. Furthermore, in coordination with its country offices, the ILO's regional and sub-regions office were to be responsible for providing the names of experts and institutions to participate in the survey.

**Figure 1. Timeline of activities leading to the final set of dimensions and descriptors of UFW**



Further to the workshop, a list of descriptors for each of the six dimensions mentioned above was enhanced through consultation with relevant experts from several ILO technical departments,<sup>8</sup> and over several rounds of feedback, to go into more detail on specific aspects of UFW. On the basis of this initial item pool, a questionnaire for round I of the UFW Delphi survey was formulated. The dimensions, their explanation, and each dimension's descriptors as proposed in round I, can be reviewed in ANNEX I of this report. The questionnaire was shared with all the workshop's participants and members of the ACI 8 Task Force, as well as the Bureau for Employers' Activities (ACTEMP) and the Bureau for Workers' Activities (ACTRAV).

During all stages of consultation and developing the dimensions and descriptors lists, it became apparent that the ACI on UFW is not aimed at substituting or redefining the concept of Decent Work or the FPRW. Rather, it aims to identify a smaller set of clear markers of UFW (beyond FPRW) for urgent and focused action as a means to accelerate the transition towards decent work.

## 2.4. SELECTION OF PARTICIPANTS

Selection of respondents for the Delphi rounds was based on recommendations made by colleagues in ILO regional and sub-regional offices, in consultation with the concerned ILO country offices, and in line with the criteria agreed during the first Experts' workshop in November 2013. ACTEMP and ACTRAV reviewed and validated the list of employer and worker experts that was submitted by the field offices. About 1,200 national experts from a wide range of institutions were identified, although 96 could not be contacted due to outdated or missing contact information.<sup>9</sup> Institutions included ILO constituents (government representatives, and workers' and employers' organizations), other international agencies and organizations, academics, International Organizations (IOs), Non-Governmental Organizations (NGOs) and civil society actors, media and donor organizations. To ensure that the respondents' pool was as inclusive as possible, a balance was struck by country in terms of the respondents' gender, field of technical expertise and organizational affiliation. Their nationalities can be seen in Table 1.

To make the survey accessible to as broad a range of respondents as possible, many of whom might not speak one of the ILO's official languages (English, French and Spanish), the round I questionnaire was translated into Arabic, Bahasa Indonesian, Khmer, Macedonian, Mandarin, Portuguese, Romanian and Thai. Problems finding suitable translators and ensuring the quality of translations led to delays in launching the survey in several languages. Data for round I of the survey was collected between June and August 2014, pending completion of translations and reception of a complete list of respondents from regional focal points. Respondents were assured of their anonymity from each other, and were given two to three weeks to provide their answers. Data for round II was collected between October and November 2014.

## 2.5. PROCEDURE

The two Delphi rounds consisted of a structured questionnaire. In round I, for every dimension and descriptor (within each dimension), respondents were asked how strongly they agreed to including it as a descriptor of UFW (5-point Likert scale). They were also given the opportunity to explain their choices and to propose new dimensions and/or descriptors.

**Table 1. Delphi survey respondent countries**

RO-Africa	RO-Europe and Central Asia	RO-Asia and the Pacific	RO-Latin America and the Caribbean	RO-Arab States
Cameroon	Moldova	China	Costa Rica	Yemen
Morocco	FYROM <small>(Former Yugoslav Republic of Macedonia)</small>	Fiji	Guatemala	Jordan
Benin		India	Nicaragua	Lebanon
Zambia		Indonesia	El Salvador	Kuwait
Malawi		Mongolia	Dominican Republic	Palestine
		Pakistan	Haiti	
		Philippines	Peru	
		Bangladesh	Colombia	
		Cambodia	Brazil	
		Malaysia		
		Thailand		
			Number of countries	32
			Total respondents	1,204
			Total valid email addresses:	1,104

Round II's questionnaire contained round I's list of descriptors, sorted by dimension and ranked by their average score and internal consistency (measured as aggregate *agree* and aggregate *disagree* scores per item) resulting from round I. As there was no clear rejection of any of the items from round I, all items were kept in round II, and were presented together with their mean scores, along with the percentage of respondents who replied with *disagree* to the item in question. Feedback on the results of round I was provided in a short note, along with the survey. Based on the information provided, respondents were asked, based on the information provided, to either *keep* or *not keep* each item as a descriptor of UFW (a *don't know* option was also possible). Respondents were given the opportunity to explain their decisions, and to reflect on the Delphi process itself.

In round II, several items were considered to be cumulative (e.g. *unpaid forced overtime* vs. *paid forced overtime*; if paid forced overtime were to be considered unacceptable, unpaid overtime - by definition - would be unacceptable too) and as such, were not considered by the research team to be distinct descriptors of UFW. For four sets of descriptors, respondents were asked to choose only one descriptor for each set of descriptors as part of the given dimension. These choices are outlined in Table 9.

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## 2.6. ANALYSIS

Analysis of results from the Delphi rounds was both quantitative and qualitative. Quantitatively, mean scores of a five-point Likert-scale items (with response options *strongly disagree*, *disagree*, *neither agree nor disagree*, *agree* and *strongly agree* - a *don't know* option was also possible) were calculated together with aggregates of the two *agree* and *disagree* categories respectively, as an indication of the consistency between respondents on any particular item. For questions with a *keep/don't keep/don't know* answer format, a *keep* minus *don't keep* score was calculated from the number of respondents who answered *keep* on a specific item minus the proportion of respondents who answered *don't keep* on that same item. Cut-off points were determined on the basis of each round's data and on conventional ILO uses. Qualitatively, comments and open-ended responses to questions were summarized and coded by the research team to produce outcomes for the subsequent round.

## 3. RESULTS

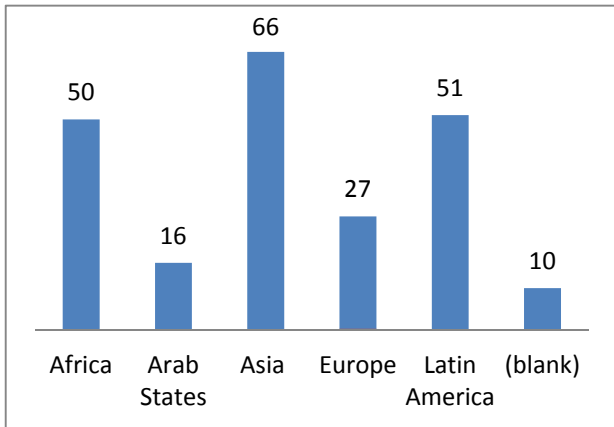
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### 3.1. RESPONDENTS

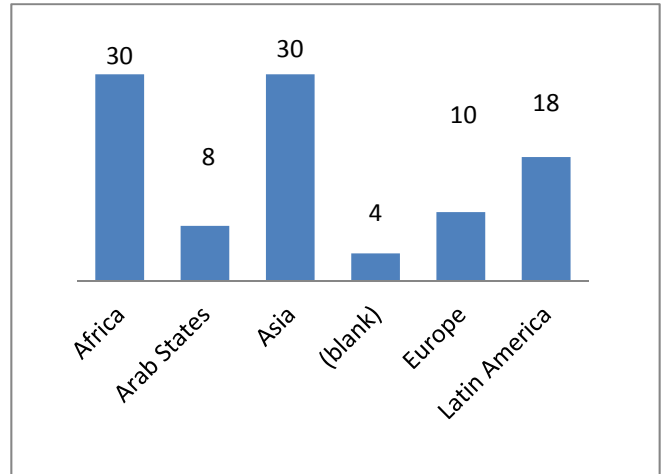
Round I received 220 responses from 97 men and 60 women (63 did not indicate a gender), from all five regions covered by the ILO and from a diverse set of organization types, as can be seen in Tables 2 and 3.

Of the 220 invitations sent for round II (20 respondents opted-out of the survey), 100 responses were received from 44 men and 27 women (29 did not indicate a gender) from all five regions covered by the ILO and from all organization types, as can be seen in Tables 4 and 5. As mentioned previously, online studies indicate that response rates are significantly lower compared to paper or telephone surveys. Two reminders were sent to respondents for each round of the survey, with support from ILO regional and country offices being enlisted to encourage respondents' participation in round II.

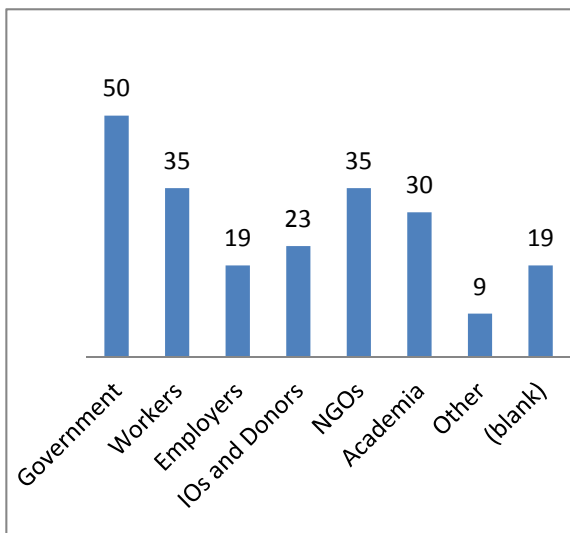
**Table 2. ILO UFW Delphi Survey round I:  
Responses and response rates by region (n=220)**



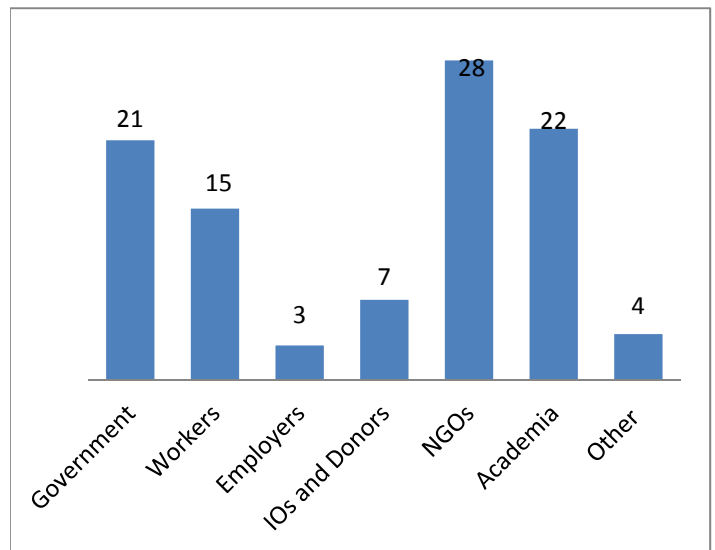
**Table 3. ILO UFW Delphi Survey round I:  
Responses and response rates by region (n=220)**



**Table 4. ILO UFW Delphi Survey round II:  
Respondents by organization type**



**Table 5. ILO UFW Delphi Survey round II:  
Respondents by organization type**



### 3.2 DELPHI ROUND I

As can be seen in Table 6, respondents agreed overwhelmingly on the proposed dimensions of round I. All dimensions scored above 4 on a scale of 1-5 with very little variation (none had a level of disagreement above 5%). Therefore, all dimensions were kept for the round II questionnaire.

**Table 6. ILO UFW Delphi Survey: Descriptive statistics of dimensions**

<b>Dimension</b>	<b>Disagree</b>	<b>Neither</b>	<b>Agree</b>	<b>Mean</b>	<b>Mean.SD</b>
Working Time	4%	3%	89%	4.50	0.90
Employment-related Income	5%	4%	86%	4.44	1.04
Occupational Safety and Health	4%	1%	90%	4.64	0.88
Recruitment and Contractual Arrangements	5%	7%	83%	4.24	1.04
Social Protection	5%	4%	88%	4.44	1.02
Access to Remedies	3%	4%	86%	4.34	1.09

To gauge how strong the respondents' collective agreement was with each item, scores were counted for each descriptor. The degree of consistency within each item (which was measured based on the number of respondents who replied with *agree* or *strongly agree*, and those who replied with *disagree* or *strongly disagree*) was used to measure the consistency of the respondents' replies. A new classification, which was produced for the round II questionnaire, ranked descriptors as *strong*, *medium* and *weak*, and was based on the following criteria:

- Strong descriptors were those with i) a rating score equal to the mean or higher (grand mean of descriptors was 3.81), and ii) a level of consistency above 66%.
- Medium descriptors were those with i) a rating score below the grand mean, ii) a level of consistency below 66%, and iii) a level of disagreement below 20%.
- Weak descriptors were those with i) a rating score below the grand mean, ii) a level of consistency below 66%, and iii) a level of disagreement above 20%.

Descriptive statistics and the ranking of descriptors after round I can be found in ANNEX II. Some examples are found below.

For **working time**, the descriptors *insufficient rest*, *no annual leave*, *paid forced overtime and unpaid forced overtime* met with the most unanimity and least disagreement from the respondents, thus suggesting that these could be strong descriptors for priority action on UFW. On the other hand, *contracts without fixed working hours* and *"marginal" part-time work (for example, mini-jobs and casual work)* met with the most disagreement, suggesting that these descriptors might be simply weak descriptors of UFW.

For **employment-related income**, *wages below the legal minimum wage* and *wages below the national poverty line or subsistence minimum* were viewed as strong descriptors of UFW, while all descriptors relating to *self-employment* met with wide disagreement, and thereby might be simply weak descriptors of UFW.

Under the dimension of **occupational safety and health (OSH)**, *the lack of protective clothing and equipment at the workplace* and *improper control of chemical, physical, and biological substances* met with the most agreement. *The substitution of preventative OSH measures by providing some form of compensation* and *the lack of suitable alternative employment for workers unable to continue working under the same occupational hazardous exposure* both met with the lowest level of agreement, although both still rate as medium descriptors of UFW. This suggests that, by and large, there is consensus over what constitutes UFW in terms of OSH.

With regard to **recruitment and contractual arrangements**, *deceptive information at time of recruitment* and *the withholding ID documents during recruitment* were viewed as the strongest descriptors of UFW. Only *misclassification of jobs* and *using piece-rate contracts* met with disagreement from the respondents, and could be classified as weak descriptors.

For **social protection**, *the lack of cash benefit or compensation in case of employment injury* and *the non-payment of social contributions on workers' behalf* met with the most agreement and were the

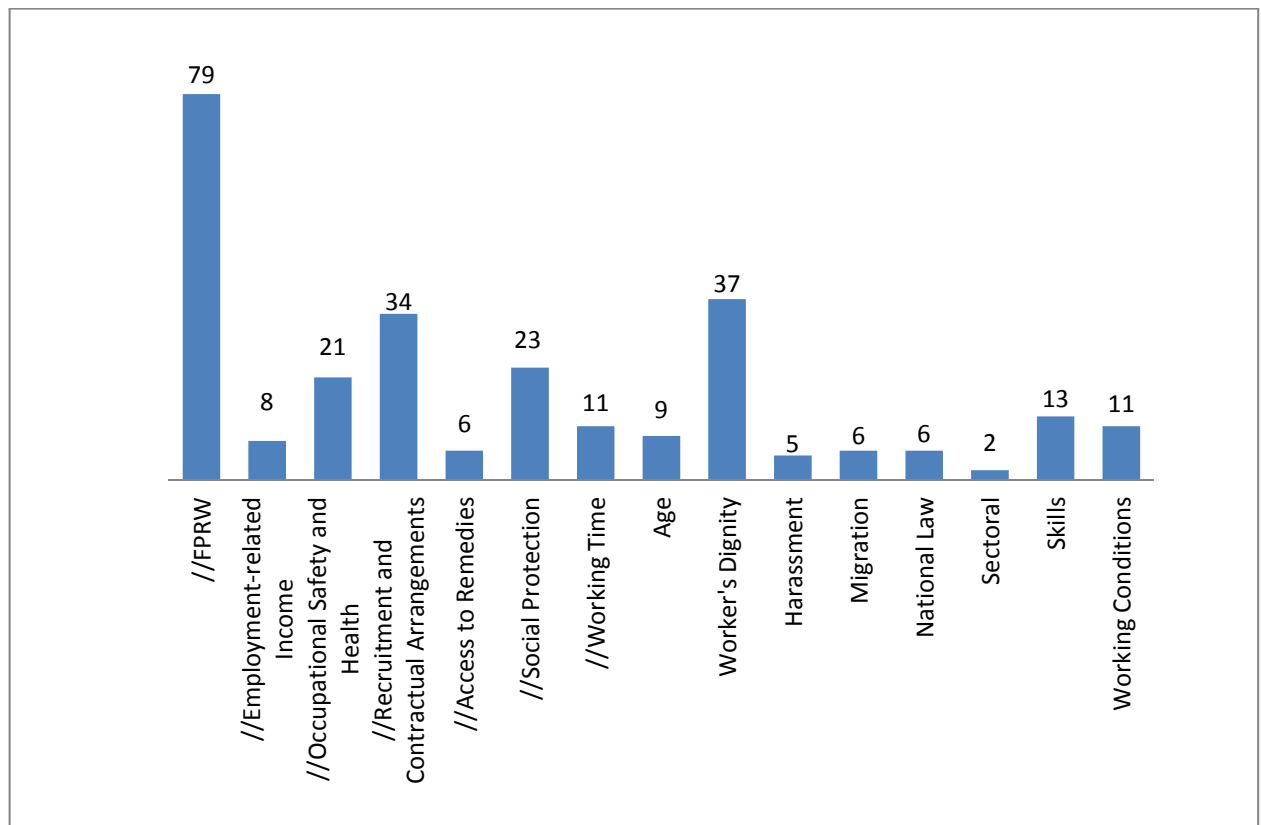
strongest descriptors of UFW, while the *lack of appropriate health care provided free-of-charge to victims of employment injury* and *unpaid employer’s contributions to social security* were considered the weakest descriptors.

Finally, for **prevention and access to remedies**, *fear of retaliation when reporting a complaint* and *discrimination in terms of access to redress mechanisms* were considered the strongest descriptors of UFW. No descriptors could be considered *weak*, but, among the *medium* descriptors, *the lack of access to legal and union assistance (through hotlines, shelters, etc.)* and *the lack of industrial relations’ committees or workers’ committees at the workplace* met with the highest level disagreement.

### 3.2.1 NEW DIMENSIONS AND DESCRIPTORS: A WORKER’S DIGNITY

The survey also allowed respondents to suggest up to three new dimensions in addition to those provided. For each existing and newly-proposed dimension, respondents could propose up to 10 new descriptors. Nonetheless, given that the round I questionnaire was relatively lengthy and detailed, no meaningful new descriptors of existing dimensions could be identified.

**Table 7. ILO UFW Delphi Survey: Newly-suggested dimensions, coded. (n=271)**

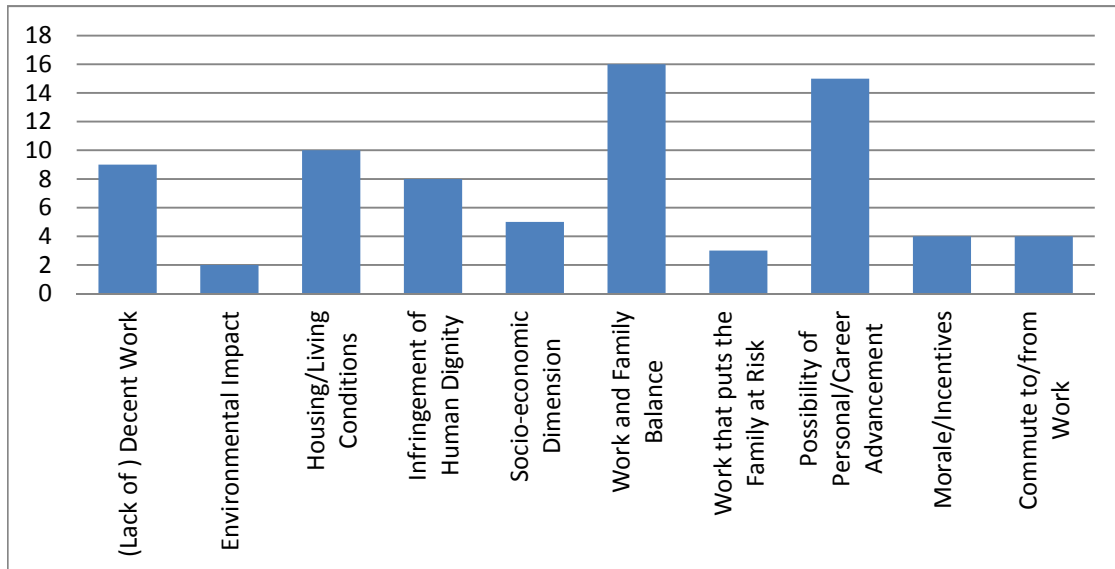


271 suggestions for new dimensions were received in round I’s questionnaire, and were coded and grouped. Several were discounted, as they were considered to be under existing dimensions – some in particular would fall under the remit of FRPW. These suggestions are marked with “//” in Table 7. For example, “career promotion”, “work which results in a loss of human dignity” and “contribution to family work” were all categorized under a new dimension, tentatively titled “Worker’s Dignity”, while “regular payment of salaries” or “right to old-age retirement benefits” were categorized as part of the existing “Employment-related Income” and “Social Protection” respectively. Suggestions such as “freedom of association” or “gender discrimination” were categorized as FPRW.

Of the remaining groupings, one potential dimension emerged with clarity (37 out of 89 coded suggestions - Table 7). The substance of this dimension tentatively deals with issues of a worker’s dignity.

Out of all the viable suggestions for a new dimension, just over 40% favoured the proposed “Worker’s Dignity” dimension. The suggested descriptors for this dimension (n=76) refer to issues such as work and family life balance, the possibility of career advancement/personal development, housing/living conditions, (a lack of) decent work and infringement on human dignity (Table 8).

**Table 8. ILO UFW Delphi Survey: Descriptors of Worker’s Dignity (n=76)**



Note: *Socio-economic dimension* was provided verbatim and without explanation. 25 responses were removed from the original 101, as they already existed under other dimensions.

The research team summarized the worker’s dignity dimension in six new descriptors, which were added to the round II questionnaire. These descriptors can be found in ANNEX III.

While this dimension and related descriptors covered a wide range of issues that transcend the workplace and thus might not qualify as description of UFW, they can, combined with other decent work deficits, lead to outcomes for workers and their families that “put at risk the lives, health, freedom, human dignity and security of workers or keep households in conditions of poverty”.

### 3.3 ROUND II

To a large extent, responses to the round II questionnaire echoed those of round I, indicating that they were converging on consensus. Simple-choice item scores for each descriptor were calculated based on the number of *keep* responses to each individual item. Results can be found in ANNEX IV. To avoid ambiguity with regard to the interpretation of the ‘medium’ strength descriptor category of round I, the research team decided that a new categorization of descriptors should include only strong and medium descriptors of UFW. A strong descriptor was any descriptor with a strong consensus among respondents (agreement among two-thirds of all respondents), while a medium descriptor was any descriptor that did not manage to achieve a consensus of two-thirds on an item. This translated into a *keep* score of 66% or higher.<sup>10</sup> Due to the *don’t know* response option and non-response, *keep* and *don’t keep* scores, in most cases, did not total 100% of all responses. However, since the two-thirds’ consensus rule was more stringent than a simple majority, any bias resulting from non-response would only work to the disadvantage of maintaining any item as a ‘strong’ descriptor.



For four sets of items, respondents were asked to choose one out of two or three descriptors to keep in a particular dimension. Table 9 reflects the descriptors that were kept and those that were removed (highlighted in orange), indicating respondents' preferences for one item over another.

Due to a programming error, the 'medium' and 'weak' descriptors of the *prevention and access to remedies* dimension were not included in the round II survey and, therefore, could not be evaluated according to the round II inclusion criteria. Nevertheless, since the remaining round I data was able to predict round II outcomes with strong accuracy,<sup>11</sup> round I results could be considered valid in ranking the five weak *prevention and access to remedies* descriptors.

**Table 9. Delphi Round II: Exclusive choice items**

03. Paid forced overtime	01. Paid voluntary overtime (on a prolonged, continual basis)
04. Unpaid forced overtime	02. Unpaid voluntary overtime
Neither	Neither
07. Regularly working more than 60 hours a week	10. No maternity leave at all
06. Regularly working more than 48 hours a week	12. Less than 14 weeks of maternity leave with cash benefits for women workers
05. Regularly working more than 40 hours a week	11. Less than 6 weeks of postnatal maternity leave with cash benefits for women workers
None	None
14. 50% of wages paid in kind	
13. 30% of wages paid in kind	
12. 10% of wages paid in kind	
None	

#### 4. DISCUSSION

Results from both rounds of the survey were disseminated to ILO experts from diverse departments and field offices during the final workshop, at which any outstanding issues were discussed and a final list of descriptors was collated. Detailed outcomes of this workshop, including discussions of field work carried out under the auspices of ACI 8, appear in the highlights document of the ILO's ACI 8 Final Workshop, Geneva, 8-9 December 2014 (ANNEX V). While there seemed to be general consensus that the survey's results contributed meaningfully to the conceptualization and operationalization of the UFW concept, several outstanding issues regarding phrasing and categorization of descriptors remained. Final consultations with ILO experts were held to address these issues and produce the final dimensions and descriptors' list in ANNEX VI.

Participants agreed on a set of 73 descriptors for UFW that could help structure and prioritize ILO action in this ACI. These descriptors belong to one of seven dimensions that categorize UFW:

- Working Time (4 strong, 8 medium descriptors)
- Employment-related Income (7 strong, 3 medium descriptors)
- Occupational Safety and Health (10 strong, 3 medium descriptors)
- Recruitment and Contractual Arrangements (11 strong, 2 medium descriptors)
- Social Protection (9 strong, 4 medium descriptors)
- Access to Remedies (7 strong, 5 medium descriptors)
- Worker's Dignity (additional elements) (3 strong, 2 medium descriptors)

Some indicators exhibited an overall stronger consensus than others from respondents, which was reflected in the final distinction between strong and medium descriptors. This distinction did not reflect a

descriptor's importance or ability to identify unacceptability, but instead indicated the degree to which respondents believed the descriptor should be prioritized when assessing situations of UFW. While all descriptors applied universally, prevalence of certain forms of unacceptability could differ within regions, so it was ultimately a context-specific combination of descriptors that would determine the degree of unacceptability in a given situation.

While the dimensions and descriptors of UFW were designed to cover a wide range of 'unacceptability', the presence of any one or any set of descriptors was not sufficient to classify a situation as unacceptable. Unacceptable outcomes may arise from a situation falling under a particular combination of descriptors, within a given context.

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#### 4.1 FUNDAMENTAL PRINCIPLES AND RIGHTS AT WORK

As is evident from the suggested dimensions in round 1's questionnaire (Table 7), the (denial of) FPRW constitute a large portion of what is considered by respondents to be UFW. Indeed, many of them referred to FPRW, despite caveats in the survey introduction and concept note (ANNEX II) explaining that,

*Unacceptable forms of Work should comprise, but go beyond, the violation of FPRW, and should encompass a wider set of dimensions, which will be explored in this study.*

and,

*the questionnaire will focus on dimensions of unacceptable forms of work other than the FPRW.*

Moreover, these responses also suggested that UFW, and within it the violation of FPRW, tended to be conceived of being the antithesis of decent work, with both concepts occupying opposite ends of a single continuum.

### 5. SUMMARY AND CONCLUSIONS

UFW is a relatively new concept that the ILO introduced in 2013 with the aim of accelerating the pace of progress towards attaining decent work for all, including for the most vulnerable workers. While the concept may be new, work has developed on its different aspects. To acquire further insights on how to protect workers from UFW, a Delphi survey, bringing together experts from a wide range of institutions in four regions of the world, was carried out in 2014. The survey's aim was to gather further insights on the different aspects of UFW, with descriptors to help in guiding practical action on the ground by the ILO and its constituency. Seven dimensions and a set of descriptors, ranging from strong to medium for each dimension, were identified. This distinction indicated the degree to which respondents believed descriptors should be prioritized when analysing UFW situations. While all descriptors were applicable universally, the prevalence of certain forms of UFW may differ within regions and countries. Therefore, the country and context-specific combination of dimensions and descriptors will determine what types of UFW need to be addressed, as well as how, in any given situation.

More work is needed to consolidate the meaning of UFW, but the outcomes of this survey, and its list of dimensions, encourage brainstorming to support practical work at the country level. It is hoped they will assist particularly in identifying areas on which to focus ILO action, as well as assessing the extent to which current and proposed interventions address the most acute and urgent decent work deficits.

## ENDNOTES

<sup>1</sup> As acknowledged in the ILO Declaration on Fundamental Principles and Rights at Work, 1998, fundamental principles and rights at work include the following: freedom of association and the effective recognition of the right to collective bargaining; the elimination of all forms of forced or compulsory labour; the effective abolition of child labour; and the elimination of discrimination in respect of employment and occupation. These rights are enshrined in the ILO fundamental Conventions: Forced Labour Convention, 1930 (No. 29); Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); Right to Organise and Collective Bargaining Convention, 1949 (No. 98); Equal Remuneration Convention, 1951 (No. 100); Abolition of Forced Labour Convention, 1957 (No. 105); Discrimination (Employment and Occupation) Convention, 1958 (No. 111); Minimum Age Convention, 1973 (No. 138); Worst Forms of Child Labour Convention, 1999 (No. 182). However, regardless of whether a State has ratified these Conventions, they have an obligation, by virtue of membership in the ILO to respect, promote and realize these principles concerning the fundamental rights that are subject to those Conventions (ILO Declaration, 1998, paragraph 2).

<sup>2</sup> ILO Programme and Budget proposals for 2014-2015. The other ACIs are i) promoting more and better jobs for inclusive growth; ii) jobs and skills for youth; iii) creating and extending social protection floors; iv) productivity and working conditions in SMEs; v) decent work in the rural economy; vi) formalization of the informal economy; and vii) strengthening workplace compliance through labour inspection.

<sup>3</sup> The FPRW are well established within the ILO, the international community and nationally, including within Decent Work Country Programmes. The ILO and its constituency have accumulated a wealth of expertise and experience on how to address the violation or non-respect of the FPRW since the adoption of the 1998 Declaration and on promoting and achieving the Decent Work Agenda since the adoption of the 2008 Social Justice Declaration.

<sup>4</sup> International Labour Standards, where available, were consulted to identify the dimensions and descriptors for this survey. A panel of ILO specialists was consulted on dimensions of UFW for which no standards currently exist.

<sup>5</sup> See final report of the ILO study *Building consensus on how to identify and measure human trafficking and forced labour: An application of the Delphi methodology*, by De Cock and Belser (2009).

<sup>6</sup> See Resnick, R. (2012). Comparison of postal and online surveys: cost, speed, response rates and reliability. Education Market Research and MCH Strategic Data. Retrieved from:

<http://mchdata.com/collateral/white-papers/Comparison-of-Postal-and-Online-Surveys.pdf> and

Nulty, D. (2008). The adequacy of response rates to online and paper surveys: what can be done? *Assessment & Evaluation in Higher Education*, 33(3), 301-314.

<sup>7</sup> Socially-desirable responding describes the tendency of survey respondents to provide answers that they believe will be viewed favourably by others. This tendency is of serious concern, especially in self-reports of sensitive attitudes or behaviour, or in a setting where a respondent is subject to the scrutiny of a group.

<sup>8</sup> The experts included officials from the Governance and Tripartism Department (GOVERNANCE), the International Labour Standards Department (NORMES), the Social Protection Department (SOCPRO) and the Conditions of Work and Equality Department (WorkQuality).

<sup>9</sup> More detailed information about the respondents can be obtained from WorkQuality at:

[workquality@ilo.org](mailto:workquality@ilo.org)

<sup>10</sup> None of the descriptors had a *keep* score lower than 35%, meaning that no item could reach a two-thirds' consensus in the *do not keep* score, and hence none of the regular choice items.

<sup>11</sup> Round I and round II mean scores showed a correlation coefficient of 0.75.

## PROPOSED DIMENSIONS

**Working time** refers to both the length and the scheduling of hours of work. Working-time related measures cover issues such as upper limits to working hours (over the day, week and/or year), overtime, working time arrangements (shift work, hours averaging, etc.), rest periods (rest breaks, daily and weekly rest and annual leave), night work and part-time work.

**Employment-related income** covers the wages and salaries of paid employees (wage-earners), as well as the earnings of self-employed workers resulting from their independent work. The legal minimum wage is the wage that has the force of law and which cannot be reduced either by individual or collective bargaining. *Median income refers to the employment-related income of an employed person (both paid employees and self-employed and of both sexes) at the midpoint of the range of possible incomes.*

**Occupational safety and health** refers to the prevention of work-related injuries and diseases, as well as the protection and promotion of workers' health. It aims at improving working conditions and environment.

**Recruitment practices** refer to the process of attracting, screening, selecting a person for a job, as well as onboarding (or orientation) procedures. It covers all forms of recruitment, whether through the services of private or public employment agencies, labour agents (whether legally sanctioned or not), or situations when the employer directly recruits the worker.

**Contractual arrangements** set out the principal terms and work conditions in an agreement between the worker and the employer.

For the purpose of this survey, **social protection** covers benefits, in cash or in kind, provided by the social security system or by the employer to workers and their families, in case of health impairment and loss of work-related income (or insufficient income) due to sickness, disability, maternity, employment injury, unemployment, old age, death of the breadwinner or need of family support.

**Prevention and Access to Remedies** refers to workers' ability, in law and practice, to benefit from rights and protection with respect to labour and human rights issues, and contractual terms and conditions, as well as access to preventative measures and legal assistance, dispute resolution mechanisms, and enforcement authorities.

**Worker's Dignity** contains a set of newly-proposed descriptors covering such issues as employer-provided living accommodation, commuting time to and from work, possibilities for career advancement and effects on family life.

C1

Dear respondent,

Thank you for participating in the ILO's new Delphi study on identifying an operational description of Unacceptable Forms of Work (UFW). In the following survey, you are asked to express your opinions on the topic, which will not only contribute to an overall understanding of this Area of Critical Importance (ACI) on the Protection of Workers from Unacceptable Forms of Work, but also help achieve decent work for all.

UFW is described in the ILO's Programme & Budget for 2014-2015 as "work comprising conditions that deny fundamental principles and rights at work, put at risk the lives, health, freedom, human dignity and security of workers or keep households in conditions of extreme poverty."

There are two parts to this survey:

- **Identification of broad conceptual dimensions of Unacceptable Forms of Work (UFW)**
- **Identification of descriptors within each dimension.**

The survey consists of about 10 pages, and will take about 35 minutes to complete. Please follow the instructions on each page carefully. You will be asked to identify and rate broad dimensions of UFW and descriptors of each of those dimensions.

This questionnaire round is the first of two rounds of the survey. We encourage you to complete the entire survey, but if you do not have sufficient in-depth knowledge or would feel uncomfortable responding to some of the questions, please feel free to skip those questions. Once we have received responses from all participants, we will summarise and relate the findings to you along with a follow-up questionnaire.

The deadline for responding to the survey is 20 June 2014. The questionnaire's findings will be shared in July 2014, and you will have the opportunity to revise or confirm your answers in subsequent rounds of the survey.

We assure you that your participation in the survey and your individual responses will be strictly confidential and limited to the research team. Individual responses, and any contact information gathered for the purposes of a follow-up survey, will not be divulged to any outside parties, including other participants.

***Please note that the lists in this survey are neither definitive nor exhaustive. We are asking for your input, and encourage you to suggest any new dimensions and descriptors that you feel are pivotal to a working definition of UFW.***

***International Labour Standards, where available, were consulted to identify the dimensions and descriptors for this survey. A panel of ILO specialists was consulted about the dimensions of UFW for which no standards currently exist. However, by no means should the dimensions and descriptors in this survey be interpreted as reflecting official ILO views of what constitutes UFW, but rather as an attempt to solicit informed views to help construct such a concept and ways to address it. Furthermore, it should be noted that the presence or absence of any one (or even set of) descriptor(s) is not sufficient to deem work 'acceptable' or 'unacceptable'.***

## C2 RESPONDENT INFORMATION

We assure you that your participation in the survey and your individual responses will be kept strictly confidential and limited to the research team, and will not be divulged to any outside party, including other participants.

### Q1 DEMOGRAPHICS

- a) Title \_\_\_\_\_
- b) First name \_\_\_\_\_
- c) Last name \_\_\_\_\_
- d) Gender male / female
- e) Country \_\_\_\_\_
- f) Email address \_\_\_\_\_

### Q2 MEMBER/STAFF OF:

Government	Industry associations
National Human Rights	Media
Institution/Commission	Federation of Employers
Political party//Parliament	Donor Agency
NGO/Civil Society	International Organisation
Trade Unions/federation of TU	Judiciary
Mass organisation (government	Regional
affiliated organization)	Body/Institution/Organisation
Self-organized workers' organization	Labour Inspection
Academia & Research	

### Q3 SECTOR:

Agriculture, forestry and fishing	Education
Mining and quarrying	Human health and social work
Manufacturing	activities
Electricity, gas, steam and air	Arts, entertainment and recreation
conditioning supply	Other service activities
Water supply; sewerage, waste	Activities of households as employers;
management and remediation	undifferentiated goods- and services-
activities	producing activities of households for
Construction	own use
Wholesale and retail trade; repair of	Activities of extraterritorial
motor vehicles and motorcycles	organizations and bodies
Transportation and storage	
Accommodation and food service	
activities	
Information and communication	
Financial and insurance activities	
Real estate activities	
Professional, scientific and technical	
activities	
Administrative and support service	
activities	
Public administration and defence;	
compulsory social security	

## Q4 FIELD OF INDIVIDUAL EXPERTISE/MAIN COMPETENCY

### C3 EXPLANATIONS OF DIMENSIONS

Below are several dimensions of UFW that have been proposed by a panel of ILO experts so far.

**1. Working time** refers to both the length and the scheduling of hours of work. Working-time related measures cover issues such as upper limits to working hours (over the day, week and/or year), overtime, working time arrangements (shift work, hours averaging, etc.), rest periods (rest breaks, daily and weekly rest and annual leave), night work and part-time work.

**2. Employment-related income** covers the wages and salaries of paid employees (wage-earners) as well as the earnings of self-employed workers resulting from their independent work. The legal minimum wage is the wage that has the force of law and which cannot be reduced either by individual or collective bargaining. *Median income refers to the employment-related income of an employed person (both paid employees and self-employed and of both sexes) at the midpoint of the range of possible incomes.*

**3. Occupational safety and health** refers to the prevention of work-related injuries and diseases, as well as the protection and promotion of the health of workers. It aims at improving working conditions and environment.

**4. Recruitment practices** refer to the process of attracting, screening, selecting a person for a job, as well as onboarding (or orientation) procedures. It covers all forms of recruitment, whether through the services of private or public employment agencies, labour agents (whether legally sanctioned or not), or situations when the employer directly recruits the worker.

**5. Contractual arrangements** set out the principal terms and work conditions in an agreement between the worker and the employer.

**6.** For the purpose of this questionnaire, **social protection** covers benefits, in cash or in kind, provided by the social security system or by the employer to workers and their families, in case of health impairment and loss of work-related income (or insufficient income) due to sickness, disability, maternity, employment injury, unemployment, old age, death of the breadwinner or need of family support.

**7. Prevention and Access to Remedies** refers to workers' ability, in law and practice, to benefit from rights and protection, including labour and human rights issues, contractual terms and conditions, as well as access to preventative measures and legal assistance, dispute resolution mechanisms, and enforcement authorities.

## C4

UFW aims to pay closer attention to preventing and addressing working situations that can render serious decent work deficits, which have the effect of slowing down the transition to decent work. These situations include, but go beyond, the denial of Fundamental Principles and Rights at Work (FPRW). This questionnaire will concentrate on a small set of clear markers of UFW (beyond the violation of FPRW) for urgent and focused action. It, therefore, excludes explicitly a dimension on FPRW, which centres on freedom of association and the effective recognition of the right to collective bargaining, the elimination of all forms of forced or compulsory labour, the effective abolition of child labour and the elimination of discrimination in respect of employment and occupation.

### Q5 IDENTIFYING DIMENSIONS OF UNACCEPTABLE FORMS OF WORK (UFW)

For each of the dimensions outlined below and in the coming pages, please indicate to what extent you agree that the dimension should be included in the ILO's working definition of UFW. Answer possibilities for this question range from **strongly disagree** to **strongly agree**.

- **Strongly disagree** means this dimension describes an element that certainly detracts from or confuses the definition of UFW.

- **Disagree** means this dimension describes an element that might detract from or confuse the definition of UFW.
- **Neither agree nor disagree** means this dimension does not contribute meaningfully to the definition of UFW, but does not detract from it either.
- **Agree** means this dimension describes an ancillary element of UFW, which is not the most essential to its definition.
- **Strongly agree** means this dimension describes an essential or core element of UFW, without which the definition would almost certainly be incomplete.
- **Don't know** means you do not know how to evaluate the importance of this dimension.

To what extent do you agree that this dimension should be included in the ILO working definition of Unacceptable Forms of Work?

Dimension	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree	Don't know
1. Working time						
2. Employment-related income						
3. Occupational Safety and Health						
4. Recruitment and Contractual arrangements						
5. Social protection						
6. Prevention and access to legal remedies						

C5

Please indicate up to three other dimensions that you believe are missing from the list above and, in your view, should be included in the definition of UFW.

Q6 DIMENSION 1

Q7 DIMENSION 2

Q8 DIMENSION 3

Q9

How many new dimensions are you submitting? (Please double check with responses above.)

Q10

*If you have any further comments on or suggestions for reformulating the proposed dimensions, please provide them in the space below (optional):*

C6

**Descriptors of diverse dimensions of UFW**



For each dimension of UFW, a series of provisional descriptors have been identified that could describe elements of unacceptability. Please indicate to what extent you agree that the descriptors identified on the following pages should be included within their dimensions.

In addition, **you are encouraged to add up to ten other descriptors per dimension** that you believe are missing from the list and should be included. Please also indicate how strongly you feel that this descriptor should be included in the dimension.

*For every dimension on the following pages, if you have any comments on the existing descriptors or any suggestions for conceptualizing the UFW dimension, such as when descriptors overlap in definition or would be better placed under a different dimension, please describe them in the spaces provided.*

**C7.C8.C9.C10.C11.C12 DESCRIPTORS OF DIVERSE DIMENSIONS OF UNACCEPTABLE FORMS OF WORK**

Please indicate to what extent you agree that the descriptors identified below and on the following pages should be included within their dimensions. Answer possibilities for this question range from **strongly disagree** to **strongly agree**.

- **Strongly disagree** means this descriptor describes an element that certainly detracts from or confuses the definition of UFW.
- **Disagree** means this descriptor describes an element that might detract from or confuse the definition of UFW.
- **Neither agree nor disagree** means this descriptor does not contribute meaningfully to the definition of UFW, but does not detract from it either.
- **Agree** means this descriptor describes an ancillary element of UFW, which is not the most essential to its definition.
- **Strongly agree** means this descriptor describes an essential or core element of UFW, without which the definition would almost certainly be incomplete.
- **Don't know** means you do not know how to evaluate the importance of this descriptor.

**Q11**

To what extent do you agree that this descriptor should be included in the ILO's working definition of Unacceptable Forms of Work?

Descriptor	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree	Don't know
<b>1. WORKING TIME</b>						
1. Paid voluntary overtime (on a prolonged, continual basis)						
2. Unpaid voluntary overtime						
3. Paid forced overtime						
4. Unpaid forced overtime						
5. Regularly working more than 40 hours a week						
6. Regularly working more than 48 hours a week						
7. Regularly working more than 60 hours a week						
8. Variable working hours						
9. Unpredictable working hours						
10. No established working hours (for example, zero-hour contracts)						
11. Regular night work						
12. Regular weekend/ holiday work						
13. Insufficient rest (no breaks during the workday; insufficient time between shifts (daily rest), no weekly rest day(s))						
14. No annual leave						
15. Less than 2 days off per week						
16. Involuntary part-time work						
17. "Marginal" part time work (such as less than 15 hours of work per week, casual work, mini-jobs, etc.)						

**Q12.Q17.Q22.Q27.Q32.Q37**

If you feel the proposed descriptors do not accurately or insufficiently represent your understanding of this dimension, could you suggest any others?

Please add up to ten other descriptors for the working time dimension that you believe are missing from the list and should be included. Please also indicate how strongly you feel that this descriptor should be included in the dimension.

Name	Include? Yes	Must be included	Could be considered
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

**Q15.Q20.Q25.Q30.Q35.Q40.Q44.48.52**

If you have any further comments on or suggestions for reformulating the above descriptors or any suggestions to help conceptualize this dimension, such as identifying when descriptors overlap or would be better placed under a different dimension, please describe them below (optional):

**Q16**

Descriptor	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree	Don't know
<b>2. EMPLOYMENT-RELATED INCOME</b>						
1. Wages below legal minimum wage						
2. Self-employment earnings below legal minimum wage						
3. Wages below the national poverty line or the subsistence minimum						
4. Self-employed earnings below the national poverty line or the subsistence minimum						
5. Wages insufficient to lift a whole family of average size out of poverty and into a nationally-acceptable standard of living						
6. Self-employed earnings insufficient to lift a whole family of average size out of poverty and into acceptable standards of living						
7. Wages or self-employed earnings below two-thirds of the median income						
8. Wages or self-employed earnings below one half of the median income						
9. Work with frequent wage arrears or wages that are paid on an Irregular basis						
10. Work with high risk of non-payment of wages						
11. High and unexplained deductions from pay						
12. 10% of wages paid in kind						
13. 30% of wages paid in kind						
14. 50% of wages paid in kind						

Q21

1. Descriptor	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree	Don't know
<b>3. RECRUITMENT PRACTICES</b>						
1. No information on working conditions and benefits provided to the worker at the time of recruitment						
2. Deceptive information on working conditions and benefits provided to the worker at the time of recruitment						
3. Recruitment fees or other excessive fees linked to recruitment imposed on the worker by employer or recruiter						
4. Use of triangular employment relationships to deprive employees of rights they would have if employed directly, or to obscure the allocation of legal responsibilities towards employees						
5. In the case of migrant workers, withholding of ID documents during recruitment						
6. Forced deposits at the time of recruitment (also used to threaten the worker with penalties in case of dismissal)						
7. Forced recruitment of a person in exchange for a loan or disbursement given to the worker or to a relative						
8. Working without a contract (neither oral nor written)						
9. Using piece-rate (piecework) working arrangements						
10. Zero-hour working arrangements ("on call" arrangement between employer and employee, with no obligation for the employer to provide work for the employee)						
11. Use of atypical or temporary contracts when regular contracts are appropriate or when performing core business functions						
12. Using non-labour contracts to disguise an employment relationship (such as employment relationship disguised in a relationship between self-employed and "buyer")						
13. Using working arrangements without any entitlement to social protection						
14. Using working arrangements that waive basic human rights						
15. Misclassification of jobs						

Q26

4. Descriptor	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree	Don't know
<b>OCCUPATIONAL SAFETY AND HEALTH</b>						
1. Using machinery, equipment, and processes at the workplace that are hazardous and dangerous to workers' safety and health						
2. Using chemical, physical and biological substances and agents, as well as ergonomic factors, at the workplace that are not controlled properly and pose risks to health						
3. No or inadequate protective clothing and protective equipment provided at the workplace						
4. No or inadequate measures at the workplace that deal with emergencies and accidents, including first-aid arrangements						
5. No provision or access to safety and health information						
6. No safety and health training						
7. Workers do not have the right to remove themselves in case of imminent and serious danger						
8. Lacking surveillance of the working environment and workers' health						
9. No or little formal risk management system at the workplace, such as risk assessments						
10. Lack of formal representation on working conditions and OSH						
11. Exposure to physical or psychosocial harassment at work (including stress, bullying, verbal harassment and sexual harassment)						
12. Substituting preventative OSH measures by providing different forms of compensation						
13. No suitable alternative employment for workers who are unable to continue working under the same occupational hazardous exposure						

Q31

Descriptor	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree	Don't know
<b>Social protection</b>						
1. Exclusion of certain categories of workers from any form of social protection						
2. No affordable access to basic health care for workers and their families						
3. No workers' compensation in case of work-related injuries						
4. No income support for persons of active age who are unable to earn sufficient income in case of sickness						
5. No income support for persons of active age who are unable to earn sufficient income in case of disability						
6. No form of income security in old age						
7. No income support in case of dismissal of an employee						
8. Income or job loss resulting from maternity, paternity or family responsibilities						
9. Due social insurance contributions are not paid on a worker's behalf						
10. No maternity leave at all						
11. Less than 6 weeks of postnatal maternity leave with cash benefits for women workers						
12. Less than 14 weeks of maternity leave with cash benefits for women workers						
13. Exclusion of certain categories of women workers from maternity protection						
14. No adequate financial compensation for dependents of a worker who dies as a result of an employment injury						
15. Lack of benefits, services and facilities to support workers with family/care responsibilities in relation to dependent family members (children, elderly relatives, people with permanent or temporary illnesses or disabilities)						

Q36

Descriptor	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree	Don't know
<b>Prevention and Access to Remedies</b>						
1. Lack of information on available remedies						
2. No industrial relations' committee or workers' committee at the workplace						
3. No or little access to tribunals, courts or other enforcement authorities						
4. No or little access to mediation/conciliation mechanisms at work						
5. Little or no access to legal assistance (for example, through the availability of hotlines, shelters, etc.).						
6. Little or no access to union assistance (for example, through the availability of hotlines, shelters, etc.).						
7. Little or no free legal assistance relating to employment and the workplace						
8. Work does not benefit from regular labour inspection						
9. Ineffective enforcement of sanctions						
10. Fear of retaliation in when of reporting or filing complaint						
11. Discrimination of certain categories of workers in access to redress mechanisms						
12. Excessive costs (whether financial, material, or time) to accessing redress mechanisms						

## Q41.45.49 DESCRIPTORS FOR NEW DIMENSIONS

Descriptors for **\*\*dimension\*\***.

You identified the following new dimensions of UFW: **\*\*dimension\*\***. In the spaces provided below, you can provide up to ten descriptors that you believe should be included in this dimension. Please also indicate how strongly you feel that this descriptor should be included in the dimension.

Name or description	Must be included	Could be considered
---------------------	------------------	---------------------

## F1 SAVE AND CONTINUE LATER

Thank you for taking part in this survey. You have chosen to save the data for your partially-completed response. Please follow the instructions in the original invitation email to return and complete the remaining questions. Your data will be submitted only after you click on the “SUBMIT” button.

Thank you,

The ACI on UFW Support Team

## F2 EXPIRY

Sorry, but the survey you are trying to access is no longer active. If you feel that you have received this message in error, please email us at [mertensj@ilo.org](mailto:mertensj@ilo.org) and include the original invitation to access the survey.

## F3 ALREADY PARTICIPATED

Our records indicate that you have already participated in this survey on [*participation date*]. If you feel that you have received this message byn error, please email us at [mertensj@ilo.org](mailto:mertensj@ilo.org) with the details.

## F4 THANK YOU

Thank you for taking the time to complete this first round of the ILO’s Unacceptable Forms of Work Delphi questionnaire, the results of which will be shared, together with a follow-up questionnaire, with all participants in July 2014. We hope that this exercise has contributed to your understanding of UFW, both in theory and in practice. Your input, so far, has been of great help to us in narrowing down an operational description of UFW, and we look forward to your input in the next round of this survey to concretize it further.

If you have any questions regarding this survey, please contact the ACI on UFW Support Team via email at [mertensj@ilo.org](mailto:mertensj@ilo.org).

## F5 INVITATION

Dear {*Title*} {*Name*} {*Surname*},

In an effort to advance the Decent Work Agenda and to address some of the most blatant manifestations of social injustice today, the International Labour Organization is conducting a study among national and international experts in the world of work to agree on an operational description of Unacceptable Forms of Work (UFW).

UFW are described in the ILO's 2014-2015 Programme & Budget as work comprising conditions that deny fundamental principles and rights at work, put at risk the lives, health, freedom, human dignity and security of workers or keep households in conditions of extreme poverty.

Your input to this survey will help the ILO to prioritize actions aimed at protecting workers from UFW, and pave the way for further continuous improvements towards the achievement of decent work.

**\*\*\* For a more detailed introduction to *Unacceptable Forms of Work* and to the questionnaire, please {*click here*} to read the concept note. \*\*\***

We estimate that the survey will take about 35 minutes of your time. There are several language versions of the survey, which you can access by clicking on the appropriate tab at the top of the first survey page. We assure you that your participation in the survey and your individual responses will be strictly confidential and limited to the research team - they will not be divulged to any outside party, including other survey participants - and used only for the purpose of research for this project.

<-----Place this line where you wish the survey link to appear----->

We would appreciate your response by Friday, 20 June 2014. We would like to thank you in advance for your participation. Your contribution will be extremely valuable and is greatly appreciated.

If you have any questions or comments regarding the survey, please do not hesitate to contact the ACI on UFW Support Team at [mertensj@ilo.org](mailto:mertensj@ilo.org).

Kind regards,

Manuela Tomei  
Director

Conditions of Work and Equality Department (WorkQuality)

Cleopatra Doumbia-Henry  
Director

International Labour Standards Department (NORMES)

International Labour Organization  
Geneva, Switzerland

## ANNEX III. DELPHI QUESTIONNAIRE (ROUND II)

Dear {Title} {Name} {Surname},

This past summer, you participated in the first phase of an ILO Delphi survey on Unacceptable Forms of Work (UFW). As a reminder to that survey, you can <<re-read the concept note here>>. We would like to thank you for your answers to that questionnaire and are happy to share some preliminary results with you. <<You can find a short summary of the results here>>. We also hereby invite and encourage you to participate in the second and final phase of the survey.

Thank you for responding rapidly to this questionnaire, if possible by xxxx. Please note that the time needed to complete this final questionnaire is much shorter than that which was required for Phase I.

Should you need further clarification, please do not hesitate to contact the ACI UFW Team at [mertensi@ilo.org](mailto:mertensi@ilo.org).

Kind regards,

Manuela Tomei  
Director

Conditions of Work and Equality Department (WorkQuality)

Cleopatra Doumbia-Henry  
Director

International Labour Standards Department (NORMES)

International Labour Organization  
Geneva, Switzerland

## ACI on Unacceptable Forms of Work (UFW): Delphi Survey

### Preliminary Findings based on the Phase I questionnaire

During the first phase of the ILO Delphi survey on UFW, we received answers from 220 respondents in 30 member States, with a good representation of Ministries of Labour, and employers' and workers' organizations, as well as other non- government actors. All responses on dimensions and descriptors were coded on a scale of 1-5 (1 = completely disagree, 5 = completely agree) to compute their average scores. According to these results, the overwhelming majority of respondents agreed with the formulation of the six originally-proposed dimensions of UFW, with very little variation between them, and no discernible patterns of rejection in particular regions or among types of respondents. This suggested that the proposed dimensions were a good reflection of respondents' understanding of UFW.

Overall, descriptors of each dimension also met with some agreement among the respondents, although, as expected, the variation between respondents was much broader than for the dimensions. To compare the descriptors, they were scored in the same way as dimensions and ranked as strong, medium and weak descriptors. This calculation of this ranking was based on a combination of each descriptor's average score and proportion of 'disagree' and 'strongly disagree' responses. In the questionnaire, strong, medium and weak descriptors were listed separately.

As a result, the original six dimensions of UFW were retained and a seventh dimension called 'Worker's Dignity', based on the suggestions provided, was elaborated. This dimension contained a set of newly-proposed descriptors covering such issues as employer-provided living accommodation, commuting time to and from work, possibilities for career advancement and the effects on family life. Exceptionally, one proposed descriptor was added to the Working Time dimension, which refers to work-family life balance. Consequently, this descriptor did not have any previous scores associated with it.

Phase II of this ACI Delphi survey asks you to review your responses to the questions concerning descriptors in the first questionnaire in the light of the respective descriptors' average scores. The results are presented separately for each dimension, showing each descriptor's ranking, its average score, the percentage of responses which disagreed with the item as a descriptor of UFW, and your personal response in the first questionnaire.

You are invited to qualify the relevance of each of these descriptors in one of the three following ways:

- **Keep** means this descriptor covers an essential element of UFW, and you feel it should be kept as a descriptor of UFW.
- **Do not keep** means this descriptor does not contribute meaningfully to your understanding of UFW, and should be removed from the descriptors of UFW.
- **Don't know** means you do not know to what extent this descriptor describes an element of UFW and cannot judge whether it should be kept or not kept.

Please note that these three qualifiers refer only to the specific descriptor in question and not to a general evaluation of UFW. For several descriptors, we will ask you to pick the most relevant of three related choices.

Many respondents of the Phase I questionnaire suggested that issues concerning the Fundamental Principles and Rights at Work (FPRW)<sup>1</sup> should be included in this questionnaire as a part of UFW. Indeed,

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<sup>1</sup> As acknowledged in the ILO Declaration on Fundamental Principles and Rights at Work, 1998, fundamental principles and rights at work include: freedom of association and the effective recognition of the right to collective bargaining; the elimination of all forms of forced or compulsory labour; the effective abolition of child labour; and the elimination of discrimination in respect of employment and occupation. These rights are enshrined in the ILO fundamental Conventions: Forced Labour Convention, 1930



UFW is described as work comprising conditions that deny fundamental principles and rights at work, put at risk the lives, health, freedom, human dignity and security of workers or keep households in conditions of extreme poverty.<sup>2</sup> The international community has acknowledged the universal and immutable nature of FPRW, their particular significance both as human rights and enabling conditions for the achievement of all ILO strategic objectives, and the inseparable, interrelated and mutually-reinforcing character of each category of FPRW. Furthermore, they are well established within the ILO, the international community and nationally. In addition, the ILO has accumulated a wealth of expertise and experience on how to address the violation of these principles and rights since the adoption of the 1998 Declaration. Therefore, as in Phase I, the Phase II questionnaire will focus on dimensions of UFW other than FPRW.

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(No. 29); Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); Right to Organise and Collective Bargaining Convention, 1949 (No. 98); Equal Remuneration Convention, 1951 (No. 100); Abolition of Forced Labour Convention, 1957 (No. 105); Discrimination (Employment and Occupation) Convention, 1958 (No. 111); Minimum Age Convention, 1973 (No. 138); Worst Forms of Child Labour Convention, 1999 (No. 182). However, regardless of whether a State has ratified these Conventions, they have an obligation, by virtue of membership in the ILO to respect, promote and realize these principles concerning the fundamental rights which are subject to those Conventions (ILO Declaration, 1998, paragraph 2).

<sup>2</sup> ILO Programme and Budget proposals for 2014-2015.

Dear respondent,

Thank you for taking the time to complete this round II questionnaire of the ILO Delphi Survey on Unacceptable Forms of Work (UFW). You should have completed the round I questionnaire this summer, and we hope you are still somewhat familiar with the dimensions and descriptors of UFW outlined below. As a reminder, you can re-read the concept for our survey <<here>>.

Below is a list of dimensions which were used in the previous survey and which all received strong approval. There is one addition to the list. This addition pertains to a new dimension on 'Worker's Dignity'. Many respondents in round I felt that the concept of UFW also encompasses situations that can lead to unacceptable outcomes for workers and their families while at work and beyond. This is reflected in the descriptors of the 'Worker's Dignity' dimension.

This survey should not take more than 20 minutes of your time to complete. Thank you for your prompt response.

Kind regards,

The ACI on UFW Support Team

		Mean score	% Disagree	You said	Keep	Do not keep	Don't know
<b>1 Working Time</b>		<b>3.61</b>					
high	13 Insufficient rest (no breaks during the workday; insufficient time between shifts (daily rest), no weekly rest day(s))	3.99		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	14 No annual leave	3.9		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
med	12 Regular weekend/ holiday work	3.66		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	11 Regular night work	3.54		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	9 Unpredictable working hours	3.51		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	8 Variable working hours	3.4		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	16 Involuntary part-time work	3.48		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
low	15 Less than 2 days off per week	3.39		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	10 No established working hours (for example, zero-hour contracts)	3.38		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	17 "Marginal" part time work (such as less than 15 hours of work per week, casual work, mini-jobs, etc.)	3.24		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
new	18 Work which undermines the work and family life balance			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Which of the following descriptors of UFW do you feel should be kept in the dimension of Working Time?

6	Regularly working more than 48 hours a week	3.68		<input type="radio"/>			
5	Regularly working more than 40 hours a week	3.56		<input type="radio"/>			
7	Regularly working more than 60 hours a week	3.76		<input type="radio"/>			
	None			<input type="radio"/>			
3	Paid forced overtime	3.89		<input type="radio"/>			
4	Unpaid forced overtime	3.85		<input type="radio"/>			
	None			<input type="radio"/>			
1	Paid voluntary overtime (on a prolonged, continual basis)	3.6		<input type="radio"/>			
2	Unpaid voluntary overtime	3.55		<input type="radio"/>			
	None			<input type="radio"/>			

		Mean score	You said	Keep	Do not keep	Don't know
<b>2 Employment-related Income</b>		<b>3.62</b>				

high	1 Wages below legal minimum wage	4.12		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	3 Wages below the national poverty line or the subsistence minimum	4.08		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	10 Work with high risk of non-payment of wages	3.95		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	11 High and unexplained deductions from pay	3.93		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
med	9 Work with frequent wage arrears or wages that are paid on an Irregular basis	3.86		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	5 Wages insufficient to lift a whole family of average size out of poverty and into a nationally-acceptable standard of living	3.76		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
low	4 Self-employed earnings below the national poverty line or the subsistence minimum	3.54		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	2 Self-employment earnings below legal minimum wage	3.33		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6	Self-employed earnings insufficient to lift a whole family of average size out of poverty and into acceptable standards of living	3.33	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Which of the following descriptors of UFW do you feel should be kept in the dimension of Employment-related Income?

14	50% of wages paid in kind	3.55	<input type="radio"/>
13	30% of wages paid in kind	3.46	<input type="radio"/>
12	10% of wages paid in kind	3.3	<input type="radio"/>
	None		<input type="radio"/>
8	Wages or self-employed earnings below one-half of the median income	3.26	<input type="radio"/>
7	Wages or self-employed earnings below two-thirds of the median income	3.16	<input type="radio"/>
	None		<input type="radio"/>

	Mean score	You said	Keep	Do not keep	Don't know
<b>3 Occupational Safety and Health</b>	<b>4.01</b>				

high	3	No or inadequate protective clothing and protective equipment provided at the workplace	4.18	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	2	Using chemical, physical and biological substances and agents, as well as ergonomic factors, at the workplace that are not properly controlled and pose risks to health	4.15	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	11	Exposure to physical or psychosocial harassment at work	4.12	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	4	No or inadequate measures at the workplace that deal with emergencies and accidents, including first-aid arrangements	4.12	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	7	Workers do not have the right to remove themselves in case of imminent and serious danger	4.07	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	5	No provision or access to safety and health information	4.06	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	1	Using machinery, equipment, and processes at the workplace that are hazardous and dangerous to workers' safety and health	4.04	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	8	Lacking surveillance of working environment and of the workers' health	4.03	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	9	No or little formal risk management system at the workplace, such as risk assessments	3.98	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	6	No safety and health training	3.94	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
med	10	Lack of a representative committee on working conditions and OSH	3.94	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	12	Substituting preventative OSH measures by providing different forms of compensation	3.78	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	13	No suitable alternative employment for workers who are unable to continue working under the same occupational hazardous exposure	3.78	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Mean score	You said	Keep	Do not keep	Don't know

<b>4 Recruitment and contractual arrangements</b>	<b>3.90</b>				
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high	2	Deceptive information on working conditions and benefits provided to the worker at the time of recruitment	4.16	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	5	In the case of migrant workers, withholding of ID documents during recruitment	4.12	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	7	Forced recruitment of a person in exchange for a loan or disbursement given to the worker or to a relative	4.12	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	15	Using contracts that waive basic labour rights	4.11	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	8	Working without a contract (neither oral nor written)	4.1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	6	Forced deposits at the time of recruitment (also used to threaten worker with penalties in case of dismissal)	4.09	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	13	Using contracts without any entitlement to social protection	4.08	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	1	No information on working conditions and benefits provided to the worker at the time of recruitment	3.97	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	4	Use of triangular employment relationships to deprive employees of rights they would have if employed directly, or to obscure the allocation of legal responsibilities towards employees	3.97	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	3	Recruitment fees or other excessive fees linked to recruitment imposed on the worker by employer or recruiter	3.95	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
med	11	Use of atypical or temporary contracts when regular contracts are appropriate or when performing core business functions	3.75	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	12	Using non-labour contracts to disguise an employment relationship (such as employment relationship disguised in a relationship between self-employed and "buyer")	3.68	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	10	Zero-hour contract ("on call" arrangement between employer and employee, with no obligation for the employer to provide work for the employee)	3.54	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
low	16	Misclassification of jobs	3.53	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	9	Using piece-rate contracts	3.27	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
			Mean score	You said	Keep	Do not keep	Don't know

#### 5 Social Protection

**3.88**

high	3	No cash benefit or compensation for workers in case of employment injury	4.1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	10	Due social insurance contributions are not remitted on workers' behalf	4.05	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	9	Workers are not registered in the social security system by their employer (where this legal obligation exists)	4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	1	Exclusion of certain categories of workers from any form of social protection	3.97	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	8	No income support such as unemployment benefits for workers who lose their jobs (not due to wilful misconduct or criminal offence)	3.96	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	2	No affordable access to health care for workers and their families	3.92	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	6	No paid leave for workers in case of sickness	3.91	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
med	5	No income support for persons of active age who are unable to earn sufficient income in case of sickness, disability or maternity	3.86	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	15	Exclusion of certain categories of women workers from maternity protection	3.75	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
low	7	No coverage of workers for old-age pension	3.69	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	4	No appropriate health care provided free of charge to victims of employment injury	3.78	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	11	Employer's contributions to social security are not paid	3.72	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Which of the following descriptors of UFW do you feel should be kept in the dimension of Social Protection?

13	Less than 6 weeks of postnatal maternity leave with cash benefits for women workers	3.92	o
14	Less than 14 weeks of maternity leave with cash benefits for women workers	3.91	o
12	No paid maternity leave	3.72	o
	None		o

		Mean score	You said	Keep	Do not keep	Don't know
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**6 Prevention and access to remedies** **3.87**

high	10	Fear of retaliation if reporting or filing complaint	4.09	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	11	Discrimination of certain categories of workers in accessing redress mechanisms	4.05	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	8	Work does not benefit from regular labour inspection	3.92	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	3	No or little access to tribunals, courts or other enforcement authorities	3.9	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	12	Excessive costs (whether financial, material, or time) in accessing redress mechanisms	3.89	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	9	Ineffective enforcement of sanctions	3.88	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	1	Lack of information on available remedies	3.84	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
med	4	No or little access to mediation/conciliation mechanisms at work	3.84	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	7	Little or no free legal assistance relating to employment and the workplace	3.79	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	5	Little or no access to legal assistance (for example, through the availability of hotlines, shelters, etc.).	3.76	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	6	Little or no access to union assistance (for example, through the availability of hotlines, shelters, etc.).	3.76	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	2	Lacking industrial relations' committee or workers' committee at the workplace	3.7	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Keep	Do not keep	Don't know		

**7 Worker's Dignity**

1	Work which undermines human dignity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Poor or unsustainable housing/living conditions when provided through employer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	Work which stigmatizes a worker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	Work that puts the family/household at risk	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5	Work that does not provide any possibility of personal/professional advancement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7	Excessively long/dangerous commute to/from work	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## ANNEX IV. RESULTS ROUNDS I & II (PRESENTED TO FINAL WORKSHOP PARTICIPANTS)

		Round I Mean score (1 - 5)	Round I Disagree (%)	Round I Ranking	Round II Keep (%)	Round II Ranking	
Working Time	<b>Strong</b>	13. Insufficient rest (no breaks during the workday; insufficient time between shifts (daily rest), no weekly rest day(s))	4.1	19%	strong	79%	strong
		14. No annual leave	4.0	22%	strong	73%	strong
		12. Regular weekend/holiday work	3.7	19%	medium	68%	strong
	<b>Medium</b>	09. Unpredictable working hours	3.7	20%	medium	64%	medium
		18. Work which undermines work and family life balance	-	-	-	64%	medium
		16. Involuntary part-time work	3.6	21%	weak	59%	medium
		11. Regular night work (full-time work exclusively at night)	3.7	18%	medium	58%	medium
		10. No established working hours (for example, zero-hour contracts)	3.6	24%	weak	53%	medium
		08. Variable working hours	3.5	17%	weak	53%	medium
		15. Less than 2 days off per week	3.5	24%	weak	51%	medium
		17. "Marginal" part-time work (such as less than 15 hours of work per week, casual work, mini-jobs, etc.)	3.4	24%	weak	51%	medium
	<b>Choice</b>	03. Paid forced overtime	3.9	15%	strong	45%	choice
		04. Unpaid forced overtime	3.8	23%	medium	34%	choice
		Neither	-	-	-	20%	choice
		<i>(Proposed: Paid or unpaid forced overtime)</i>	-	-	-	79%	choice
	<b>Choice</b>	07. Regularly working more than 60 hours a week	3.8	25%	weak	35%	choice
		06. Regularly working more than 48 hours a week	3.7	19%	medium	27%	choice
		05. Regularly working more than 40 hours a week	3.6	18%	medium	27%	choice
		None	-	-	-	11%	choice
		<i>(Proposed: Regularly working more than 60 hours a week)</i>	-	-	-	89%	
<b>Choice</b>	01. Paid voluntary overtime (on a prolonged, continual basis)	3.7	21%	weak	48%	choice	
	02. Unpaid voluntary overtime	3.6	24%	weak	36%	choice	
	Neither	-	-	-	16%	choice	
Employment-related Income	<b>Strong</b>	03. Wages below the national poverty line or the subsistence minimum	4.1	16%	strong	73%	strong
		11. High and unexplained deductions from pay	4.0	19%	strong	70%	strong
		05. Wages insufficient to lift a whole family of average size out of poverty and into a nationally acceptable standard of living	3.9	18%	medium	69%	strong
		09. Work with frequent wage arrears or wages that are paid on an irregular basis	3.7	18%	medium	69%	strong
		10. Work with high risk of non-payment of wages	4.0	18%	strong	66%	strong
		01. Wages below the legal minimum wage	4.1	16%	strong	68%	strong
	<b>Medium</b>	04. Self-employed earnings below the national poverty line or the subsistence minimum	3.7	21%	weak	57%	medium
		08. Wages or self-employed earnings below one half of the median income	3.5	20%	medium	52%	medium
		06. Self-employed earnings insufficient to lift a whole family of average size out of poverty and into acceptable standards of living	3.6	22%	weak	51%	medium

	<b>To be removed</b>	02. Self-employment earnings below the legal minimum wage	3.5	25%	weak	47%	to be removed
		07. Wages or self-employed earnings below two-thirds of the median income	3.4	20%	weak	45%	to be removed
	<b>Choice</b>	14. 50% of wages paid in kind	3.8	19%	medium	33%	choice
		13. 30% of wages paid in kind	3.4	19%	medium	16%	choice
		12. 10% of wages paid in kind	3.3	19%	medium	16%	choice
None (Proposed: 50% of wages paid in kind)		-	-	-	35%	choice	
					65%		
<b>Occupational Safety and Health</b>	<b>Strong</b>	03. No or inadequate protective clothing and protective equipment provided at the workplace	4.2	15%	strong	77%	strong
		02. Using chemical, physical and biological substances and agents, as well as ergonomic factors, at the workplace that are not properly controlled and pose risks to health	4.2	16%	strong	76%	strong
		11. Exposure to physical or psychosocial harassment at work (including stress, bullying, verbal harassment and sexual harassment)	4.2	16%	strong	76%	strong
		04. No or inadequate measures at the workplace that deal with emergencies and accidents, including first-aid arrangements	4.1	15%	strong	76%	strong
		05. No provision or access to safety and health information	4.1	16%	strong	73%	strong
		06. No safety and health training	4.0	16%	strong	73%	strong
		08. Lacking surveillance of working environment and of workers' health	4.0	16%	strong	71%	strong
		07. Workers do not have the right to remove themselves in case of imminent and serious danger	4.1	18%	strong	70%	strong
		01. Using machinery, equipment and processes at the workplace that are hazardous and dangerous to workers' safety and health	4.1	16%	strong	69%	strong
		09. No or little formal risk management system at the workplace, such as risk assessments	4.0	16%	strong	66%	strong
	<b>Medium</b>	10. Lack of formal representation on working conditions and OSH	4.0	17%	medium	65%	medium
		13. No suitable alternative employment for workers who are unable to continue working under the same occupational hazardous exposure	3.9	18%	weak	59%	medium
		12. Substituting preventative OSH measures by providing different forms of compensation	4.0	16%	medium	56%	medium
<b>Recruitment and Contractual Arrangements</b>	<b>Strong</b>	02. Deceptive information on working conditions and benefits provided to the worker at the time of recruitment	4.2	15%	strong	77%	strong
		07. Forced recruitment of a person in exchange for a loan or disbursement given to the worker or to a relative	4.2	17%	strong	77%	strong
		05. In the case of migrant workers, withholding of ID documents during recruitment	4.2	14%	strong	76%	strong
		15. Using working arrangements that waive basic human rights	4.1	19%	strong	76%	strong
		06. Forced deposits at the time of recruitment (also used to threaten worker with penalties in case of dismissal)	4.2	14%	strong	73%	strong
		13. Using working arrangements without any entitlement to social protection	4.1	19%	strong	73%	strong
		01. No information on working conditions and benefits provided to the worker at the time of recruitment	4.0	16%	strong	71%	strong
		04. Use of contractual arrangements involving multiple parties to deprive employees of rights they would have if employed under a regular bilateral employment relationship, or to avoid the clear allocation of legal responsibilities towards employees	4.1	15%	strong	69%	strong



		08. Working without a contract (neither oral nor written)	4.1	16%	strong	68%	strong	
		03. Recruitment fees or other excessive fees linked to recruitment imposed on the worker by employer or recruiter	4.0	15%	medium	67%	strong	
		12. Using non-labour contracts to disguise an employment relationship (such as employment relationship disguised in a relationship between self-employed and “buyer”)	3.9	19%	medium	66%	strong	
	<b>Medium</b>	11. Use of atypical or temporary contracts when regular contracts are appropriate or when performing core business functions	3.8	19%	medium	63%	medium	
		10. Working arrangements with no guaranteed hours of work (“on call” arrangement between employer and employee, with no obligation for the employer to provide work for the employee)	3.8	18%	weak	59%	medium	
	<b>To be removed</b>	16. Misclassification of jobs	3.7	21%	weak	47%	to be removed	
		09. Using piece-rate (piecework) working arrangements	3.5	22%	weak	35%	to be removed	
	<b>Social Protection</b>	<b>Strong</b>	13. Exclusion of certain categories of women workers from maternity protection	4.0	19%	strong	77%	strong
			03. No workers’ compensation in case of work-related injuries	4.1	18%	strong	76%	strong
			08. Income or job loss resulting from maternity, paternity or family responsibilities	4.0	19%	strong	75%	strong
09. Due social insurance contributions are not paid on workers' behalf			4.1	18%	strong	75%	strong	
14. No adequate financial compensation for dependents of a worker who dies as a result of employment injury			4.0	18%	strong	74%	strong	
01. Exclusion of certain categories of workers from any form of social protection			4.0	19%	strong	74%	strong	
06. No form of income security in old age			4.0	19%	strong	70%	strong	
02. No affordable access to basic health care for workers and their families			3.9	20%	strong	70%	strong	
05. No income support for persons in active age who are unable to earn sufficient income in cases of disability			3.9	20%	medium	66%	strong	
<b>Medium</b>		15. Lack of benefits, services and facilities to support workers with family/care responsibilities in relation to dependent family members	3.8	17%	medium	63%	medium	
		07. No income support in case of dismissal of an employee	3.8	18%	weak	62%	medium	
		04. No income support for persons in active age who are unable to earn sufficient income in cases of sickness	3.8	21%	weak	59%	medium	
<b>Choice</b>		10. No maternity leave at all	4.1	21%	strong	41%	choice	
		12. Less than 14 weeks of maternity leave with cash benefits for women workers	3.7	16%	medium	34%	choice	
		11. Less than 6 weeks of postnatal maternity leave with cash benefits for women workers	3.7	21%	weak	14%	choice	
	None	-			11%	choice		

Prevention and Access to Remedies	Strong	11. Discrimination of certain categories of workers in access to redress mechanisms	4.1	17%	strong	77%	strong	
		03. No or little access to tribunals, courts or other enforcement authorities	4.0	19%	strong	77%	strong	
		10. Fear of retaliation if reporting or filing complaint	4.1	13%	strong	75%	strong	
		09. Ineffective enforcement of sanctions	3.9	17%	strong	73%	strong	
		01. Lack of information on available remedies	3.9	18%	strong	69%	strong	
		08. Work does not benefit from regular labour inspection	4.0	17%	strong	69%	strong	
			12. Excessive costs (whether financial, material or time) to accessing redress mechanisms	4.0	17%	strong	68%	strong
	Medium	04. No or little access to mediation/conciliation mechanisms at work	3.9	17%	medium	-	medium	
		07. Little or no free legal assistance relating to employment and the workplace	3.9	20%	medium	-	medium	
		05. Little or no access to legal assistance (for example, through the availability of hotlines, shelters, etc.).	3.9	17%	medium	-	medium	
		06. Little or no access to union assistance (for example, through the availability of hotlines, shelters, etc.).	3.8	19%	medium	-	medium	
		02. Lacking industrial relations' committee or workers' committee at the workplace	3.7	18%	weak	-	medium	
Worker's Dignity	Strong	1. Work which undermines human dignity	-	-	-	75%	strong	
		2. Poor or unsustainable housing/living conditions when provided through employer	-	-	-	74%	strong	
		3. Work which stigmatizes a worker	-	-	-	71%	strong	
		4. Work that puts the family/household at risk	-	-	-	69%	strong	
	Medium	6. Excessively long/dangerous commute to/from work	-	-	-	63%	medium	
		5. Work that does not provide any possibility of personal/professional advancement	-	-	-	62%	medium	

1 Item selected from a choice of several items

2 Item rephrased from initial wording

3 New item

**Experts' Workshop on the Protection of Workers  
from Unacceptable Forms of Work(Geneva, 8-9 December 2014):**

**Highlights of the Workshop**

**I. Context**

Unacceptable forms of work comprise conditions that deny fundamental principles and rights at work (FPRW), put at risk the lives, health, freedom, human dignity and security of workers or keep households in conditions of poverty. While "unacceptable forms of work" (UFW) is a relatively new concept, the policy areas relating to it are not new. ACI 8 seeks to protect workers from these conditions by setting a set of markers for urgent and focused action to accelerate transition towards decent work for all.

ACI 8 seeks to facilitate a shared understanding of what UFW is and what it takes to address it in different socio-economic and regulatory settings. It focuses on specific sectors (e.g. construction, agriculture, fishing and the garment industry) and categories of workers (e.g. migrant workers - whether national or international).

ILO work under ACI 8 consists of two complementary and mutually reinforcing components:

- *Expanding the ILO's knowledge base to address unacceptable forms of work:*  
This component seeks to lay the foundation for a clearer understanding of UFW and its main characteristics, and for better-informed national policy and capacity-building relating to the protection of workers from UFW. Through surveys, impact assessment studies and comparative legal and policy analysis, this component evaluates the relevance and effectiveness of action by the ILO and other institutions to tackle the various aspects of UFW, while showing the value added of this approach in advancing decent work for all.
  
- *Pilot country-level interventions:*  
Through country-rapid assessments involving the tripartite constituents, this component documents UFW in selected sectors or geographical areas, examines the causes (legal, institutional, etc.) of the existence of unacceptable conditions, and identifies possible action to tackle them. Practical action is envisaged in countries at different stages of socio-economic development, with a view to ensuring that the different dimensions of UFW are addressed in an integrated manner. The outcomes of these pilot interventions are also meant to add to the global knowledge base, by providing case studies that can be used for other sectors or regions as concrete examples of "what works".

**II. Workshop objectives**

The two-day workshop, organized one year after the "Experts' Workshop on the Possible Use of the Delphi Methodology to Identify Dimensions and Descriptors of Unacceptable Forms of Work" (November 2013), brought together ILO colleagues from various departments at headquarters and from Africa, Asia and the Pacific, Eastern Europe, Latin America and the Arab States. The purpose of the workshop was to assess the progress made so far under ACI 8, the lessons learnt, the political and/or institutional challenges, and whether the ILO was well equipped to deal with protecting workers from unacceptable forms of work in view of the Programme and Budget Proposals of 2016-2017.

The workshop comprised two main thematic sessions, namely the validation of global products and the review of country-level interventions; work in working groups; and a forward-looking session.

## **II. Main points of discussion**

### **1. Assess/validate the results of the three global products aimed at characterizing UFW**

During the morning session of Day 1, three presentations were delivered: (1) the global and comparative study of the most prominent concepts and policies on unacceptable forms of work; (2) the review of the comments of the Committee of Experts on the Application of Conventions and Recommendations related to the notion of unacceptable forms of work; and (3) the methodology, scope and main findings of the Delphi survey. Through the use of different methodologies, the three global products converged on a number of issues:

- The main dimensions of unacceptable forms of work.
- The normative foundation of unacceptable forms of work (i.e. unacceptable forms of work fall outside or below the international floor of labour rights).
- The set of international labour standards (ILS) taken as benchmark for describing UFW comprise both enabling (i.e. FPRW) and prescriptive ILS.
- Certain economic sectors and categories of workers are more exposed to unacceptable forms of work than others.

The global comparative study and the Delphi survey have highlighted the following issues in relation to unacceptable forms of work:

- UFW is a multidimensional concept comprising, yet going beyond, the denial of the FPRW.
- UFW is often the symptom of systematic and inter-related policy failures on various fronts, e.g. forced labour may result from low wages and/or non-payment or delayed payment of wages and/or the absence of other income security-schemes, alongside entrenched caste-based discrimination.
- Models of intervention need to be multi-dimensional and bear these inter-relations in mind, while being cognizant of local specificities.

On the Delphi survey, the following issues were raised:

- The objective of the Delphi survey was not to reach a statistical or legal definition on UFW, but rather to describe UFW and help prioritize action on the ground. International labour standards served as benchmarks and guided the formulation of the descriptors.
- The Delphi survey was a multi-staged process that began with interviewing 24 ILO experts, followed by the workshop in December 2013, two subsequent rounds of consultations with non-ILO experts, and this workshop. About 100 non-ILO experts, recommended by the concerned ILO offices and approved by ACTRAV and ACTEMP, were involved; the questionnaire was translated into 11 languages.
- The six dimensions, originally identified by the ILO's experts, met with strong agreement from the 100 non-ILO experts involved in the two rounds of consultations. These dimensions included: working time, employment-related income, occupational safety and health, recruitment and contractual arrangements, social protection, and prevention and access to remedies. A seventh dimension on "worker's dignity" emerged from the two rounds of consultations with non-ILO experts. The

workshop's participants concurred on the relevance of this dimension to characterize the concept of UFW, but found that the corresponding descriptors needed further refinement.

- The workshop's participants had to provide guidance on how to deal with the results of the two rounds of consultation concerning the descriptors relating to maternity protection, working time and in-kind remuneration.
- The set of dimensions and descriptors identified through this process, and the distinction between "strong" and "medium" descriptors (with the former obtaining two-thirds of positive responses, and the latter between 50 per cent and 66 per cent of positive responses), constituted a useful tool to assess unacceptable forms of work on the ground and to help set priorities for action.

## **2. B. Review country level interventions to assess what has been done, why and how**

During the afternoon session of Day 1 and the morning session of Day 2, presentations were made on the progress made, lessons learnt and challenges faced in implementing country-level interventions.<sup>3</sup> Eight country experiences were presented through four different thematic sessions:

- UFW and migrant workers in specific industries (Costa Rica and Thailand)
- Child labour, forced labour and reporting to the supervisory bodies (Uzbekistan and Pakistan)
- Country rapid assessments (Benin and Morocco)
- Addressing UFW through multi-stakeholder cooperation and dialogue at different levels of governance (Brazil and India).

The main criteria of country selection were: (1) ongoing technical assistance and emerging political opportunities; (2) external pressure (by the ILO's supervisory body and the media) and governments' readiness to address the problem; and (3) requests for assistance from constituents.

While the entry points (e.g. forced labour, child labour or regularization of irregular migrant workers), sectors covered (e.g. construction, agriculture, mining and the garment industry) and targeted categories of workers (e.g. migrant workers and domestic workers) varied, depending on the country circumstances, all country interventions shared the following features:

- A twin focus on distinct sectors and categories of workers that were more at risk of being involved in or falling into unacceptable forms of work.
- The involvement of tripartite constituents from the onset to ensure greater ownership of and lend legitimacy to a new concept such as UFW .
- Responses involved different policy areas, e.g. OSH; recruitment; wage protection; identification, rescue and rehabilitation of bonded labourers; access to dispute settlement mechanisms and justice, as UFW are often the result of systemic and inter-related policy failures.

Another issue that emerged during the discussion was the importance of good knowledge and understanding of the specificities of the sectors with high prevalence of UFW to maximize impact through better-tailored action. It was deemed equally important to develop a "smart marketing strategy" for protecting workers from UFW to defuse concerns and misrepresentation of UFW and avoid overloading constituents with too many "slogans", e.g. decent work, better work or worst forms of child labour.

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<sup>3</sup> Since May 2014, country-level action has been carried out in Benin, Morocco, Brazil, Costa Rica, Bolivia, Uzbekistan, India, Thailand, Pakistan, as well as in the Pacific Islands and in Southern Africa.

### **C. Results from the working groups**

During the morning and afternoon of Day 2, three working groups were organized to discuss and propose courses of action around the following issues:

1. Communicating about UFW
2. Promoting and operationalizing integrated frameworks to address UFW
3. Finalizing a set of dimensions and descriptors of Delphi survey

#### *Communicating about UFW*

The working group proposed that messages on unacceptable forms of work should be packaged within the framework of the Decent Work Agenda and be anchored in relevant international labour standards and the supervisory system. Related messages should make it clear that protecting workers from UFW is about building on existing work, but repackaging it so as to focus on a set of inter-related policy areas. Messages should target audiences both within and outside the ILO. Internally, the objective would be to highlight the usefulness and value added of the concept and to work in an integrated manner to deliver better. Externally, it should be depicted as a diagnostic tool to prioritize action in the context of DWCPs with interventions being country-specific. Studies, visual materials and stories could be used as part of the communication strategy.

#### *Promoting and operationalizing integrated frameworks to address UFW*

Integrated frameworks should bring together ILO expertise from headquarters and the regions to work together towards a specific objective, by establishing strategic linkages between different technical areas at the global level, ensuring cross-fertilization at the regional, subregional and country levels, and leveraging on different sources of funds. The framework would make use of the Global Technical Teams currently being put in place and ACI Technical Working Groups at both the global and country levels.

The working group highlighted the importance of ensuring better coordination between the supervisory bodies, technical sectors and regions, on one hand, and policy advice, technical assistance and/or technical cooperation, on the other. The criteria for country selection to address unacceptable forms of work through an integrated approach include political willingness to engage, addressing the comments of the supervisory bodies, institutional framework, ongoing programmes and/or projects, readiness to apply an integrated approach at the country level, and using the dimensions and descriptors of the Delphi survey to address UFW at the country level.

#### *Finalizing set of dimensions and descriptors of Delphi survey*

UFW fell at the extreme of a continuum towards the achievement of decent work. It was agreed to develop a visual representation of this continuum along the seven dimensions identified under the UFW framework with a view to contributing towards decent work, namely workers' equity, dignity, security and freedom. The participants agreed on the inclusion of a seventh dimension on "worker's dignity", but did not reach a final agreement on the related descriptors. Likewise, it was agreed that a final decision regarding whether to use 48 hours or 60 hours as the threshold of UFW under the "working time" dimension, and whether to keep the descriptor(s) on maternity protection and/or in-kind remuneration (at 50% threshold) should be deferred to another consultation with ILO experts in these technical fields.

#### IV. Next steps

- The communication and dissemination strategy will be further developed and will target internal and external audiences. The members of the working group, which was set up during the workshop to examine this issue, will continue the discussion after the workshop. The Town Hall meeting on ACI 8 (dates yet to be confirmed) would be a concrete opportunity to test and validate the messages regarding UFW.
- The results of the Delphi survey, including the proposed dimension on a worker's dignity and the proposed descriptors on overtime, working hours and maternity protection, will be shared with ILO experts for a final round of comments, inputs and feedback.
- From 2016-2017, it is proposed to apply the seven dimensions and corresponding descriptors in each of the following countries:
  - **Benin** in the drafting of the national action plan
  - **Costa Rica** on migration and moving forward to other areas
  - **Pakistan** in the garment sector, with the possibility of extending to the construction sector.
- The ILO's Governing Body paper on ACI 8, which will be discussed during its March 2015 Session, will be circulated to all for feedback.

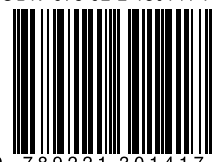
## ANNEX VI. UFW: DIMENSIONS AND DESCRIPTORS

Dimension	Descriptor			
Working Time	Strong	01. Regularly working more than 48 hours a week 02. Insufficient rest (no breaks during the workday; insufficient time between shifts (daily rest), no weekly rest day(s)) 03. No annual leave 04. Regular weekend/holiday work		
	Medium	05. Unpredictable working hours 06. Work which undermines work and family life balance 07. Involuntary part-time work 08. Regular night work (full-time work exclusively at night) 09. No established working hours (for example, zero-hour contracts) 10. Variable working hours 11. Less than 2 days off per week 12. "Marginal" part time work (such as less than 15 hours of work per week, casual work, mini-jobs, etc.)		
	Employment-related Income	Strong	01. Wages below the national poverty line or the subsistence minimum 02. High and unexplained deductions from pay 03. Wages insufficient to lift a whole family of average size out of poverty and into a nationally-acceptable standard of living 04. Work with frequent wage arrears or wages that are paid on an irregular basis 05. Work with high risk of non-payment of wages 06. 50% of wages paid in kind 07. Wages below the legal minimum wage	
		Medium	08. Self-employed earnings below the national poverty line or the subsistence minimum 09. Wages or self-employed earnings below one-half of the median income 10. Self-employed earnings insufficient to lift a whole family of average size out of poverty and into acceptable standards of living	
		Occupational Safety and Health	Strong	01. No or inadequate protective clothing and protective equipment provided at the workplace 02. Using chemical, physical and biological substances and agents, as well as ergonomic factors, at the workplace that are not properly controlled and pose risks to health 03. Exposure to physical or psychosocial harassment at work (including stress, bullying, verbal harassment and sexual harassment) 04. No or inadequate measures at the workplace that deal with emergencies and accidents, including first-aid arrangements 05. No provision or access to safety and health information 06. No safety and health training 07. No or lacking surveillance of working environment and of workers' health 08. Workers do not have the right to remove themselves in case of imminent and serious danger 09. Using machinery, equipment, and processes at the workplace that are hazardous and dangerous to workers' safety and health 10. No or little formal risk management system at the workplace, such as risk assessments
			Medium	11. Lack of formal representation on working conditions and OSH 12. No suitable alternative employment for workers who are unable to continue working under the same occupational hazardous exposure 13. Substituting preventative OSH measures by providing different forms of compensation



Recruitment and Contractual Arrangements	Strong	<ul style="list-style-type: none"> <li>01. Deceptive information on working conditions and benefits provided to the worker at the time of recruitment</li> <li>02. Forced recruitment of a person in exchange for a loan or disbursement given to the worker or to a relative</li> <li>03. In the case of migrant workers, withholding of ID documents during recruitment</li> <li>04. Using working arrangements that waive basic human rights</li> <li>05. Forced deposits at the time of recruitment (also used to threaten worker with penalties in case of dismissal)</li> <li>06. Using working arrangements without any entitlement to social protection</li> <li>07. No information on working conditions and benefits provided to the worker at the time of recruitment</li> <li>08. Use of contractual arrangements involving multiple parties to deprive employees of rights they would have if employed under a regular bilateral employment relationship, or to avoid the clear allocation of legal responsibilities towards employees</li> <li>09. Working without a contract (neither oral nor written)</li> <li>10. Recruitment fees or other excessive fees linked to recruitment imposed on the worker by employer or recruiter</li> <li>11. Using non-labour contracts to disguise an employment relationship (such as employment relationship disguised in a relationship between self-employed and “buyer”)</li> </ul>
	Medium	<ul style="list-style-type: none"> <li>12. Use of atypical or temporary contracts when regular contracts are appropriate or when performing core business functions</li> <li>13. Working arrangements with no guaranteed hours of work (“on call” arrangement between employer and employee, with no obligation for the employer to provide work for the employee)</li> </ul>
Social Protection	Strong	<ul style="list-style-type: none"> <li>01. Exclusion of certain categories of women workers from maternity protection</li> <li>02. No workers compensation in case of work-related injuries</li> <li>03. Income or job loss resulting from maternity, paternity or family responsibilities</li> <li>04. Due social insurance contributions are not paid on workers' behalf</li> <li>05. No adequate financial compensation for dependents of a worker who dies as a result of employment injury</li> <li>06. Exclusion of certain categories of workers from any form of social protection</li> <li>07. No form of income security in old age</li> <li>08. No affordable access to basic health care for workers and their families</li> <li>09. No income support for persons in active age who are unable to earn sufficient income in cases of disability</li> </ul>
	Medium	<ul style="list-style-type: none"> <li>10. Lack of benefits, services and facilities to support workers with family/care responsibilities in relation to dependent family members</li> <li>11. No income support in case of dismissal of an employee</li> <li>12. No income support for persons in active age who are unable to earn sufficient income in case of sickness</li> <li>13. No maternity leave at all</li> </ul>
Prevention and Access to Remedies	Strong	<ul style="list-style-type: none"> <li>01. Discrimination of certain categories of workers in access to redress mechanisms</li> <li>02. No or little access to tribunals, courts or other enforcement authorities</li> <li>03. Fear of retaliation if reporting or filing complaint</li> <li>04. Ineffective enforcement of sanctions</li> </ul>
	Medium	<ul style="list-style-type: none"> <li>05. Lack of information on available remedies</li> <li>06. Work does not benefit from regular labour inspection</li> <li>07. Excessive costs (whether financial, material, or time) to accessing redress mechanisms</li> <li>08. No or little access to mediation/conciliation mechanisms at work</li> <li>09. Little or no free legal assistance relating to employment and the workplace</li> <li>10. Little or no access to legal assistance (for example, through the availability of hotlines, shelters, etc.).</li> <li>11. Little or no access to union assistance (for example, through the availability of hotlines, shelters, etc.).</li> <li>12. Lacking industrial relations' committee or workers' committee at the workplace</li> </ul>
Worker's Dignity	Strong	<ul style="list-style-type: none"> <li>1. Exposure to violence, including gender-based violence, at work or on the way to/from work</li> <li>2. Work that is degrading or socially stigmatizing</li> <li>3. Poor or inadequate housing/living conditions associated with the specific working environment</li> </ul>
	Medium	<ul style="list-style-type: none"> <li>4. Work that puts the family/household at risk (e.g. because of lengthy separation, excessively long commute, unsociable work hours and constant stress)</li> <li>5. Work that does not provide any possibility of personal development/professional advancement</li> </ul>

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