



ORGANIZATION OF AMERICAN STATES

**Inter-American Council for Integral Development
(CIDI)**

**SECOND MEETING OF WORKING GROUP II
MODERNIZATION OF THE STATE
AND LABOR ADMINISTRATION
XI INTER-AMERICAN CONFERENCE OF
MINISTERS OF LABOR
November 3-5, 1999
San Rafael de Heredia, Costa Rica**

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November 5, 1999
Original: Spanish**

FINAL REPORT



**SECOND MEETING OF
WORKING GROUP II
MODERNIZATION OF THE STATE
AND LABOR ADMINISTRATION
XI INTER-AMERICAN CONFERENCE OF
MINISTERS OF LABOR**

**XI INTER-AMERICAN CONFERENCE OF MINISTERS OF LABOR
(O.A.S)**

FINAL REPORT

***With the technical collaboration of the Project for Modernization of the Labor
Administrations of Central America, Belize, Panama and the Dominican Republic
(MATAAC-ILO)***

*San Rafael de Heredia, Costa Rica
November 5, 1999*

The representatives of CANADA, CHILE, COSTA RICA, DOMINICAN REPUBLIC, EL SALVADOR, HONDURAS, MEXICO, PANAMA, UNITED STATES, VENEZUELA, and COSATE, members of Working Group II, "Modernization of the State and Labor Administration", of the OAS XI Inter-American Conference of Ministers of Labor, meeting on November 3, 4 and 5, 1999, en San Rafael de Heredia,

DECLARE:

- ✓ That they met on those days in accordance with the mandate contained in the Viña del Mar Plan of Action, to discuss the requirements for and challenges to modernization of the State and Labor Administration.
- ✓ That the discussions followed the technical content indicated in the procedural guide presented by Costa Rica as Coordinator of Group II.
- ✓ That the objectives of this meeting, by virtue of the agreements reached at the April 1999 meeting, were as follows:
 1. To take official note of the revised proposals by the offering countries in connection with the projects enumerated in the final report of the aforementioned meeting.
 2. To formalize the undertaking of specific commitments required for the execution of horizontal cooperation projects.
 3. To review the agenda for the next meeting of the OAS Ministers of Labor, to be held in the Dominican Republic in January 2000.
 4. To review the document on Proposals for Areas of Labor Policy that Could be Addressed through Technical Assistance Programs.
- ✓ That it is necessary to publish the agreements reached here by such electronic means as the OAS Web Page to enable other countries to participate in the cooperation projects.
- ✓ That the project presented by the Ministry of Labor of Costa Rica and the Ministry of Labor of El Salvador in the field of safety and hygiene is considered to provide the basic conceptual framework

within which activities to improve working conditions and the work environment should be conducted.

- ✓ That the participation of social interlocutors in activities to modernize the State and labor administration is important, particularly in executing projects to improve hygiene and safety conditions in the work place.
- ✓ That the document entitled **Proposals for Areas of Labor Policy that Could be Addressed through Technical Assistance Programs** represents an effort to address the eight topics raised by the two working groups set up by the Conference of Ministers in Viña del Mar. That this document consists of suggestions and is not intended as providing a single solution to the problems analyzed. That it does not include implementation mechanisms, but rather provides a menu of possible activities. That the donor or donors will decide in due course to arrange for implementation through one or several regional or sub-regional projects, which could potentially be coordinated with projects already under way in the region. That the ultimate objective of this document, with such comments as may be incorporated during the discussion process in Groups I and II, will provide a basis for the discussion to be held on these topics at the meeting of ministers in the Dominican Republic. The document is intended as a first step in preparing a specific project in pursuance of the mandate contained in the Viña del Mar Declaration.
- ✓ That the aforementioned document assigns a very significant role to civil society and social stakeholders and an essential role to the State, and in particular to labor administrations. The idea underlying the document is to adapt the labor and business market while under no circumstances neglecting the protection of workers.
- ✓ That the representatives of the labor organizations attending the meeting indicated that portions of the aforementioned document coincided with their own positions. However, they have expressed a reservation with respect to the document's strategic vision, which is that in their judgment, labor market difficulties should not be addressed solely in terms of the impact or activities of labor or worker interests. That in order to solve the problem of rigidity, labor should be considered as a factor in such rigidity, but in conjunction with many other factors.

- ✓ That the national representatives attending the meeting agree that in a context of global competition, countries must systematically seek to improve their competitiveness and productivity through simultaneous improvements in various areas and factors, and in that context, attempt to make labor markets and workers themselves more adaptable.
- ✓ That the aforementioned actions should be taken within the framework of individual and collective labor regulations, which guarantee, in a manner appropriate for the actual conditions in each country, labor standards consistent with fundamental worker rights enshrined by the ILO.
- ✓ That the document could address certain specific areas more fully, such as fundamental labor rights, the problems of working women, collective bargaining, safety systems, and the participation of social interlocutors.
- ✓ That the document should be discussed within the working group that is being established by the IDB, ORIT, ILO, and OAS.
- ✓ That various government representatives attending the meeting consider it essential for this document to be examined and discussed by all governments participating in the meeting of ministers in the Dominican Republic. That they regard as very positive the initiative and proposal that this document should serve as a basis for broader discussion in the Dominican Republic. That it is a responsibility of each country to meet the challenges raised in the document.
- ✓ They also declare that it would be very useful for the document to be enriched with contributions and comments from COSATE and CEATAL.
- ✓ That it is necessary to optimize cooperation and coordination between the various multilateral agencies conducting cooperation projects in the sub-region.

Based on these considerations,

They Agree:

I.- To execute the following cooperation projects :

OFFERING COUNTRY: CANADA

<i>Project</i>	TRAINING WORKSHOP ON PREVENTIVE MEDIATION
<i>Need identified</i>	<i>Absence of systems for the prevention of labor disputes Introduction of negotiation mechanisms related to changes in the labor market Training and preparation of an adequate corps of mediators and conciliators</i>
<i>Objective</i>	<i>To share the Canadian experience in preventive mediation with the participating countries</i>
<i>Activity</i>	<i>3-day training workshop Proposed time frame: First quarter 2000 Venue: Costa Rica or Mexico (subject to prior agreement between the countries) Number of participants: 2 per country</i>
<i>Financing</i>	<i>The Government of Canada agrees to finance:</i> <ul style="list-style-type: none"> ❖ <i>Fees for the Canadian speakers</i> ❖ <i>Travel, meals and lodging for the speakers</i> ❖ <i>Document translation into English and Spanish.</i> <i>The host country agrees to finance the costs of organizing the event (logistical support, meeting room, English-Spanish interpretation)</i> <i>Each receiving country agrees to finance the travel, meals and lodging of its participants.</i>
RECEIVING COUNTRIES:	
	Observations
<i>Nicaragua</i>	<i>Does not have financing for its participation.</i>
<i>Costa Rica</i>	
<i>Venezuela</i>	
<i>Panama</i>	<i>Financing agencies should be approached for the travel expenses and per diem of its participants.</i>
<i>El Salvador</i>	<i>It is recommended that cooperation agencies in the region be approached for financing.</i>
<i>Honduras</i>	<i>This project would help ministries of labor adapt to current and future needs, but at the current time the country cannot cover the cost of its participation. It is recommended that cooperation agencies in the region be approached for financing.</i>

OFFERING COUNTRY: CANADA

Project	SEMINAR ON ORGANIZATIONAL RESTRUCTURING
Need identified	<i>Rigid organizational structures that prevent labor administrations from adapting effectively to changing needs.</i>
Objective	<i>Obtain information on Canadian experiences in organizational restructuring, primarily within the public sector, including specific labor, human resource development, and employment cases.</i>
Activity	<i>2 ½-day training seminar. Proposed time frame: First quarter 2000 Venue: Costa Rica or Mexico (subject to prior agreement between the countries) Number of participants: 2 per country</i>
Financing	<i>The Government of Canada agrees to finance:</i> <ul style="list-style-type: none"> ❖ <i>Fees for the Canadian speakers.</i> ❖ <i>Travel, meals and lodging for the Canadian speakers.</i> ❖ <i>Document translation into Spanish and English.</i> <i>The host country agrees to finance the costs of organizing the event (logistical support, meeting room, English-Spanish interpretation)</i> <i>Each receiving country agrees to finance the travel, meals and lodging of its participants.</i>
RECEIVING COUNTRIES:	
	Observations
Nicaragua	<i>Does not have financing for its participation.</i>
Costa Rica	
Honduras	<i>This project would help ministries of labor adapt to current and future needs, but at the current time the country cannot cover the cost of its participation. It is recommended that cooperation agencies in the region be approached for financing.</i>

OFFERING COUNTRY: CHILE

Project	SEMINAR ON INDIVIDUAL AND COLLECTIVE (INSTITUTIONAL) PERFORMANCE INCENTIVE AND EVALUATION POLICIES FOR PUBLIC SERVANTS
Need identified	<i>Prevalence of salary compensation systems not based on the qualifications of public servants or how effectively they perform their jobs.</i>
Objective	<i>To disseminate information on Chilean experience in this area in order to promote the introduction of salary mechanisms designed to improve the performance of public servants.</i>
Activity	<i>Proposed time frame: Last week of February 2000. Venue: Dominican Republic Number of participants: From 20 to 40 persons (4 per country)</i>
Financing	<i>The Government of Chile will finance: ❖ Fees, travel, meals and lodging for the speakers. The MATAC-ILO project will cooperate in organizing the seminar. The cost of travel, meals and lodging for participants will be covered by their respective receiving countries.</i>
RECEIVING COUNTRIES:	
	Observations
Nicaragua	<i>Does not have financing for its participation. Number of participants: 2</i>
Dominican Republic	<i>Indicates that management measurement indicators should be defined and training should be provided for management of the system. Number of participants: 4</i>
Venezuela	<i>Number of participants: 2</i>
El Salvador	<i>Number of participants: 2</i>
Honduras	<i>Number of participants: 2 The Labor Department is currently in the process of designing performance indicators. This project would therefore contribute to the capacity for managing the individual performance of each official. The country is not in a position to cover the cost of its participation, but recommends that cooperation agencies in the region be approached for financing.</i>
Costa Rica	<i>Number of participants: 2</i>

OFFERING COUNTRY: DOMINICAN REPUBLIC

<i>Project</i>	PROJECT FOR THE ADMINISTRATIVE AND FUNCTIONAL REORGANIZATION OF MINISTRIES OF LABOR
<i>Need identified</i>	<i>Limited professionalization of civil servants and absence of a government career system.</i>
<i>Objective</i>	<i>To strengthen the institutional capacity of ministries of labor by modernizing their organizational and functional structure to enable them to effectively play their new roles within a globalized economy and a context of open markets.</i>
<i>Activity</i>	<p><i>Observing and applying the experience of the Ministry of Labor of the Dominican Republic in the process of organizational restructuring, professionalization, and administrative career systems.</i></p> <p><i>Proposed time frame: From December 1999 to December 2000</i> <i>Venue: In each receiving country</i> <i>Number of participants: n/a</i></p>
<i>Financing</i>	<p><i>The MATAC-ILO project will finance:</i></p> <ul style="list-style-type: none"> ❖ <i>Consultant fees</i> ❖ <i>Travel and per diem</i>
RECEIVING COUNTRIES:	
Observations	
<i>Nicaragua</i>	
<i>Costa Rica</i>	<i>Given the existence of a civil service status in the country, Costa Rica is interested in the point concerning the professionalization of civil servants (Staffing Manual).</i>

NOTE:

This process has been conducted in the Dominican Republic over the past 18 months with technical assistance from the MATAC-ILO project and ONAP (National Office of Personnel Administration). Thus far, the structure and functions of the Department of State for Labor have been reorganized and 149 officials have been inducted into the administrative career system.

OFFERING COUNTRY: DOMINICAN REPUBLIC

<i>Project</i>	PROJECT TO AUTOMATE LABOR UNION AND ASSOCIATION RECORDS AND RELATED SERVICES
<i>Need identified</i>	<i>Records of labor unions and associations are not up to date.</i>
<i>Objective</i>	<i>To design and develop software to automate labor union and association records and related services, providing the most effective possible means for updating data.</i>
<i>Activity</i>	<i>Proposed time frame: From December 1999 to May 2000 Venue: In each receiving country Number of participants: n/a</i>
<i>Financing</i>	<i>The MATAC-ILO project will finance:</i> <ul style="list-style-type: none"> ❖ <i>Software design and installation</i> ❖ <i>Consultant fees</i> ❖ <i>Travel and per diem</i> ❖ <i>Training for officials</i> <i>The receiving countries agree to finance presentation of the system to the social interlocutors.</i>
RECEIVING COUNTRIES:	
	Observations
<i>El Salvador</i>	
<i>Costa Rica</i>	
<i>Honduras</i>	

NOTE:

With the technical assistance and sponsorship of the MATAC-ILO project, this activity has been initiated by hiring a consultant who is redesigning and developing the necessary software. It should be completed by December 1999, to permit implementation in requesting countries during the first half of 2000.

OFFERING PROJECT: ILO / MATAC

<i>Project</i>	MODERNIZATION OF LABOR INTERMEDIATION SYSTEMS
<i>Need identified</i>	<i>Modernization of the Electronic Clearinghouse for Ministries of Labor</i>
<i>Objective</i>	<i>To obtain information on information systems and the operations of the Electronic Employment Clearinghouse. To obtain information on the management of employment fairs and their impact on the labor market.</i>
<i>Activity</i>	<i>Seminar-Workshop for employment managers Proposed time frame: First quarter 2000 Venue: Guatemala (to be determined) Number of participants: 1 per country and the Coordinator of the project Productive Employment in Chile.</i>
<i>Financing</i>	<i>The MATAC-ILO project will finance: ❖ Organization of the activity ❖ Travel and per diem for participants from countries in the MATAC-ILO project area.</i>
RECEIVING COUNTRIES:	
	Observations
<i>Panama</i>	
<i>Belize</i>	
<i>Costa Rica</i>	
<i>El Salvador</i>	
<i>Guatemala</i>	
<i>Honduras</i>	
<i>Nicaragua</i>	
<i>Dominican Republic</i>	

NOTE:

This need had already been identified at the meeting held in April and is being addressed with the technical assistance and sponsorship of the MATAC-ILO project, with the following results:

- 1. Approval of the model structure and functions for public employment systems.*
- 2. Design, development, and installation of software in three countries of the region for their evaluation. The software will be installed in the rest of the countries by December 15, 1999.*
- 3. Following the evaluation period and adjustments to the program, the seminar-workshop will be held in the form indicated earlier.*

Project	OCCUPATIONAL SAFETY AND HYGIENE
Need identified	<i>Lack of a system for promoting better working conditions in the countries of the region</i>
Objective	<i>To design a system for inspecting working conditions and the work environment in a number of economic sectors in the region with a view to improving the quality of life for the worker and increasing the productivity of local businesses.</i>
Activity	<i>Regional seminar-workshops Development of a regulatory and procedural framework Training for labor ministry officials in the region Development of a model for recording labor injuries and illnesses suitable for application in countries in the region</i>
Financing	<i>Subject to agreement by the ministers of labor of the region, this proposal would be submitted to the IDB-USAID-SIECA project, with its objectives and content adapted to the conceptual framework of the Regional Program for Modernization of the Labor Market. Projects and international agencies operating in the area would be approached for financial and technical support.</i>
RECEIVING COUNTRIES	
	<i>Observations</i>
	<i>It will be proposed to the ministers in this area that this initiative be designed and implemented from a regional perspective for the benefit of administrative authorities in all of the region's ministries of labor.</i>
<i>Nicaragua</i>	
<i>Costa Rica</i>	
<i>Venezuela</i>	
<i>Panama</i>	
<i>El Salvador</i>	
<i>Honduras</i>	

NOTE:

The development of this project was timed for presentation to financing sources in accordance with the commitment undertaken at the first meeting of Group II. It will be revised to reflect the comments and suggestions made at this second meeting of Group II

- II. To attach the document entitled **Proposals for Areas of Labor Policy** that could be addressed by **Technical Assistance Programs** as an annex to this declaration.
- III. To submit the decision to jointly design and develop the safety and hygiene project within the framework of the **IDB/SIECA/USAID** project to the **Ministers of Labor** for consideration.
- IV. To request that the **Chairman *Pro tempore*** make special mention in the general considerations of the aforementioned document **Proposals for Areas of Labor Policy that Could Be Addressed by Technical Assistance Programs**. That competition in the countries must be systematic, that is, it must simultaneously address diverse factors, including the labor market and labor issues.
- V. To approve the following preliminary agenda for the meeting in the Dominican Republic.

PRELIMINARY AGENDA

(Approved at the meeting of the Permanent Executive Committee of the Inter-American Council for Integral Development, October 29, 1999)

Meeting to follow up on the agreements of the XII Inter-American Conference of Labor Ministers within the framework of the Inter-American Council for Integral Development.

Dominican Republic, January 13-14, 2000

- 1. Decision on the site for the XII Inter-American Conference of Ministers of Labor.
- 2. Report of the Working Groups established by the XI Conference.
- 3. Progress in implementing the Viña del Mar Action Plan. Discussion by the ministers.
- 4. Discussion and approval of the document: "**Proposals for Areas of Labor Policy that Could Be Addressed by Technical Assistance Programs**", for possible financing by the Inter-American Development Bank, the International Labor Office, the Organization of American States, the World Bank, and other international institutions.
- 5. Summit of the Americas in Quebec, Canada, in May 2001.

Ministry of Labor and Social Security

**Second Technical Meeting
Working Group II "Modernization of the State and Labor Administration"
(O.A.S)**

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