

FROM TRADITIONAL METHODS TO INTERNATIONAL STANDARDS

AIM: To explain the process of transition from comparatively isolated subsistence societies based primarily on kinship, to a global marketplace and community. To discuss the development and implementation of key international standards related to work and society in this context.

SUBSISTENCE, FEUDAL AND CAPITALIST SOCIETIES

A market is where people buy and sell goods and services. In traditional or economically simple societies, extended families have lived close to others like themselves, with a shared language, religion and cultural beliefs. **Subsistence societies** are based primarily on the genetic and family relationships which groups of people have with each other, and also on the relationship they have with their land. Communities live either by hunting and gathering its produce, by herding animals across it, or by farming. Some trade also occurs. A group of families, for example, may specialize in making a certain kind of pottery and this will be taken to market, along with surplus food and other items to be traded with people from other areas who have things to sell or exchange. The activities of merchant groups who travelled global trading routes are a feature of the development of a great many cultures, including early capitalism.

In European **feudal societies**, before the beginning of early capitalist relations in the 16th century, groups of powerful and often warring families attempted to maintain continuing control over expanses of land and the inhabitants. People living on the land were called upon to serve in private armies or provide goods and services to their particular overlords. However, the trading and manufacture of cloth and other goods increasingly became an influence on the development of a new form of production, primarily based upon the availability of resources other than land.

In early **capitalist societies**, the owner of a simple factory employed people who gained their living not from working the land and reaping its produce, but from hiring themselves out to their employer. They were the early 'wage slaves'. As population increased and the number of people seeking to live off the land grew, many people found they were forced to migrate to trading centres, where there were also factories, in order to support themselves. This new set of social relations, based around being a person owning the means to produce goods on the one hand, or being able only to sell one's ability to work on the other, is the basis of modern capitalist societies. From the mid 18th century to the last part of the 19th century, Europe is commonly seen as engaged in an industrial revolution. The desire to gain wealth through the creation and sale of as many goods as possible for as low a price as possible, became the driving force of technological development and increasing social complexity, based on building and refining new divisions of labour to meet the requirements of ever increasing production and distribution.

TRADITIONAL AND MODERN SOCIETIES AND THEIR GENERAL HEALTH

Durkheim (1958-1917) argued in 'The Division of Labour in Society' that the tendency of society is to become more rational as this is the inevitable product of the increasing degree of productive interdependence in the world as the market and its culture spreads. The competitive producer always needs new and better technology, which depends upon the development of science and an evidence based approach to solving problems of production. In the precapitalist society, diversity in thought and values tends not to be tolerated as it is seen as threatening to the maintenance of the status quo. On the other hand, modern or capitalist society tends to become increasingly diverse and tolerant of diversity. This is seen as the inevitable product of an increasingly interdependent collective effort to produce a wider range of goods at prices which will be able to

satisfy an increasingly wide range of demands. However, the aggressively competitive process of seeking raw materials and transforming them in production has also led to the dispossession or destruction of peoples engaged in earlier modes of life, and to the destruction of much life on the planet. To many people this does not seem a rational approach to society and the environment.

Durkheim tended to focus on how groups or societies cohesively persist and deal with or adapt to forces which threaten or disrupt their stability over time. He saw most aspects of society as designed to assist and reproduce the functioning of the whole. Marx (1818-83), on the other hand, saw conflict, and not stability, as being at the heart of social organisation. For Marx, this conflict arose mainly as a result of the continuous struggle which was carried out between employers and workers under capitalism. The employing class ceaselessly sought to maximise the wealth which resulted from employing people to produce goods for trade, and the working class resisted the capitalist process of seeking to employ at the lowest possible pay and working conditions in order to make the most profit. Ideally, entrepreneurs seek constantly to expand their markets and reduce their costs, including the cost of labour. Technological development is integral to this process. The hallmark of modern society is the central role played by science and its practical, technological applications. However, raw materials may be sought and new markets may be served at the expense of populations or environments exploited in the process, and workers who are displaced may resist each new invention.

The traditional society is usually characterised by the centrality of uniform social units based on personal ties of kinship and neighbourliness. The status people have is defined by their family location. On the other hand, the market drives modern society, and so relationships are increasingly seen as contractual, undertaken for limited purposes and for personal gain. In modern societies a person's status is often more likely to be related to their successful performance or related merit in the eyes of peers or employers, rather than merely to their family ties. As the result of the continuing demand to produce more cheaply and for broader markets, modern societies are also characterised by an ever-increasing specialisation in production related roles and knowledge. Driven by the employer pursuit of profit, these work related roles also expand and endlessly evolve to meet broader and changing consumer demands, production requirements and all related circumstances. An increasing diversity in beliefs is also a key characteristic of modern societies. The legal system tends to be restrictive rather than coercive. It mainly tries to limit unacceptable actions and their social effects, instead of seeking to enforce conformity to a uniform set of social expectations, as may occur in many non-capitalist societies.

There is generally a positive relationship between high levels of wealth and good health in any society, whether one is discussing nations, social groups within them or individuals. In 1990 the World Health Organisation, the Harvard School of Public Health and the World Bank calculated the global burden of disease for eight demographic regions making up the world. They found that one death in every three was related to communicable, maternal and perinatal conditions and nutritional deficiencies. Virtually all these deaths occur in developing regions rather than in economically developed ones. In general, a longer life span has been positively though unevenly related to the gradual development of a global market through the increasing production of goods for trade or sale. However, in many cases this positive relationship between the production of wealth and the extension of human life has also occurred at the expense of people who have been dominated or left behind in the pursuit of markets. The development of global capitalism tends to promote human health but also to increase inequality. What will it do to biodiversity?

GOVERNMENT IN INTERNATIONAL CONTEXT

Max Weber (1864-1920) was a founding father of sociology who discussed social organization in comparative historical and cultural context in order to seek the answers to questions such as why capitalism first came into existence in Europe, and not in other parts of the world, such as China, India or Islamic countries. He was interested in the part religious values such as those of early Protestantism played in the development of capitalism. He was also interested in the development of government, and in other organization related to protection of the vested interests of specific groups of market players.

In modern societies, science and technology develop increasingly heterogeneous or diverse types of wealth creating production to meet an increasing variety of consumer demands. Interests develop around production, consumption and all related cultural roles. In order to pursue their economic, cultural and related political or personal goals people may organise around those particular interests that characterise the group or groups with which they most identify. For example, organization to pursue personal interests and related demands for a better deal in life may occur through expressions of:

- family wealth and relationships
- religious affiliation
- tribal, regional or ethnic identity
- social class identification (e.g. as employers, workers or voters)
- business or occupational identity
- political party affiliation
- gender/sexual identity
- other forms of self or social identity

Weber thought that the nature of modern government under capitalism increasingly reflects the power struggles of interest groups and underclasses who seek to achieve equality of treatment as the system increases its productive capacity. He traced the development of government from its roots in the early systems established by powerful feudal families to tax the people who worked on land which they controlled. He viewed the development of law and the establishment of a welfare state as intrinsically related to the expansion of capitalism and democracy.

Under capitalism, the nation state and national governments gradually developed to organise powerful and competing interests more effectively than was possible under feudalism, with its marital alliances based primarily on property interests and its constant wars over territory. In the Western world, during the 19th and 20th centuries, the right to influence the nature of government through voting for political candidates at regular intervals was extended in stages, as a result of political demand. Demand came first from major property holders and eventually the right to vote was extended to all men and women, with the most powerless usually included last or left out altogether. The right to vote for government is synonymous with the growth of western style democracy. From about 1870 it was accompanied by development of mass education, provided or subsidised by government out of taxation revenues. Education of the masses was increasingly

necessary to meet the growing skill requirements of an increasingly diverse range of employers and production. The working class also demanded it as a means of social empowerment and a way for individuals to get ahead.

At the end of the Second World War, the Cold War was a time when the world increasingly divided into hostile camps, with pro-capitalist countries aligned on one side of a global divide or 'Iron Curtain', and pro-Communist countries aligned on the other. Since the 1980s, there has developed an increasing global consensus that ownership rights and competition both appear necessary to provide effective incentives for continuing economic growth and development. There is also recognition that the wealth created by society ought to be redistributed to support its more vulnerable members through the guaranteed provision of health care, education and related social services which are managed to ensure the welfare of the total community and the individual. The need for sustainable development, to protect health and the natural environment, must now be the most vital social goal, as life may easily be destroyed in market driven pursuits.

POSTMODERN SOCIETY AND THE INTERNATIONAL MARKETPLACE

Capitalist production and trade are increasingly sophisticated and are now undertaken on a global scale. As a result of everyone's' growing awareness of the resulting social and material complexity, it is sometimes said that we are living in a 'post-modern' era where all certainty has evaporated and the notion that there is knowable truth, has become obsolete. According to Harvey (1990), postmodernism signifies nothing more than a logical extension of the power of the market over the whole range of cultural and technical ideas and production. Increasing mobility and mass communications lead to an intermingling of the world's products and cultures, dominated by the strongest in the market. An increasing belief in progress and science mark the transition from traditional feudal and religious society to modern society. The postmodern era is marked, for many, by a loss of faith in the concept of progress and in the power of science to define truth or resolve social problems. Ironically, therefore, the more knowledge we have as a society and the more we specialise as individuals, the more the world may also be perceived as relative, unknowable, or meaningless. This may increase anxiety levels for many people.

In a 'postmodern' era, as the market pervades all areas of life, the formerly cohesive qualities of religion, family life, and an earlier and more unified scientific tradition are seen as having been fundamentally fragmented and undermined. Knowledge is also increasingly fragmented and sought through a multiplicity of specialised technical languages and practices, which are developed primarily by occupational elites pursuing their own particular brand of identity, wealth and supporting status. In a market economy, statements are not judged primarily by whether they appear 'true', but by whether they are useful in assisting the sale of a product or service, or in meeting the requirements of occupational or related systems. Any ideal of a potentially scientific and democratic communication aimed at discovering the apparent truth, has for many been replaced by a feeling that the world is only 'spin' and its response. The form of product or message presentation and the emotional reaction to it by potential consumers are all that matters. Culture, history and government are also reduced to a marketing exercise related to the pursuit of sales or votes. Times, places, and cultures get mixed together and served up to the customers of videos, records, movies, restaurants, and wide a range of other products and services. Power to attract production and consumption overcomes any other meaning.

Freedom of information and freedom of choice are both necessary for effective operation of the market. Access to information and to choice depends primarily on wealth. Most of the people of the world have moved from comparatively simple societies where each tribe or social group was relatively cohesive and beliefs were strong and certain, towards an international, competitive

marketplace that is characterised by extreme diversity, complexity, and intellectual or spiritual uncertainty. However, in exploring the internationalisation of the economy and its effect on health and wellbeing we should always remember that the growth of the market and of health and democracy are positively related. As wealth, information and communication increase through more efficient production, so may the capacity of people to empathise with others who are outside their normal family or cultural group increase. On the other hand, the uncontrolled exploitation of the world's resources for sale to those who can afford the price, may lead not only to increasing global inequality, but also to the mass destruction of life on the planet. This is the context in which national and international standards to protect health and environment are developed and must now be implemented. We need sustainable development above all else.

INTERNATIONAL GOALS FOR WELLBEING AND ENVIRONMENT PROTECTION

The League of Nations was established in 1919 after World War 1, in a vain attempt to develop an international organisation to prevent future world wars. At that time the International Labour Organisation (ILO) was also established, with employer, worker and government representatives meeting to draft standards related to working conditions. The League failed, and after the Second World War, the United Nations (UN) was set up, with a Charter written by 50 governments. The UN soon had 179 members, which comprised almost every country in the world. The UN General Assembly proclaimed the Universal Declaration of Human Rights in 1948. The declaration was a 'Bill of Rights' which stated that all human beings are born equal in dignity and rights 'without distinction of any kind such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status'. The ILO, which had persisted in spite of the First World War, became a specialised agency in the United Nations.

The UN Bill of Rights was to be implemented by two legally enforceable covenants, the Covenant on Economic, Social and Cultural Rights and the Covenant on Civil and Political Rights. Both were adopted in 1976. The former deals with the right of all people to fair wages and equal remuneration for work of equal value; safe and healthy working conditions; equal opportunity; rest, leisure, and limitation of working hours, with periodic paid holidays as well as remuneration for public holidays. It also deals with the right to have social protection, adequate standards of living, and health, and specifies international rights to education and cultural freedom. The covenant on Civil and Political Rights deals with freedom of movement, equality before the law, freedom of thought, conscience and religion. It also addresses the right to freedom of opinion and expression, peaceful assembly, freedom of association and participation in public affairs, and the protection of minority rights. The ILO was made responsible for the development of conventions to support the former covenant. Countries which become signatories to UN and related conventions are expected to adopt them into national governance frameworks.

In 1992 the United Nations Rio Declaration on Environment and Development established the framework for activity by national governments for the coming century. It is based on recognition of the need for economic wellbeing to support healthy, educated societies. It is also, however, about the need for development which does not destroy the natural environment of future generations. The first principle of the Rio Declaration states that concern for human health should be at the centre of development. Signatories committed to co-operation to promote a supportive and open international economic system leading to economic growth and sustainable development in all countries. They agreed to address environment degradation with environmental measures based on international consensus. They agreed to support development of national laws regarding liability and compensation for the victims of pollution and other environmental damage, and to co-operate to develop further international law regarding liability and compensation for adverse effects of environmental damage. They agreed to discourage or

prevent the relocation and transfer to other states of any activities and substances that cause severe environmental degradation or are found to be harmful to human health. It was decided that polluters should, in principle, bear the cost of pollution, with due regard to the public interest and without distorting trade and investment. Environmental impact assessments are ideally now required for proposed activities that may have an adverse impact on the environment.

SUPPORT FOR FREE TRADE AND DECLINE OF NATIONAL BARRIERS

This new international approach to community health and environment protection as central goals of development has a different focus from previous government approaches to trade and industry protection. Earlier policies sought primarily to protect national industries from competition by foreign producers. In many countries, including Australia, legislation has historically created barriers to imports in order to protect local producers and workers' jobs from cheaper foreign competitors. In the long run, however, economists generally consider that all countries will be better off if they contribute to the global economy primarily in those areas in which they appear to have natural advantages in production. The emerging international commitment to reduction in the tariff or barrier protection which all nations provide to their economic producers is exemplified in the Uruguay Round agreement of the General Agreement on Trade and Tariffs (GATT) which was signed in 1994 by 120 governments. The first meetings of the GATT were established over fifty years ago. With recent technological advances in transport and communication, and with the collapse of some Communist regimes, the pace of change leading to internationalisation of the economy has quickened. As a result of the Uruguay Round agreement a new World Trade Organisation was set up in 1995. It was given wide dispute-settling powers and was directed by its members to consider issues related to the links between trade and the environment, and trade and labour markets.

Regional groupings of countries seeking to commit themselves to reciprocal freeing up of trade have also occurred. For example, continuing discussions on the development of European Union (EU) were overtaken by the signing of the North Atlantic Free Trade Agreement (NAFTA) by the US, Canada, and Mexico in 1994, although the EU embraced a single currency, the Euro. In 1994 Chile, Bolivia, Columbia, Equador, Peru and Venezuela signed the Mercosul customs union, and the Asia Pacific Economic Co-operation (APEC) agreement was signed in Bogor, Indonesia. Australia participated in the APEC Summit at which regional leaders committed themselves to creating an Asia-Pacific free trade zone by 2020. This plan brought together countries with over 2.2 billion people and annual gross output accounting for 41% of world trade. APEC signatories were Australia, Brunei, Canada, Chile, China, Hong Kong, Indonesia, Japan, South Korea, Malaysia, Mexico, New Zealand, Papua New Guinea, the Philippines, Singapore, Taiwan, Thailand, the United States, and Vietnam. These have highly differing political regimes.

The APEC investment code set out a range of non-binding principles for investment. This shows the growing international economic and political consensus about principles related to management and regulation of the market. Equal treatment, access to information, and the need for cost-effective dispute resolution have emerged as central principles in this New World Order. In general, the principles aim at free trade, equal opportunity and accountability, based on availability of information and recognition of the need to control risks to health, safety and the environment. The APEC investment code calls, among other things, for laws, regulations, administrative guidelines and policies for foreign investment to be publicly available in a prompt, transparent and readily accessible manner. With the exceptions set out in their domestic laws, regulations and policies, APEC countries agreed to treat foreign investors no less favourably than domestic investors. Participants agree not to relax health, safety and environmental regulations as

incentives to foreign investment. Disputes between APEC countries and foreign investors should be settled through consultations and negotiations, or failing this, through arbitration (not courts).

The development of production has occurred in historical stages. Primary production involves the exploitation of land and its product. Manufacturing is also called secondary production. Tertiary production occurs when services are produced. With the invention of computers the world is now entering a fourth stage of production where communication and information goods and services are increasingly the driving forces of future work and cultural communities. The Uruguay Round of GATT negotiations, which were commenced in 1986 and concluded in 1994, contained a General Agreement on Trade in Services (GATS). The final text of GATS seeks to apply to services the main GATT principles of liberalisation, transparency, and equal national treatment (i.e. equal treatment of domestic and foreign suppliers and non-discrimination between suppliers). A new international body, the Council for Trade in Services (CTS), has been established to oversee GATS. The agreement recognises the right of countries to regulate services and accepts the need for effective prudential regulation of finance. It calls for increased economic integration of nations through services trade. It would be terrible, however, to lose rather than to promote cultural diversity in this international development process, and both are possible. (The Americanisation of the Canadian film industry is often given as an example of the former. The development of an Indian TV soap opera industry, which apparently plays primarily for users of pirated, commercial TV satellite technology, may be an example of the latter.)

EXAMPLE OF A POTENTIAL AUSTRALIAN DEVELOPMENT DIRECTION

In the long term (when we are dead, according to the economist Keynes), all nations have an interest in working towards the implementation of common goals which promote health and environment protection. In their communities and at work, Australians need to consider how they can assist the development of a local, regional or international community, which also supports sustainable development, employment related protection and community-based rehabilitation in all environments, but particularly for the most vulnerable. Education and research institutions need to cooperate more effectively with government, business and communities to support the development of education, testing, inspection and related research and evaluation procedures. This is vital for national development of the evidence base necessary to identify and recognise good practice internationally, so as to encourage communities to enter trade and management structures, which enhance health and environment protection and also rehabilitate after injury.

In a global community, the increasing competitiveness of markets makes it vital to ensure that national and international goals to protect health and environment are implemented, rather than ignored. Between 1973 and 1983 East Asian members of APEC (excluding Japan) grew at an average annual rate of 7%, when the average for developed nations was 3%. In spite of more recent economic downturn, all APEC countries are likely, in the longer term, to raise national requirements related to protection of health and welfare, and to put more emphasis on protection of the natural environment, successfully or otherwise. The degree of success in raising protective levels in all these areas depends partly on adequate provision of those knowledge related products and services which are necessary for the promotion and implementation of environmentally healthy forms of production and practice. There are many potential markets for Australian health and education services and products which have already been developed to meet the comparatively high standards required in this country. More stringent requirements related to health and safety in the general region would also protect Australian products and services from being undercut by those which are cheaper because of a lesser level of quality of life provided to workers and the communities in their countries of origin.

Through commitment to increasing free trade and through promoting the requirements of relevant UN and related agreements, Australia ideally can assist the gradual development of an international management framework so that eventually all trade will be constrained primarily by requirements for adherence by trading partners to international standards which relate to protection and enhancement of the health of populations and environments. Future prosperity depends to a considerable extent on the ability to reverse past Australian practice, accepting the demise of tariff protection, but strongly promoting the development and effective administration of national minimum standards to protect the health, safety and welfare of workers, communities and the environment, especially for those most vulnerable. Effective enterprise, industry and community self-management depends upon access to reliable information. This is vital to improve productivity and related standards, and to promote international trade and quality of life.

There is good reason for Australia to support knowledge intensive industries rather than labour intensive ones, as the country cannot compete in the latter arena. Because Australia has a comparatively small but highly educated population, government support for industries which promote high standards for health, education, communication, environment protection and related products and services would provide incentives consistent with the nation's comparative trading advantage. Programs aimed at achieving improved health and environment outcomes should be a central aspect of the Australian regional development approach, which also coordinate with national health, communication, education and research policy. This has relevance for all related trade and aid. When Australian governments provide incentives to producers and exporters who exceed international minimum standards defined in relevant international agreements and conventions, this may promote trade, and also be of benefit to all countries in the region which seek eventually to ratify these key UN conventions and promote sustainable development. Greater attention should therefore be given internationally to audit, and to the achievement of transparent assessments of the extent to which all desired health, environment and productivity related outcomes have been obtained. Triple bottom line accounting requires organizations to report on the social and environmental impact of their activities, as well as the economic outlook.

Concern over health provides a window of opportunity by which a range of related welfare and environmental concerns may be addressed. Providing government grants on the basis of a commitment to promote Australian or other relevant international standards has the advantage that the taxpayers would be promoting the global extension of standards to protect community and worker health, welfare and environment protection. This is clearly in the community interest, whereas it is difficult to see how or why government might pick any particular private sector exporter to subsidise on other grounds. Picking winners is a risky business. Ideally, Australia should seek to become a 'cleverer country', producing socially useful and protective or rehabilitative) products and services. The development of consistent and reliable education, communication and data gathering systems is crucial for the related implementation of risk management systems, benchmarking and research. The subject Health Policy and Service Delivery provides more information on these health and environment issues.

CONCLUSION

Many societies have developed from a state of simple subsistence on tribal or village land, into being part of complex international capitalist production and trade networks which need increasingly to embrace sustainable development or they will destroy the biodiversity of the natural world. Within an international community travelling towards common acceptance of free trade principles, UN agreements and ILO Conventions provide a potential set of minimum 'duty of care' and related entitlements against which nations, industries, communities, organizations and individuals can judge their performance in order to improve its health and environment

outcomes. Because Australian legislative requirements for protection of health, rehabilitation and the environment are already high, it is in the national interest and also in the interests of trading partners, if the principles contained in relevant UN agreements and ILO Conventions, are progressively adopted and implemented. This process would also provide significant opportunities for employers, workers and related professional organizations to increase their productivity and improve standards by providing effective consultation, information, education, audit, and dispute resolution services at the workplace and beyond. The related research context is discussed in another place.

FURTHER READING

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KEY INTERNATIONAL LABOUR ORGANIZATION CONVENTIONS

Australia has already signed many Conventions dealing with the rights and duties of employers and workers. However, the extent to which such Conventions are adhered to in this country, or by other signatories, is debatable. The following few Conventions provide a framework for the promotion of health and welfare at work and in the community. Australian governments adopt conventions into law on the expectation that resources to implement them will be provided for all. However, whether backing from the law exists or not, any group or organisation may adopt such principles and implement them to the extent that the surrounding environment allows.

ILO Convention 131 (1972) Concerning Minimum Wage Fixing with Special Reference to Developing Countries states that all workers on a project should have support to ensure their wage entitlements are received. The principle contractor is required to ensure provision of information in appropriate languages, inspection, penalties and simplified legal procedures so that workers can recover amounts of money they have been underpaid. Liaison is sanctioned with appropriate associations of employers and workers in the host country, to ensure continuing efforts to protect workers in that country against further victimisation.

ILO Convention 87 (1950) Concerning Association and Protection of the Right to Organise provides that workers and employers shall have the right to establish and join organisations of

their own choosing. The Convention also states that employers and workers must be free to elect their representatives, organise their administration and activities, and formulate their programs without interference as long as they respect the laws of the land, which in turn should not violate the spirit of the Convention.

ILO Convention 98 (1951) Concerning the Application of the Principles of the Right to Organise and to Bargain Collectively states that workers shall enjoy adequate protection against anti-union discrimination in respect of their employment. They should not be forbidden to join trade unions, or forced to relinquish union membership. Acts which are designed to promote the establishment of workers' organisations under the domination of employers or their organisations are also forbidden.

Convention 111 (1960) Concerning Discrimination in Respect of Employment and Occupation forbids any distinction, exclusion or preference made on the basis of race, colour, sex, religion, political opinion, national extraction or social origin, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation.

Convention 100 (1953) Concerning Equal Remuneration for Men and Women Workers for Work of Equal Value states that each member shall, by means of an appropriate method, promote the application to all workers of the principle of equal remuneration for men and women workers for work of equal value. The principle may be applied by means of national laws or regulations, legally established machinery for wage determination, collective agreements between employers and workers, or a combination of these various means. The Convention includes a recommendation for the use of objective appraisal of jobs in the basis of the work performed, where such action will assist in giving effect to the provisions of the Convention.

Convention 156 (1981) Concerning Equal Opportunities and Equal Treatment for Men and Women Workers with Family Responsibilities commits a country to promoting education, encouraging the sharing of domestic responsibility, and developing services to enable workers with family responsibilities to access their right to vocational training and free choice of employment. Ratifying countries commit themselves to working towards the provision of parental leave, laws preventing direct or indirect discrimination on the basis of marital status and family responsibility, and a range of social security measures such as child care and home care for family members who are sick or disabled. Though the provision of some services addressed in the Convention are primarily a government responsibility, the availability of flexible employment opportunities and of opportunities for parental leave are particularly relevant for all employees whether they work in the private sector or government.

Convention 155 (1981) Concerning Occupational Safety and Health in the Working Environment requires signatories to consult with representative organisations of employers and workers and to formulate, implement and periodically review a coherent national policy on occupational safety, occupational health and the working environment. The aim of the policy is to prevent accidents and injury to health arising out of, linking with, or occurring in the course of work, by minimising, so far as is reasonably practicable, the causes of hazards inherent in the working environment. The Convention provides the employer with a duty to protect members of the public as well as workers from work related hazards. A duty of care is also required of manufacturers of products and providers of services. Workers must co-operate and work safely. The Convention addresses a wide sphere of activities to which such a national OHS policy should apply, and requires the establishment of appropriate laws, inspection systems and penalties for violation of laws and regulations.

Convention 135 (1973) Concerning Protection and Facilities to be Afforded to Workers Representatives in the Undertaking states that workers' representatives in an undertaking shall enjoy effective protection against any act prejudicial to them, including dismissal, based on their status or activities as a workers' representative or as a result of their union membership or participation in union activities, as long as they act in conformity with existing laws or collective agreements or other jointly agreed arrangements. The facilities which are necessary to enable them to carry out their functions promptly and efficiently are also guaranteed to workers' representatives by the Convention, with the proviso that the granting of such facilities should not impair the efficient operation of the undertaking concerned.

ILO Convention 161 (1985) Concerning Occupational Health Services has an essentially preventive function and deals with the requirements for establishing and maintaining a safe and healthy working environment so as to facilitate optimal physical and mental health. It also discusses the adaptation of work to the capabilities of workers in the light of their state of physical and mental health. Each member state is required to formulate, implement and periodically review a coherent national policy on occupational health services which relates to the identification, assessment and control of the risks from health hazards in the workplace.

ILO Convention 121 Concerning Benefits in the Case of Employment Injury (1967) guarantees compensation when a worker is killed, or when their injury renders them unable to provide for themselves and their dependants. Periodic benefits must be paid to the injured worker which must be at least 60% of the previous earnings of the beneficiary. Benefits to dependants of a person who has been killed are required. The convention provides for the conversion of periodic benefits to lump sums in exceptional circumstances, with the agreement of the injured person. There is no requirement in the convention for access to common law awards for negligence. In cases of dispute, an appeals process involving representatives of the parties is sufficient for compliance. When administration of benefits to injured workers is not undertaken by government or under government regulation, the people protected must be involved in the management of the services.

The convention allows for countries to become signatories without reserve, or, if they have insufficient medical or economic facilities to do so, they can sign it because of their ability to conform in a limited way, on the assumption that full compliance will be made when circumstances permit. In a worst case scenario, a country could sign if it had not less than 75% of all employees in industrial undertakings provided with workers compensation or social security benefits as a result of injury at work. Article 26 of the convention states that signatories must undertake accident prevention, rehabilitation, re-employment and statistics gathering measures. A recommendation extends the coverage of the convention, by stages, to self-employed people, people in training, and to those in volunteer organisations, such as fire fighters. It seeks special compensation schemes for seafarers and public servants. The list of occupational diseases is provided which justify automatic cover.

ILO Convention 168 (1983) Concerning Vocational Rehabilitation and Employment (Disabled Persons) defines a disabled person as an individual whose prospects of securing, retaining and advancing in suitable employment are substantially reduced as a result of a duly recognised physical or mental impairment. The aim is for countries to provide effective measures for the realisation of the goals of full participation of disabled people in social life and employment and for integration into the community in rural and urban areas. Many rehabilitation related measures are discussed, such as the creation of job opportunities, including financial incentives to employers to take on disabled people, or to make adaptations to the workplace. Government support for vocational training, vocational guidance, and sheltered employment and

placement services for disabled people run by non-government organisations are addressed. The necessity for elimination of physical, communication and architectural barriers and obstacles affecting transport, access and free movement in premises for the training and employment of the disabled are also discussed.

ILO Convention 158 (1982) Concerning Termination of Employment at the Initiative of the Employer states that a person should not be terminated from employment on the grounds of their age, or absence from work due to compulsory military service or other civic obligations, in accordance with national law and practice. Termination as a result of temporary absence from work due to illness or injury is also prohibited. A worker who considers their employment has been unjustifiably terminated is entitled to appeal against the action to an impartial body, such as a court, labour tribunal, arbitration committee, or arbitrator. Severance pay is to be provided in line with national laws. When the employer contemplates terminations for reasons of an economic, technological, structural, or similar nature, the representatives of employees must be provided, in good time, with relevant information, including the reasons for the terminations contemplated, the number and categories of workers likely to be affected, and the period over which terminations are intended to be carried out.

Convention 177 Concerning Home Work (1997) calls on member nations to seek to promote equality of treatment between homeworkers and other wage earners in such areas as the right to organise, protection against discrimination, remuneration, OHS, social security and maternity protection and training. Women account for the great majority of homeworkers and that child labour is often associated with homework. Member nations are urged to set priorities so as to immediately put an end to the worst aspects of child labour, such as bondage and child slavery, hazardous work, the commercial sexual exploitation of children, and the exploitation of young children.

ILO Convention 167 (1988) Concerning Safety and Health in Construction has a wide scope, including building, civil engineering and a great variety of tunnelling, erection and dismantling work, and covers any operation on a construction site, from the preparation of the site to the completion of the project. Whenever two or more employers undertake activities simultaneously at one construction site the designated principal contractor must be the person responsible for co-ordinating all safety and health measures and ensuring compliance with them. Workers have the right to be informed of potential safety and health hazards and must be trained in protective measures. They are guaranteed the right to remove themselves from danger when there is good reason to believe that it is imminent or serious. They also have the duty to inform the supervisor immediately, who must take immediate steps to stop the operation. The Convention outlines duty of care requirements related to a range of specific working conditions. It also indicates that workers must be provided with reasonable access to an adequate supply of wholesome drinking water, and sanitary and washing facilities. They must also have facilities for changing, and for the storage and drying of clothing, and accommodation for taking meals and shelter during interruption of work due to adverse weather conditions.

ILO Convention 170 (1990) on Chemicals and the ILO Recommendation 177 (1990) on Chemicals states that employers should be provided by their suppliers with information about the chemicals used at work to enable them to implement effective programs to protect workers from chemical hazards. Workers must also be provide with information and training about the chemicals at their workplaces and must be informed about appropriate preventive measures which must be undertaken to ensure that they are safely used. The code contains requirements on chemical classification systems; labelling of chemicals; chemical safety data sheets which provide information about hazardous substances; risk control measures related to design and

installation of plant; work systems and practices; personal protection; and maintenance of engineering control systems. The monitoring of the effectiveness of hazard control is also required along with medical and health surveillance of groups of workers who may face high risks. The code also discusses emergency procedures and first aid; and the investigation and reporting of incidents and occupational diseases related to chemical usage.

