

# **ADVANTAGES OF BEING IN A UNION**

## **1. Protection at work**

To be safe in your workplace is your right. Just be assured that you are safe in your workplace from any dangerous equipment, any type of harassment etc.

## **2. Holidays**

According to ILO's convention of Article 3 there are many provisions of holidays which are that Every person to whom this Convention applies shall be entitled to an annual paid holiday of a specified minimum length and each Member which ratifies this Convention shall specify the length of the holiday in a declaration appended to its ratification and The holiday shall in no case be less than three working weeks for one year of service. Therefore, Nepal's government is responsible of making sure that every employee will get a paid holidays of minimum three weeks (21 days) once in a service year.

## **3. Time off Work**

Some of the current challenges in working time are the same as those motivating the adoption of the ILO's first Convention, the Hours of Work (Industry) Convention, 1919 (No. 1): excessive hours of work and inadequate periods of rest and recuperation, which can damage workers' health and increase the risk of work accidents. In many parts of the world, there is a significant link between low wages and excessive working time. Long working hours prevents workers from getting adequate rest, attending to family responsibilities and participating in the community.

ILO standards on working time provide the framework for regulating hours of work, daily and weekly rest periods, and annual holidays. Most countries have statutory limits of weekly working hours of 48 hours or less, and the hours actually worked per week in most countries are less than the 48-hour standard established in ILO conventions. These limits serve to promote higher productivity while safeguarding workers' physical and mental health.

Working time policies enabling both men and women to reconcile work and family responsibilities contribute significantly to achieving gender equality at work. New forms of working time such as compressed workweeks, staggered working time arrangements, annualized working hours, flexi-time and on-call work, offer new opportunities and challenges.

## 4. Fairness at Work

All workers get the same right. It doesn't matter whether they are full time, part-time, permanent, in contract, inhouse or an agency.

No society is free from discrimination. Indeed, discrimination in employment and occupation is a universal and permanently evolving phenomenon. Millions of women and men around the world are denied access to jobs and training, receive low wages, or are restricted to certain occupations simply on the basis of their sex, skin colour, ethnicity or beliefs, without regard to their capabilities and skills. In a number of developed countries, for example, women workers still earn up to 25% less than male colleagues performing equal work. Freedom from discrimination is a fundamental human right and is essential for workers to choose their employment freely, to develop their potential to the full and to reap economic rewards on the basis of merit. Bringing equality to the workplace has significant economic benefits, too. Employers who practice equality have access to a larger and more diverse workforce. Workers who enjoy equality have greater access to training, often receive higher wages, and improve the overall quality of the workforce. The profits of a globalized economy are more fairly distributed in a society with equality, leading to greater social stability and broader public support for further economic development. standards on equality provide tools to eliminate discrimination in all aspects of the workplace and in society as a whole. They also provide the basis upon which gender mainstreaming strategies can be applied in the field of labour.

### Selected relevant ILO instruments:

- **Equal Remuneration Convention, 1951 (No. 100)** - [ratifications]

This fundamental convention requires ratifying countries to ensure the application to all workers of the principle of equal remuneration for men and women for work of equal value. The term "remuneration" is broadly defined to include the ordinary, basic or minimum wage or salary and any additional emoluments payable directly or indirectly, whether in cash or in kind, by the employer to the worker and arising out of the worker's employment.

- **Discrimination (Employment and Occupation) Convention, 1958 (No. 111)** - [ratifications]

This fundamental convention defines discrimination as 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. It requires ratifying states to declare and pursue a national policy designed to promote, by methods appropriate to national conditions and practice, equality of opportunity and treatment in respect of employment and occupation, with a view to eliminating any discrimination in these fields. This includes discrimination in relation to access to vocational training, access to employment and to particular occupations, and terms and conditions of employment.

- **Workers with Family Responsibilities Convention, 1981 (No. 156)** - [ratifications]

With the aim of creating effective equality of opportunity and treatment for men and

women workers, the convention requires ratifying states to make it a goal of national policy to enable persons with family responsibilities who are engaged or wish to engage in employment to exercise their right to do so without being subject to discrimination and, to the extent possible, without conflict between their employment and family responsibilities. The convention also requires governments to take account of the needs of workers with family responsibilities in community planning and to develop or promote community services, public or private, such as childcare and family services and facilities.

## 5. Sickness Rights

Employees must have right to take paid sick leave at the time of ill conditions.

Paid sick leave plays a crucial role especially in times of crises where many workers fear dismissal and discrimination when reporting sick. A new ILO study shows that paid sick leave is not only affordable but pays off in terms of health and economic gains for employers, workers and the economy at large. ILO Online spoke with Xenia Scheil-Adlung, co-author of the study and ILO Health Policy Coordinator.

### **What is the Current Situation at Global Level?**

**Xenia Scheil-Adlung:** At the global level, as many as 145 countries provide for paid sick leave. Usually, provisions include both time for leave and wage replacement during sickness. However, the benefit schedules for paid sick leave differ widely among countries. Globally, the replacement rates – that is the ratio of the total resources received when out of work to those received when in employment – vary between lump sums and up to 100 per cent of wages. The majority – more than 50 per cent of countries – provide for replacement rates that vary between 50 and 75 per cent of the wage received before. The period of paid sick leave spans from more than one month (and up to two years) to less than 7 days.

### **Why it is important to have paid sick leave provisions at the time of crisis?**

**Xenia Scheil-Adlung:** Paid sick leave plays a crucial role especially in times of crises where many workers fear dismissal and discrimination when reporting sick. In fact, the absence of paid sick days forces ill workers to decide between caring for their health or losing jobs and income, choosing between deteriorating health and risking to impoverish themselves and often their families. Without social health protection that includes paid sick leave many people working in the formal or informal economy and living in developed or developing countries cannot afford to choose.

### **Is paid sick leave affordable for poor countries?**

**Xenia Scheil-Adlung:** Paid sick leave is affordable. The ILO estimates that a set of minimum guarantees for essential social benefits in kind and in cash is affordable for all countries, although it is likely to require support from external sources in the poorest settings. In low income countries the costs of providing universal basic income support in

the form of pensions for disability and old age would range between 0.6 and 1.5 per cent of the GDP in countries such as Kenya, Senegal and Tanzania. Cash sickness benefits could constitute a small part thereof. Past and recent history of social protection schemes in developed countries have shown that inclusive growth is a key factor for sustainability both in terms of economic development and social peace.

## **6. Equal Pay**

Men and women must be paid the same amount for their equal job. ILO convention no. 100 defines equal remuneration for work of equal value as remuneration established without discrimination of sex. This principle may be applied by means of national laws or regulations, legal machinery for wage determination, collective agreements or a combination of these various means. One of the means specified for assisting in giving effect to the Convention is the objective appraisal of jobs on the basis of the work performed.

The Convention provides that governments shall cooperate with employers' and workers' organizations for the purpose of giving effect to its provisions.

## **7. Maternity Rights**

Maternity right is the right of every women employees of all the countries. According to ILO Maternity Protection Convention (Revised), 1952, Article 4 mentions following clauses,

1. On production of a medical certificate or other appropriate certification, as determined by national law and practice, stating the presumed date of childbirth, a woman to whom this Convention applies shall be entitled to a period of maternity leave of not less than 14 weeks.
2. The length of the period of leave referred to above shall be specified by each Member in a declaration accompanying its ratification of this Convention.
3. Each Member may subsequently deposit with the Director-General of the International Labour Office a further declaration extending the period of maternity leave.
4. With due regard to the protection of the health of the mother and that of the child, maternity leave shall include a period of six weeks' compulsory leave after childbirth, unless otherwise agreed at the national level by the government and the representative organizations of employers and workers.
5. The prenatal portion of maternity leave shall be extended by any period elapsing between the presumed date of childbirth and the actual date of childbirth, without reduction in any compulsory portion of postnatal leave.

## 8. Parental Leave

New parents (father of infant) should be entitled to time of their work to look after their family and children. Article 4 of ILO Maternity Protection Convention (Revised), 1952 states about both maternal and paternal leave rights.

## 9. Discrimination

Protection from you being discriminated against from your age, race, gender, sexual orientation, color or if you are disabled .

According to ILO's Discrimination (Employment and Occupation) Convention, 1958 (No. 111) mention following clauses on Article 1,

(a) any distinction, exclusion or preference made on the basis of race, color, 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;

(b) such other distinction, exclusion or preference which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation as may be determined by the Member concerned after consultation with representative employers' and workers' organizations, where such exist, and with other appropriate bodies.

Any distinction, exclusion or preference in respect of a particular job based on the inherent requirements thereof shall not be deemed to be discrimination.

For the purpose of this Convention the terms *employment* and *occupation* include access to vocational training, access to employment and to particular occupations, and terms and conditions of employment.

## 10. Healthcare

ILO's Occupational Health Services Convention, 1985 (No. 161), article 5 mentions the following clauses on health and safety,

Without prejudice to the responsibility of each employer for the health and safety of the workers in his employment, and with due regard to the necessity for the workers to participate in matters of occupational health and safety, occupational health services shall have such of the following functions as are adequate and appropriate to the occupational risks of the undertaking:

- (a) identification and assessment of the risks from health hazards in the workplace;
- (b) surveillance of the factors in the working environment and working practices which may affect workers' health, including sanitary installations, canteens and housing where these facilities are provided by the employer;
- (c) advice on planning and organisation of work, including the design of workplaces, on the choice, maintenance and condition of machinery and other equipment and on substances used in work;
- (d) participation in the development of programmes for the improvement of working practices as well as testing and evaluation of health aspects of new equipment;
- (e) advice on occupational health, safety and hygiene and on ergonomics and individual and collective protective equipment;
- (f) surveillance of workers' health in relation to work;
- (g) promoting the adaptation of work to the worker;
- (h) contribution to measures of vocational rehabilitation;
- (i) collaboration in providing information, training and education in the fields of occupational health and hygiene and ergonomics;
- (j) organising of first aid and emergency treatment;
- (k) participation in analysis of occupational accidents and occupational diseases.