



IndustriALL Global Union's Guidelines for Global Framework Agreements (GFAs)

Background

IndustriALL Global Union's Action Plan which was adopted by the Founding Congress in June 2012 in Copenhagen, Denmark identified the following general political strategies related to global framework agreements (GFAs):

- Develop cross-border recruitment and organizing campaigns by using union networks in MNCs and Global Framework Agreements (GFAs)
- Pursue agreements with MNCs to establish mechanisms of regular social dialogue at global and/or regional level to enable constructive industrial relations leading to global level negotiations
- Build up the necessary organizational procedures to enable the conclusion of agreements beyond GFAs with MNCs
- Use all available tools including GFAs and the OECD Guidelines

In addition, IndustriALL Global Union's Conference on GFAs which was held on 17-18 October 2012 in Frankfurt, Germany engaged in a thorough discussion on affiliates' experiences with GFAs and trade union networks, and made recommendations to the Executive Committee; making reference to the principles approved in the past by the three founding organizations.

On this basis, the Executive Committee has decided to set up a Standing Working Group to review proposed and current GFAs provide an annual report to the Executive Committee on the status of GFAs signed by IndustriALL, including a summary of successes, challenges and other developments, and to provide the Secretariat and Executive with comments and recommendations regarding proposed GFAs.

Principal Content of the GFAs

A Global Framework Agreement must explicitly include references and recognition of the rights reflected by the ILO in its Conventions and jurisprudence, as well as the rights included in the 1998 ILO Declaration on Fundamental Principles and Rights at Work. These Conventions include:

- Freedom of Association and Collective Bargaining (Conventions 87 and 98);
- Discrimination (Conventions 100 and 111);
- Forced Labour (Conventions 29 and 105);
- Child Labour (Conventions 138 and 182);

The Core Labor Standards and relevant jurisprudence of the ILO must take precedence over national laws in case the latter are less favorable than the respective ILO Conventions.

It is important for IndustriALL Global Union to seek formal recognition of fundamental international labour and human rights standards, such as the Universal Declaration of Human Rights, the revised OECD Guidelines for Multinational Enterprises, the ILO Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy, UN Guiding Principles on Business and Human Rights, and the UN Global Compact.

The GFAs must :

- cover all company operations throughout the world without exception;
- include a strong and unequivocal commitment by the multinational company concerned that suppliers and sub-contractors adopt these standards for their workers;
- guarantee a commitment from the company to treat unions positively, and refrain from all anti-union activities and to remain strictly neutral concerning employee preference to join, remain with, transfer, or abandon their relationship with a union organization
- union representatives should have a reasonable access to the workplace.
- contain an effective mechanism for implementation, enforcement and a procedure for binding dispute resolution

The multinational company concerned must ensure that the GFA is disseminated in the appropriate local languages to workers, managers, suppliers and sub-contractors, and that education and training about its contents and implementation is organized for all these groups.

Global framework agreements shall contain agreed mechanisms for implementation including establishment of global joint company - union structures.

The implementation of GFAs will be monitored by the affiliated organizations in close coordination and communication with the General Secretary.

In case of complaint or violation of the provisions of a global framework agreement, along with agreed mechanisms, IndustriALL Global Union's Charter of Solidarity in Confronting Corporate Violations of Fundamental Rights shall be applied.

Procedure

The President and the General Secretary are the duly authorized representatives to initiate, negotiate, conclude and sign Global Framework Agreements in close communication with unions having membership, particularly with the union(s) organizing and representing workers in the country where the MNC concerned is headquartered, at any of the operations/facilities of the multinational company concerned and in close liaison with Sector Co-chairs, Executive Committee members and the Working Group.

The General Secretary shall inform relevant affiliates and the working group about the initiation of planned negotiations with a MNC at the earliest possible time following a preliminary union mapping exercise and prior to any substantive discussion taking place with the MNC. The very first information shall include a draft text of a GFA, seeking comments from the affiliated organizations and working group. After a compilation of comments from affiliates and the working group, the General Secretary will send an official draft to the management of the MNC concerned.

In negotiating GFAs, the General Secretary will conduct a democratic, inclusive and transparent process, with timely information and consultation of affiliates with membership in the MNC and the working group. The General Secretary will inform affiliates and the working group concerned about the progress of negotiations, inviting them to communicate their views and proposals.

The General Secretary will wage her/his best efforts to seek joint negotiations with other global unions if necessary, and to inform European Works Councils (EWCs) and/or trade union networks if they exist.

Before signing a global framework agreement, the General Secretary will send the final text to affiliates concerned for information and approval. The General Secretary will also consult with the working group. The Executive Committee members will also be informed in a timely manner.

The President and/or the General Secretary shall sign a global framework agreement when a majority of the affiliated trade unions which represent the majority of the unionized workers at the operations of the multinational company concerned, on behalf of IndustriALL Global Union, expresses its agreements.

Once a GFA is signed, it will be translated into the languages agreed between the signatories, published on the web site of IndustriALL Global Union and disseminated to the affiliated organizations concerned.