

Social Security Platform for the Americas

*Let's Defend the Right to Universal
and Solidarity Social Security*



CONFEDERACIÓN SINDICAL DE
TRABAJADORES/AS DE LAS AMÉRICAS



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SOCIAL SECURITY PLATFORM FOR THE AMERICAS

Introduction

The trade union movement of the Americas, represented in the Trade Union Confederation of the Americas (TUCA) and in member and fraternal Centrals/Confederations, has concluded the process of construction, debate and collective consensus of the Continental Trade Union Platform on Social Security, which was approved by the TUCA Executive Council in April 2010.

The TUCA submits this Trade Union Platform to the consideration of organized and non-organized workers of the Americas and organized civil society. It is the result of a democratic process of reflection, debate and consultation between different perspectives of the labor movement and experts seeking to contribute to drafting a proposal for universal, solidarity and public access to Social Security as a fundamental Human Right.

We look forward to the Continental Trade Union Platform on Social Security becoming an instrument of political-strategic work and a guide for trade union actions on the issue.

The document is made up of the following structure and content:

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CONFEDERACIÓN SINDICAL INTERNACIONAL



The TUCA and its Secretariat express their gratitude to the Workers' Representation Team of the *Banco de Previsión Social* of Uruguay and ILO– ACTRAV-International Training Center in Turin, for their resolute collaboration to the realization of this effort.

We also express our gratitude for the *solidarity and cooperation of ISCOD–UGT–AECID* through the Agreement on Strengthening workers' organizations by fostering trade union training and facilitating their intervention in the labor market and in co-development processes, which has financed the debates on the construction of the PLACOSS and shared the experience of Spain on the subject.

Sao Paulo, May 2010

Víctor Báez Mosqueira
Secretary General



POINT OF DEPARTURE

The TUCA Program of Action and Social Security

The Program of Action of the Trade Union Confederation of the Americas (TUCA) adopted at the Foundational Congress in March 2008 in Panama declares in its epigraph entitled “Trade unionism in the promotion of sustainable development for the Americas” the commitment of the TUCA to develop policies with very clear pathways and objectives in order to build a sustainable development model (...) with utmost respect for freedom of association and organization for unionism to become an actor with actual power within the process.

In Point 13 it continues stating: “The successful execution of the (sustainable development) models should redound, among other, in:

.../...

- The creation of decent work for all without exclusions.
- Distribution of income and of wealth and consequently a reduction in the growing social inequalities present in each country and between countries.
- The elimination of unemployment, underemployment, informality and precariousness.
- Substantial reduction in poverty and elimination of abject poverty.
- Free and universal access to public services which, in actual fact, are human rights such as education, health and water/sanitation.
- Social security for all through a **basic public pillar** financed with taxes to generate a universal pension (without prejudice to the necessary contributory public pillar of tripartite financing detailed below).

.../...”

In relation to Social Security, the subparagraph on Socio-labor policies states:

“The TUCA takes on the commitment to fight for social security for all workers, whether salary earners or not. At present in the Americas we confront an extremely serious situation, i.e. the exclusion of tens of millions of workers from the health and social security system. Much of this situation stems from the neo-liberal policies implemented in the Continent which reduced the role of the State in several public policies, opening the doors to privatizations”. (Point 46)

“It is urgent to strengthen social security systems, retrieving the principles of universality and solidarity, in particular for children and the older adults, progressing towards their comprehensiveness and sustainable financing with social justice, eradicating models of social security based on private profit. Hence a multi-pronged strategy is required, based on the establishment of a universal pension for all workers provided by the State and financed with taxes, as well as the preservation and reform of the distribution systems in order to strengthen it”. (Point 47)

This Social Security Platform of the Americas helps develop the above in view of the urgent challenge of expanding social security in the Continent.



Status of Social Security in the Americas

Social Security is a fundamental Human Right and only taking on our rights as such will we feel the full force and determination required to lay claim to them and demand their compliance. More than 60 years after the Declaration of Human Rights, the Americas suffer serious deficiencies in respect of income distribution, generation of decent employment, freedom of association, gender equity, etc.

At present the structural economic and socio-labor outlook in most of the countries of the Americas is characterized by:

- economic growth with low levels of productivity and technology, endemic backwardness of the agricultural sector and extremely inequitable income distribution (with the lowest indicators at the global level).
- very high rates of labor informality, both among dependent workers and among self-employed workers, in conjunction with extensive processes of unemployment, underemployment, outsourcing and poverty. Vulnerability is particularly high among women, youth, migrants and rural workers.
- institutional weakness and failing public policies for Social Protection and Health and Safety at Work.
- limitations, and even elimination, of the exercise of freedom of association, including persecution and even murder of union leaders (in Guatemala and Colombia); insufficient development of collective bargaining and scarce utilization of the tripartite model and social dialogue as instruments for social legitimization.

In particular: in view of the crisis and the failure of the privatization of Social Security

The recent crisis affects Social Security regardless of its modality, bringing in a new set of negative phenomena: less collection due to less membership, more arrears, more abuse by employers and lower pensions.

The crisis has definitely made evident the important flaws of the individual capitalization schemes operated by private pension funds which have expanded in Latin America and the Caribbean in the past twenty years as part of the neo-liberal reforms and affecting pensions, health and occupational hazards. Such schemes contain an interior conflict between the principle of profitability which they pursue, based on high commissions and risky placements in the stock market, and the promise of coverage in face of social contingencies; indeed they have not succeeded in establishing sufficient mechanisms to guarantee the security of welfare funds.

As a result, the privatizing structural reforms implemented in several of our countries have not managed to increase the coverage or quality of benefits; quite the opposite, they have increased social exclusion and what is worse, in the current financial crisis, we workers have lost our contributions which were deposited in the “pension saving funds” which supposedly were going to solve our problems at the time of our retirement.

The uncertainty of these systems fosters the violation of labor rights (both in the formal and informal sectors), the deterioration of socio-labor indicators, which must make us reflect on new solutions to make the indispensable increase in coverage a reality.



The crisis in the industrialized countries leads to additional problems for Social Protection in Latin America and the Caribbean by generating a flow of return migration, which will put pressure on the need for such policies in the countries of origin. Likewise, the reduction of remittances from migrant workers due to their decreased capacity to generate resources in the country of destination and who are usually most affected by the crisis due to their precarious labor insertion.

In Latin America and the Caribbean, the crisis has resulted in a process of national reactions in Social Protection and Security, focused on the retrieval and expansion of the role of the State in public policies. Such is the case of Argentina and Chile: On October 21, 2008, the President of Argentina announced the termination of the private pension fund system. In 2008 Chile implemented a Reform of the Privatizing Reform which, albeit does not attack the causes of the issue, does attempt to find solutions for the protection of vast sectors of the population to which the privatizing model provides no answers. These events show that Social Security should always be considered a State policy.

Most of the countries with private funds are now experiencing public debate and the design of new proposals, such as Uruguay, Bolivia and Peru.

The role of the State is fundamental in this entire scenario as the State is the only body that can formulate a national general plan for the development of Social Security prioritizing collectives and benefits, progressively expanding its coverage. We all assume that it will not be possible to solve the deficiencies overnight, and that much work, determination and political will are required to reach this goal. It is essential that we identify the first steps that need to be taken in the right direction, with clear rules and with ILO Conventions as points of reference, in particular Convention 102 on the Minimum Standards of Social Security. The ratification of Convention 102 in the Americas must shift from union demand to inclusion on the political agenda, as happened in Brazil and Uruguay in 2009.

“TRADE UNION STEPS” TOWARDS THE PLATFORM

Main role of trade unionism at the 89th Conference of the International Labour Organization (ILO 2001)

Thanks to the main and leading role of trade unionism in the process, the 89th Conference of the International Labour Organization in 2001 approved a Resolution and conclusions in relation to Social Security which established worldwide consensus on the key issues and priorities to be borne in mind:

- 1.- Policies and initiatives aiming at expanding the coverage of social security need to be prioritized in order to cover workers without social security.
 - 2.- Social security is not only important for the wellbeing of workers, their families and the community as a whole, because, if appropriately managed, it can also increase productivity and support economic development.
 - 3.- The aging of the population affects both the pension systems based on capitalization as well as those based on distribution: it is necessary to find solutions preferably based on measures aimed at increasing the rates of employment.
 - 3.- Social interlocutors have an important role to play in the management of social security.
- The proposals for action stemming from this Resolution maintain absolute validity and are even more relevant, if that were at all possible, given the present scenario of financial, economic, social and employment crisis.



Trade union debate on proposals for social security (2007-2009)

During the 2007-2009 biennium and in the framework of international cooperation projects, important international (regional and subregional) union meetings were held in Latin America for debating, priority-setting and definition of possible union intervention strategies in favor of social security.

Such meetings have contributed to strengthen trade union capacities in respect of Social Security, to the exchange of experiences and the identification of common priorities of action, channeled into declarations and reference documents, such as the Declaration of Lima in March 2009, the Declaration of Madrid in March 2009 and the Declaration of Montevideo in December 2009 (and which have been attached to this document as their content is useful for the preparation of the Platform); in particular the Declaration of the X Ibero-American Trade Union Summit (Lisbon, November 2009) recognizes the need to prioritize a new sustainable economic, environmental and social model that helps combat poverty, exclusion, informality, unemployment and which fosters decent work, the essence of which is the advocacy for rights and their actual compliance.

Social Security as a Fundamental Human Right

Social Security is a Human Right and only taking on our rights as such will we feel the full force and determination required to demand their compliance; in recent years work in the Region has focused on this idea/strength.

The indispensable regulatory basis is the *Universal Declaration of Human Rights* (10/12/1948) which recognizes the fundamental right to social security among other labor and social rights¹:

Article 22: Universal Declaration of Human Rights. Approved by the United Nations General Assembly on December 10, 1948.

1) "Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality".

2) "Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control".

¹ The Declaration also recognizes the following labor and social rights as human rights: the right to equal pay for equal work (art.23.2), the right to just and favourable remuneration (art.23.3), the right to rest and leisure (art.24), Motherhood and childhood are entitled to special care and assistance. (art.25.2), the right to education (art.26). In addition to this, Article 25 of this Declaration states that Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control; maternity and children are entitled to special care and assistance; All children, whether born in or out of wedlock, shall enjoy the same social protection.



The implementation of the right to social security becomes even more of a priority if we consider that five of the **Millennium Development Goals** (MDGs), defined in the Millennium Declaration by 189 countries in 2000 at the UN Millennium Summit, are directly related to social security: eradication of extreme poverty and hunger (Goal 1); promotion of gender equality and women's autonomy (Goal 3), reduction of child mortality (Goal 4), improvement of maternal health (Goal 5) and combating HIV-AIDS, malaria and other diseases (Goal 6). Consequently the importance of social security as a response to the crisis is clear, as well as its use as a tool for social construction, involving the entirety of the United Nations System and its Member States along the process.



The Challenge of the Expansion of Social Protection in the Americas

The TUCA Program of Action has already identified social security for all as one of the results of the sustainable development model with a **basic public pillar** financed with taxes, free access to health, education and water/sanitation, improved distribution of income and wealth, and subsequently a reduction in growing social inequalities. It must also be accompanied with a **contributory public pillar** of tripartite financing as core element of the system.

Coverage of Social Security in Latin America is scarce, barely covering a fourth of the population in many countries, mostly due to the high degree of informality, but also due to non-registered employment and corporate noncompliance. The situation is further worsened by the effects of unemployment on the bulk of the dues contributed and complementary problems associated with turnover of the workforce, tertiarization and outsourcing which are the result of flexibilization policies that dilute corporate responsibility.

Severe limitations can be observed in the effective capacity of the States to collect, control and sanction which generates high levels of evasion and perception of impunity, absence of progressive fiscal systems and a scarce level of ratification and enforcement of international standards, such as ILO Convention No. 102².

Subsequently over half of the Latin American population lacks social protection and in some countries of the Region the percentage reaches 80%, with women, children and older adults in the worst situation of all. This is the challenge we need to address and it must be at the heart of the political and social debate on the future of our societies and its consequences for democracy.

The State is the single institution that can design a **national general strategy for the development of Social Security**, with the participation of workers and employers, where coverage of basic benefits must be seen as the first step in the process of expansion of coverage to all persons, on all risks, with sufficient, ongoing and financially sustainable benefits.

In face of the challenge of expanding Social Protection, the Declaration on social justice for equitable globalization (ILO, June 2008) specifically calls upon Member States to “adopt and expand social protection measures — social security and the protection of workers — that are sustainable and adapted to national circumstances”, with inclusion, among others, of: “the expansion of social security to all persons, including measures to provide basic income to those in need of this protection, and the adaptation of the scope and coverage to respond to the new needs and uncertainties generated by the rapid technological, social, demographic and economic changes;” as well as “healthy and safe conditions at work”; in the same way, recognizes social dialogue and the tripartite model as the most appropriate methods to achieve their enforcement.

THE PROPOSAL OF WORKERS

Given this reality, we workers believe that:

² The countries of the Americas that have ratified this Convention are: Bolivia (31/01/1977), Brazil (15/06/2009), Costa Rica (16/03/1972), Ecuador (25/10/1974), Mexico (12/10/1961), Peru (16/08/1961) Suriname (15/06/1976), Uruguay (17/09/2009) and Venezuela (05/11/1982)



1. **The State** must ensure, manage and administrate Social Security schemes, developing Social Protection policies to complement them, ensuring an actual participation of active workers and the retired. In this regard, we reaffirm the content of the Labor Platform of the Americas (LPA), agreed by the trade union movement of the region, and presented at the IV Summit of the Americas in Mar del Plata, November 2005. The LPA calls for the construction of a comprehensive, solidarity, redistributive, universal Social Security with responsibility of the State, which balances society with the guarantees of protection for all workers regardless of their form of insertion in the labor market, their geographical location or their national origin, this sets the foundations of the model of society that we all deserve.
2. **Social Security** is the strategic and constituent element of **Decent Work**, and this in turn is the core objective of all policies. Governments must foster Decent Work policies that increase opportunities to access jobs with improved income, security and productivity, favoring the “formalization” of **rights-based employment**, consistent with the National Decent Work Plans and gender equity.
The *Declaration on social justice for an equitable globalization* (ILO, June 2008) is a point of reference when it states that “the four strategic goals (rights, employment, social protection and social dialogue) are inseparable, interrelated and mutually reinforce each other”, and that “the lack of advocacy for any one of them undermines the attainment of the others”.
3. **The defense of collective rights of freedom of association, strike and collective bargaining** - as inherent to the *raison d’être* of the trade union movement - is maintained and reinforced.
4. It is necessary for our countries to define **National Social Security Strategies** and their respective public policies in all their spheres: health (preventative and curative), pensions, family benefits, employment injuries and occupational diseases, and unemployment; seeking fair balance between contributory and non-contributory benefits, no loss of purchasing power over time and provision of a solution to this Fundamental Human Right, i.e. Social Security.
5. To improve the levels of Social Protection, the **participation of workers** is required in the design, follow-up, monitoring and, if applicable, management. Trade union organizations need to be consulted prior to any decision-making by the State. To achieve this we need strong, representative labor organizations, and a broad alliance policy (because workers and the retired are not enough). In order to advance society as a whole needs to be involved (including rural workers or those integrated into the informal sector), as well as the business sector, hence the importance of social dialogue and tripartite participation. With participation and transparency, with proposals, strong organizations and the promotion of social dialogue, it will be possible to expand the coverage and remedy institutional deficiencies.
6. Vertical and horizontal **expansion** of the Social Security **coverage** is required.
 - a. Horizontal expansion means quantitative increase in the **number of persons covered** by the social protection schemes, including those of the informal economy and rural workers, through the application and expansion of the **basic public pillar**, financed with taxes which mainly levy profit and property , aimed at providing basic income security to the population of working-age (taking the minimum salary as reference), comprehensive and progressive healthcare for all, benefits for workers’ children,

together with a set of policies on education/health/labor market and family policies, and basic pensions for the elderly and disabled. The **State** is the only institution that can and must formulate a national general plan for the development of Social Security, with the unavoidable participation of workers and employers, to ensure the effectiveness of the system, in which the coverage of basic benefits must be seen as a first step in the process of expansion of the coverage to all persons, especially the risks, with sufficient, permanent and financially sustainable benefits. Each State must pledge a **percentage of the GDP** to finance social security, as the assured minimum and so as to bind economic growth with the social wellbeing of the population.

- b. Vertical expansion refers to the **situations of need covered** (sickness, old age, survival, unemployment, maternity, etc.) and the quality of benefits that need to be progressively expanded and improved with tripartite contributory financing by the State, employers and workers (**contributory public pillar** of tripartite financing as core element of the system).
7. Without overlooking the range of issues to be solved in terms of the quality of benefits and the management system itself of the System, it is urgent to address the expansion of the coverage of pensions and healthcare to the large number of **non-registered workers** in the Region. It is necessary to modify the non-registration of relations of dependency, in **formal or "informal" enterprises**, including those simulated as self-employed in outsourced relations. Public institutions must find the resources required to implement inspection procedures to detect evasion and avoidance of payment of dues, enforce sanctions and retrieve welfare resources, strengthening national laws and oversight systems, and bringing criminal actions against employers for the crime of fraud of public resources.
The need for payment of the historical debt to social security accrued by certain governments deserves a special mention.
8. The non-registration of **self-employed workers** (also called independent, autonomous, self-generated, non-dependent, non-salary earners or workers of the informal economy both in rural and urban areas) must be addressed through contributory and non-contributory schemes adjusted to their specificities and income, and integrated into a system of solidarity ensuring minimum coverage. This requires progressive and profound fiscal reforms that mostly levy taxes on profit and property, with emphasis on profit-making and speculative financial capitals, which do not grant privileges to foreign capital vis-à-vis national investment, and which help reduce the burden of indirect taxes on consumption, in particular on basic goods and services.
9. We stand for **Convention No. 102**, as the minimum standard of Social Security, and **international regulatory point of reference**, which establishes clear criteria and rules for coverage of the nine basic Social Security contingencies: Medical Care, Sickness, Unemployment, Old Age, Employment Injuries and Occupational Disease, Family Benefits, Maternity, Disability and Survivor.
Furthermore, the other Conventions, Resolutions and Recommendations on Social Protection, Fundamental Rights and Decent work must be contemplated while considering the decisions, agreements and social charters on the issue in the subregional integration processes (CAN, Mercosur, SICA and CARICOM), as well as the Multilateral Ibero-American Agreement on Social Security.



10. Work is required to **suppress any kind of discrimination** in social security, and avoid social and labor discrimination translating into discrimination in the models of social protection. Discrimination in all its forms needs to be overcome, especially racial discrimination; it is also necessary to underscore that which excludes native communities and rural workers from the social protection systems.
11. Specific and crosscutting attention must be paid to **gender equity**: It is a fact that at the time most social security schemes were established based on men as the means of support of the family, and that there was a “natural” distribution of tasks and functions within the family, with women perceived as secondary workers and with socially underrated capabilities and skills. If we add to the above that the track record of women is more discontinuous, that they have less options to job promotions, that their careers are interrupted by child-rearing, that they have shorter periods of payment of dues, based on salaries that are considerably lower than men’s, even a model of protection that intends to be neutral in terms of the right and extent of the benefits, would reproduce these inequalities transferring them to a model of social protection that would not cover women appropriately. But the models of protection have not been neutral, but have historically put men in first place and their families in second place, as the main subjects to be protected.
We must start with the need of identifying differences in the application of social protection schemes in terms of gender, for both men and women to be aware that such differences do exist. Only then will we be able to reflect and debate on their causes in order to finally formulate proposals to correct such disparities.
Policies conciliating work with family life and distributing family responsibilities between men and women must be viewed as one more element of social security. In this regard we must demand the creation of clear and women-specific public policies for Housewives who have suffered inequality in the distribution of family chores, as they are unprotected in terms of remuneration and social security.
12. In face of the new reality of labor relations and high levels of inequality and poverty, it is necessary to analyze a new Social Security scheme, its form of financing and capture of resources. Adequate **sources of tripartite** financing need to be established with State resources, progressive taxes levied on the capital and large revenues, and payment of dues by employers and workers. In particular, workers’ organizations need to participate in controlling the investment of social security resources.
13. Nor health, nor pensions, nor the coverage of professional hazards are merchandise, whereby we reject the mercantilist model of private funds of Social Security and we stand for the defense of the distribution system. It is indispensable to modify privatized Social Security schemes that have unquestionably failed. For this purpose, the commitment and participation of the entire trade union movement is fundamental in order to reinforce public and solidarity schemes without affecting the complementary social coverage envisaged in collective agreements.
14. Reaffirmation of the **right to not migrate**, as starting point for workers to demand the right to decent employment in their country of origin.
15. The phenomenon of **migration** within the Americas and also to Spain and Portugal, and the repatriation of immigrants due to the crisis, underscores the magnitude and relevance of the Multilateral Ibero-American Agreement on Social Security for disability, old-age and survival



which must be approved and enforced as a law. A similar agreement already in effect since 2005 in MERCOSUR could help advance in its enforcement, without affecting other eventual supranational agreements. These are indispensable instruments in order to total the years of work of each worker, regardless of their country of residence, avoiding loss of rights.

16. We believe it is a priority to implement public policies promoting social protection and the personal and labor development of **young persons** as collective of vulnerable workers. This priority is underscored by the World Employment Pact (ILO, 2009), which recognizes young persons among the “vulnerable persons who have been hit by the crisis³. We affirm the need for the economic recovery to produce new opportunities of employment and decent work for young persons, always with assurance of social protection they deserve as workers.

17. Now, in view of the crisis:

- a. **More Democracy and More Participation:** Demand and participate in bodies of tripartite dialogue to address the crisis and defend collective bargaining. The recent economic crisis has shown the **close relationship between the political system in each country, its economic policy and the impact on labor relations and the social security system**. Consequently we must aim at democratic systems, with more participation and agreed tripartite social dialogue. Regarding **free trade policies**, these have become elements that weaken the labor and social environment; hence we oppose their implementation to the extent in which the negotiations include norms that are detrimental to the interests of the nation and to fundamental human rights, such as social security.
- b. Consistent with the above, the World Employment and Social Protection Pact of the 2009 International Labor Conference emerged as a result of the financial, economic, social and employment crisis. It affirms that sustainable social protection schemes envisioned to provide assistance to vulnerable persons can avoid the rise of poverty, solve social difficulties, contribute to the stabilization of the economy, and maintain and foster employability. Particularly in developing countries, social protection schemes can alleviate poverty and contribute to national economic and social development. In this context, we call for the urgent implementation of a **basic public pillar** as the first step towards the construction of the “social edifice”. Such pillar is a packet of minimum benefits that covers each and everybody who needs coverage, regardless of their employment and labor status, which ensures access to medical care including the protection of maternity; family support to parents sending their children to school and regular medical checkups; retirement pensions; income security for the disabled; and subsidies for particularly vulnerable groups.
- c. **Unemployment Benefits:** Foster national laws that, through Social Security, protect workers who lose their jobs in countries where there is no benefit of this kind.

³This statement has been supported by the current data presented by ILO according to which there are 7 million unemployed young persons in Latin America and the Caribbean. In addition to this, the present crisis in and of itself has left 600,000 unemployed persons between 15 and 24 years of age. According to more recent figures published by ILO, barely 10% of young workers has a stable contract, 35.1% have health insurance, and 32.5% are members of some sort of pension scheme.



(Convention 102, Part IV, Convention 168 and Resolution 176).

- d. **Active Employment Policies:** foster Professional Training Programs for unemployed persons in order to reinsert them in the labor market in the same branch or other activities where workers are needed, with their participation and of businessmen and women and governments in the management of said programs; with active participation of all actors in the definition of a set of measures to protect the sectors that will be most affected by the crisis. Participating in and fostering proposals made by ILO, the TUCA, Subregional Coordinators of Union Centrals, Union Centrals in each country, governments and the business sector.
- In any case, we recognize the implementation of policies for **full productive and stable employment** (Decent Work) as “the best way to expand coverage for workers without contributory capacity, such as those in the informal sector, domestic workers, rural workers and indigenous workers.

18. Labor health is one of the most important social determinants in respect of **inequality of health**; hence Health and Safety at Work need special attention in the context of Social Protection.

Supported on the contents of the 2010-2013 Ibero-American Strategy for Health and Safety at Work of the Heads of State and Government, we recognize the promotion of the priority objective of the “right to life, the right to physical integrity and the right to health as rights inherent to the prevention of occupational hazards”. Considering that each year tens of thousands of human beings die in over 30 million labor accidents in the Region, we demand the substantial improvement of conditions at work as an essential objective in the framework of the reform of the Social Security schemes. We recognize the priority role of public policies in Health and Safety in the articulation of responses to help increase wellbeing in the workplace, as well as the importance of collective bargaining on the matter.

19. The **effects of the economic crisis on Health and Safety at Work** have been the reduction of the business investments in the prevention of labor hazards, less State oversight on regulatory in compliance, reduction of resources allocated to public policies on labor health, expansion of the informal economy and, in conjunction with the latter, expansion of the number of unprotected workers.

In view of this situation and consistent with the contents of the 2010-2013 Ibero-American Strategy for Health and Safety at Work, workers and our organizations recognize the priority of:

- The promotion of **State policies for Health and Safety at Work** based on the reinforcement of the regulatory framework of ILO Conventions 155, 161, 187, 102 and others as points of reference, and special attention given to the most vulnerable collectives (women, youth, workers of the informal economy and migrant workers)
- **Trade union participation** in the policies for Health and Safety at Work through arenas of social dialogue and tripartite negotiation, and in the working centers, through mechanisms for the participation of workers and their representatives, with legal guarantees, in the process of prevention, creation/strengthening of collective bargaining arenas, and coordination of actions between trade unions and the inspection to ensure effective oversight and monitoring.
- **Financing by employers**, with legal regulation by the State, of effective health protection systems, both preventative and curative, for workers in working centers



through the continuous improvement of working conditions, comprehensive health services and fair and sufficient economic benefits.

PROPOSALS FOR ACTION

Social Security must become one of the main objectives of the mission of the trade union movement. Our proposal is based on three core aspects:

1. Development of our union proposals of **expansion of the coverage** of social security, with the greatest participation possible within organizations.
2. Development of our **alternative union proposals to privatized Social Security schemes** (all with the necessary technical rigorousness), to be presented to the authorities of each country as legal Reform projects contemplating universal and solidarity public systems of comprehensive social security, with expansion of coverage to the persons without contributory capacity and workers of the informal economy, and with tripartite financing.
3. Necessary **mobilization capacity** of workers to defend the defined union proposals, underscoring the need for labor organizations to develop their own **communication capacity** as tool for social mobilization for the construction of an alternative social security system.

For this purpose our task should be:

- Given that we consider **Social Security** is an instrument of vital importance to combat poverty which, in conjunction with **Freedom of Association and the Right to Collective Bargaining**, are the most effective **tools for distribution and redistribution of income and wealth**, the ratification of ILO Convention No. 102⁴ as a useful instrument for the expansion of coverage needs to be a permanent issue on the union agenda for the region. For this purpose:
 - Each of the National Directorates of our Union Centrals must make public statements in this regard to own the issue.
 - Design and implementation of a regional campaign for dissemination and awareness-raising on the importance of Social Security as a human right aimed at workers and civil society as a whole, to be carried out in accordance with each country's situation through the media, bulletins, networks, courses and contacts with other social sectors.
 - Launch a Regional Campaign promoting Convention 102.
 - Utilize the tripartite commission as set up in the countries that have ratified Convention No. 144 to discuss each country's position.
 - Foster and strengthen the creation of arenas for social dialogue to discuss and improve the social security systems in our countries accompanied by ILO.

⁴ **Convention No. 102 on minimum standards of social security** is conceived to ensure a minimum level of protection for the following nine branches of social security: a) medical care; b) sickness benefit; c) unemployment benefits; d) old-age benefits; e) employment injury benefit; f) family benefit; g) maternity benefit; h) disability benefit; i) survivor's benefit.

Due to its characteristics and as expressed by its name, this Convention is an instrument that enshrines the minimum protection of the fundamental human right to social security. The Convention proposes a flexible scheme for its ratification taking into account the diversity of national situations. Based on its provisions, it is clear that the State must assume responsibility of the sound administration of social security institutions, as well as of the participation of protected persons in the administration, or that they be associated with it (consultatively), in the case of institutions that are not run by the State. The cost of benefits and the administrative expenses must be financed collectively through payment of dues, or taxes, or both.



- Propose the inclusion of Convention No. 102 among ILO Core Conventions.
- It is necessary to schedule concrete **union actions** in the countries that have ratified Convention No. 102, but for which the Commission of Experts on the enforcement of ILO Conventions and Recommendations has reported **non-compliance**.
- It is indispensable to set up **Union Technical Teams** in each Central in order to support the action in each country and the Region. The Union Technical Teams need to follow-up on the processes; support their own organizations and representatives; prepare diagnoses, comparative analyses of systems, exchange of experiences, and serious and possible proposals; contribute to information, dissemination, education on this fundamental human right; and demand and develop more coordinated participation and coordination with other centrals at the national, subregional and regional levels.
- Strengthen our agreed-on position looking ahead to **ILO 2011 Conference**, so that we may achieve stronger rules and regulations for social security as a fundamental human right. Work must continue in this regard. Aspects such as the expansion of coverage, gender equity, financial sustainability, etc. require continuity of efforts to find solutions.
- Our Centrals should collaborate with the organization of workers of the past, strengthening relations at the national level with organizations of **the Retired**, supporting these organizations and also respecting different national realities.
- Likewise, our Centrals must collaborate with the organization of workers and non-organized workers so that they may benefit from social security by collectively demanding compliance with their rights and interests.
- It is necessary to take advantage of the support provided by TUCA-ETUC, the Subregional Union Coordinators and ILO to strengthen the local, subregional and regional network, as well as eventual alliances with institutions, civil society organizations and schools specializing in social security operating at the national, subregional or regional level.
- The TUCA can create a trade union commission for follow-up at the regional level made up of unionists who are focal points of the regional social security network to follow-up on the Action Plan of this Continental Trade Union Platform on Social Security (PLACOSS) and provide consistent union support on the social security developed by Union Centrals of the TUCA with the regional commitment that the approval of this Platform presupposes.
- TUCA member organizations pledge to disseminate this Regional Trade Union Platform on Social Security as the programmatic and substantive standard for the defense of social security in the Region. This Platform must act as the reference guide for the development of national proposals which prioritize the aspects required by the different national and union realities.

⁵ The experience of the Representation Team of PIT-CNT Workers at the Uruguayan Social Security Institute (*Banco de Previsión Social*) is a consolidated point of reference to be borne in mind in these processes, as well as the ILO-ACTRAV Regional Project for union training in social security.



Annexes:

- Declaration of Montevideo (December 2009)
- Declaration of Madrid: Ibero-American Union Social Security Strategies (March 2009)
- Declaration of Lima: Towards a regional union position in view of the effects of the Social Security crisis and possible responses based on Social Security (March 2009)
- Declaration of Lima: Employment and social protection in the new demographic context (March 2009).



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