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ILO guidelines on decent work and socially responsible tourism



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and socially responsible tourism**

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Preface

Tourism is an important driving force for inclusive socio-economic development, with significant potential to stimulate enterprise and job creation, particularly for women and young people. It has experienced continued expansion and diversification over the last decades and is one of the most dynamic and fastest-growing economic sectors today. In spite of this, its role in employment generation and enterprise development is often overlooked in tourism development policies and strategies. Moreover, the tourism industry continues to face decent work challenges that need to be addressed in order to take full advantage of its potential for economic development and job creation.

In order to produce a practical and helpful set of guidelines for governments, employers and workers, and all other actors involved in the tourism sector, the ILO held a tripartite meeting of experts from 20 to 24 February 2017. On the basis of a draft prepared by the International Labour Office (ILO), and after five days of extensive and fruitful deliberations, the experts unanimously adopted the present *Guidelines on decent work and socially responsible tourism*. These guidelines were approved for publication and promotion by the ILO Governing Body at its 331st Session (October–November 2017).

The *Guidelines on decent work and socially responsible tourism* set out common principles and a policy framework to guide action in order to achieve decent work and full and productive employment in the tourism sector. They provide practical information for developing and implementing policies and interventions to promote sustainable tourism enterprises, invest in the development of a skilled and productive tourism workforce, promote the implementation of international labour standards and compliance with laws and regulations, strengthen labour protection and promote effective social dialogue and tripartism in the sector. Adopted during the International Year of Sustainable Tourism

for Development (2017), the guidelines are also intended to contribute to achieving the 2030 Agenda for Sustainable Development, in particular SDGs 8, 12 and 14, which include tourism specific targets.

These guidelines constitute the first international text specifically focusing on decent work in the context of promoting socially responsible tourism, and should serve as a reference tool for the ILO constituents and other tourism stakeholders in their efforts to address labour-related challenges and opportunities for the sustainable development of the tourism sector.

Alette van Leur
Director
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Sectoral guidelines

ILO Sectoral guidelines are reference tools setting out principles that can be reflected in the design and implementation of policies, strategies, programmes, legislation, administrative measures and social dialogue mechanisms in particular economic sectors or clusters of sectors. Sectoral Guidelines are adopted by Meetings of Experts comprising governments, employers and workers. They can be implemented progressively to take into account different national settings, cultures, and social, economic, environmental and political contexts.

Sectoral guidelines draw their principles from the ILO's international labour standards (Conventions and Recommendations) and other sources, including Declarations, codes of conduct and other policy guidance adopted and endorsed by the International Labour Conference or the Governing Body. They also draw on other international agreements and policy in the sector concerned, as well as on relevant trends and developments in regional and national law and practice.

Sectoral guidelines focus on the issues that are priorities for governments, employers and workers, and that are unique to particular economic sectors and industries. While international labour standards normally deal with more general principles of labour law and practice, Sectoral guidelines specify the principles and processes that could be implemented to promote decent work in particular workplaces or contexts. They benefit from the expertise of practitioners in the relevant sectors to capture good industry practices and innovations.

Sectoral guidelines are not legally binding. They are not subject to ratification or supervisory mechanisms established under the ILO's international labour standards. Sectoral guidelines can therefore be aspirational in scope and expand on principles laid down in international labour standards and other international agreements and policy, all the while recognizing that they can be adapted to different national

ILO guidelines on decent work and socially responsible tourism

systems and circumstances. ILO standards and other tools or guidance adopted and endorsed by the International Labour Conference and/or the Governing Body therefore form the foundation on which Sectoral guidelines build further. It is therefore understood that Sectoral guidelines are based on the full principles, rights, and obligations set out in international labour standards, and nothing set out in these guidelines should be understood as lowering such standards.

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Abbreviations

GDP	gross domestic product
HCT	hotels, catering and tourism
HRD	human resource development
IGO	intergovernmental organization
ILC	International Labour Conference
ILO	International Labour Organization/Office
MNEs	multinational enterprises
MSMEs	micro-, small and medium enterprises
NGO	non-governmental organization
NSFE	non-standard forms of employment
OECD	Organisation for Economic Co-operation and Development
OSH	occupational safety and health
SDGs	Sustainable Development Goals
SMEs	small and medium-sized enterprises
TVET	technical and vocational education and training
UNEP	United Nations Environment Programme
UNWTO	United Nations World Tourism Organization
WTTC	World Travel and Tourism Council

Introduction

1. Tourism is an important driving force of inclusive socio-economic development, with significant potential to stimulate enterprise and job creation, and facilitate the development of infrastructure and public services. Tourism directly and indirectly contributes to job creation, particularly for women and young people, while fuelling growth through micro-, small and medium enterprises (MSMEs). Over the last decades, it has experienced continued growth and diversification, becoming one of the largest, most dynamic and resilient sectors of the global economy. Yet, its role in employment generation and enterprise development is often underestimated and overlooked in tourism development policies and strategies. Furthermore, the tourism sector faces decent work challenges that need to be addressed in order to take full advantage of its potential for economic development and job creation.

2. Tourism is firmly positioned in the 2030 Agenda for Sustainable Development. Its importance as a driver for job creation and the promotion of local economic development, local culture and products is reflected in the Sustainable Development Goals (SDGs) 8, 12 and 14 which include tourism-specific targets. The role of tourism as “a vehicle for job creation, economic growth and development” has also been recognized by the G20 (Grouping of the 20 main world economies). Declarations issued by the G20 Tourism Ministers since 2010 reaffirm G20 countries’ commitment to advance initiatives that promote more and better jobs in the tourism sector. Furthermore, tourism has been identified by the United Nations General Assembly in *The Future We Want* outcome document (United Nations, 2012) as a significant contributor to sustainable development, and by the United Nations Environment Programme (UNEP) as one of the sectors that can lead the transition to the green economy (UNEP, 2011).

3. During recent decades, governments, social partners, and other tourism stakeholders have shown a growing interest and multiplied efforts to contribute to a thriving and sustainable tourism sector. Efforts aimed at facilitating the creation of an enabling business environment that attracts investment and supports enterprise development; at improving working conditions and labour protection by creating an enabling environment for the workers in exercising their fundamental rights at work; and at establishing clear roles of tourism stakeholders such as government regulators, chambers of commerce, training institutes, or tourism management organizations.

4. These guidelines are designed to support International Labour Organization (ILO) constituents and other stakeholders engaged in the design and implementation of interventions on the promotion of decent work and full and productive employment in the tourism sector with a view to enhancing its sustainability and contributing to the achievement of the SDGs. They are intended for use by all those who are engaged in promoting full and productive employment and decent work in the tourism sector at international, national, regional, local and enterprise level, including governments, policy-makers, employers' and workers' organizations, intergovernmental organizations (IGOs) and non-governmental organizations (NGOs).

5. For the purpose of these guidelines, the term “tourism” is used synonymously with the Hotels, Catering and Tourism (HCT) sector, which comprises: accommodation (hotels, boarding houses, motels, tourist camps, holiday centres); food and entertainment (restaurants, bars, cafeterias, snack bars, pubs, nightclubs and other similar establishments; institutions that provide meals and refreshments within hospitals, factory and office canteens, schools, aircraft and ships); travel management and activities (travel agencies and tourist guides, tourism information offices and conference and exhibition centres); tourist

attractions (national parks, museums and their facilities). The sector includes the services provided to travellers as well as those provided to residents (ILO, 1980 and 2001).

6. These guidelines are composed of three chapters and one appendix. Chapter 1 presents the scope of the guidelines, including their objectives, intended users, definitions and field of application. Chapter 2 highlights employment trends and developments in tourism. Chapter 3 proposes sector-relevant measures for the design and implementation of sustainable tourism policies. It includes sections on the promotion of full and productive employment in the tourism sector; promoting sustainable tourism enterprises; investing in human resources development of the tourism workforce; implementing international labour standards and enforcing compliance with laws and regulations; strengthening labour protection and promoting effective social dialogue. Finally, the appendix compiles a non-exhaustive list of international standards, declarations and other documents relevant to the tourism industry.

1. Scope of the guidelines

1.1. Objectives of the guidelines

7. These guidelines set out common principles and the policy framework that should guide action to achieve decent work and socially responsible tourism, and full and productive employment in the tourism industry, thereby promoting its sustainability, and contributing to the achievement of the SDGs. They should serve as a reference tool for the ILO constituents and other tourism stakeholders in their efforts to address labour-related challenges and opportunities for the sustainable development of the tourism sector.

8. The guidelines are based on principles derived from, inter alia:

- the ILO Declaration of Philadelphia (1944);
- the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up (1998);
- the ILO Declaration on Social Justice for a Fair Globalization (2008);
- the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration) (adopted in 1977, revised in 2000, 2006 and 2017);
- relevant ILO Conventions and Recommendations, including the Working Conditions (Hotels and Restaurants) Convention, 1991 (No. 172), and Working Conditions (Hotels and Restaurants) Recommendation, 1991 (No. 179);
- relevant resolutions and conclusions adopted by the International Labour Conference;
- the Decent Work Agenda;
- principles and good practices outlined in the SDGs, and policy documents specifically applicable to the tourism sector, such as the

United Nations World Tourism Organization (UNWTO) *Global Code of Ethics for Tourism*, the ILO *Guidelines for a just transition towards environmentally sustainable economies and societies for all*, the UN Global Compact and other documents.

- the points of consensus adopted at the Global Dialogue Forum on New Developments and Challenges in the Hospitality and Tourism Sector and their Impact on Employment, Human Resources Development and Industrial Relations (23–24 November 2010);
- the UN Guiding Principles on Business and Human Rights;
- the Indigenous and Tribal Peoples Convention, 1989 (No. 169).

1.2. Intended users

9. The guidelines are intended for use by those engaged in developing and implementing policies and interventions in the tourism sector at international, national, regional, local and enterprise level, and include, inter alia:

- (a) government authorities at all levels;
- (b) employers in the tourism sector and organizations representing them;
- (c) workers in the tourism sector and organizations representing them;
- (d) cooperatives, organizations of rural, local and ethnic communities and indigenous and tribal peoples engaged in the tourism sector;
- (e) education and training institutions for tourism personnel;
- (f) IGOs, NGOs and research institutions involved in the tourism sector.

1.3. Definition

10. *Sustainable tourism* is defined as “tourism that takes full account of its current and future economic, social and environmental

1. Scope of the guidelines

impacts, addressing the needs of visitors, the industry, the environment and host communities” (UNWTO/UNEP, 2005, p.12). For the purpose of these guidelines, the term “sustainable tourism” embraces “socially responsible tourism”. It should generate local prosperity and decent work; promote environmental awareness, conserve and protect the environment, respect wildlife, flora, biodiversity, ecosystems and cultural diversity, and improve the welfare and livelihoods of local communities by supporting their local economies and the human and natural environment as a whole (United Nations, 2012); ensure viability and competitiveness of destinations and enterprises to enable them to prosper and deliver benefits in the long term. Social justice, decent work, gender equality, economic development and environmental integrity are at the heart of sustainable tourism.

2. Employment trends and developments in tourism

11. The tourism sector has grown significantly during the last decades and is today one of the most dynamic and fastest developing economic sectors globally. Travel and tourism accounts for almost 10 per cent of global gross domestic product (GDP), a total of US\$7.2 trillion (UNWTO, 2016; WTTC, 2016). Tourism is a major source of employment because of its labour-intensive nature and the significant multiplier effect on employment in related sectors. In 2015, travel and tourism overall (directly and indirectly) generated 284 million jobs and this number is expected to reach 370 million in 2026. It is estimated that one job in the core tourism sector creates about one-and-a-half additional or indirect jobs in the tourism-related economy, for example, transportation, food and beverage provision, handicrafts, the preservation of cultural and natural assets. The tourism sector overall accounts for one in 11 jobs (direct and indirect) in the world.

12. It is estimated that globally there are over 250 hotel chains, with the largest companies including portfolios of more than 6,000 hotels each and employing more than 150,000 workers in up to 100 countries (ILO, 2015a). The hotel and restaurant subsector is characterized by diversity and fragmentation, with 20 per cent of the workforce employed within multinational enterprises and 80 per cent of the hotel and restaurant workforce located in small and medium-sized enterprises (SMEs) (ILO, 2010a, 2015a and 2015b). Multinational chains have evolved over the past decades. Today many of them operate their businesses via brand identities, representing various product offerings to the customer. In recent years, the number of owner operators has decreased, with many multinational hotel companies moving from a real estate based model (owned and leased) to fee-based business models, through management contracts and franchising models.

Among the largest hotel chains, less than 10 per cent are owner operated (ILO, 2015a).

13. The tourism sector is not only relatively labour intensive. In many countries, it also employs more women and young people than most other sectors. Globally, the majority of workers are under 35 years of age, half of whom are 25 or under. Older workers are an emerging work group in the sector. Globally, women represent between 60 and 70 per cent of the tourism workforce (ILO, 2013a). Migrant workers also make up a large share of workers in this sector.

14. Local sourcing of products and services by SMEs, as well as large players such as hotel and restaurant chains and tour operators, can improve the livelihoods of local communities and ensure that the country of destination benefits from the multiplier effect of the tourism supply chain. When pursued in an environmentally sustainable manner, tourism ensures that local natural resources are not exploited and provides for long-term economic activities in local and neighbouring communities. Tourism enterprises are an important source of innovation and economic diversification and contribute to shaping development of destination countries, particularly through domestic purchases of goods, services inputs and investment flows. The sector can indirectly benefit the economy through government spending on infrastructure. Tourism thus holds the potential to improve living conditions, promote social inclusion and reduce poverty. Moreover, by bringing people from diverse backgrounds together and celebrating traditions, tourism promotes common values and supports the preservation of cultural heritage and natural environments.

15. Tourism is a fast-evolving and competitive service sector requiring adaptability to market trends and demand. In the absence of legislation, the impact of new technologies and social networks, the role of search engines and the emergence of private tourism services

2. Employment trends and developments in tourism

through digital platforms (for transport, accommodation, restaurants, etc.) has boosted informality, detracting from the values of decent work. New modalities and platforms may require new legal frameworks. Social and demographic trends, climate change and natural disasters, as well as changing values in society and consumer perceptions and habits promote the development of new trends and products.

16. While the sector has a young workforce, demographic changes point towards a future multigenerational labour force. Today's customers are increasingly interested in products and services respecting local cultures and protecting the environment and biodiversity. The development of non-traditional tourism and small-scale tourism as opposed to large-scale mainstream tourism is on the rise. This includes adventure tourism, cultural tourism, ecotourism, agro-tourism, medical and wellness tourism, technology-driven and on-demand accommodation platforms, low-cost services in transport, online booking and multigenerational travel. This situation should be managed and regulated to avoid an undesirable impact on efforts to achieve decent work and sustainable tourism.

17. Despite tourism's potential to promote growth and employment, decent work challenges need to be addressed. The high incidence of informal working arrangements is an important challenge in advancing decent work in tourism. Low-skilled and unskilled workers often find themselves in the most vulnerable jobs, where they are more likely to experience poor working conditions, inequality of opportunity and treatment, violence, exploitation, stress and sexual harassment. Moreover, certain jobs in the sector are characterized by low wages, long working hours, a high turnover rate, and limited social protection. Shift and night work, seasonality, temporary, part-time employment, as well as other non-standard forms of employment (NSFE), including an increasing rate of outsourcing and subcontracting, are frequent in tourism. Aside from

seasonal fluctuations, competition, flexibility and technological change influence the sector's employment patterns and can affect its rate of unionization and the ability to develop employer–worker relations. The NSFE can be beneficial to both employers and workers if they can accommodate the needs of enterprises for flexibility, while at the same time providing decent employment that enables workers to balance work and personal responsibilities. They can also be a useful mechanism for recruiting and retaining workers, as well as for more quickly harnessing the skills and expertise of certain workers in the labour market (ILO, 2015d). But they can also lead to decent work challenges, including inadequate social security coverage, low wages, income inequality and poor working conditions.

18. Due to the significant horizontal and vertical segregation of occupations, gender-related inequalities are frequent in the sector. Women are often over-represented in lower skills and lower paid areas, notably housekeeping and customer contact areas, with low-skilled and unskilled women often holding the most vulnerable jobs. They are under-represented in skilled kitchen work and in areas such as engineering and security as well as in terms of access to senior technical and managerial roles. Women also suffer segregation in terms of access to education and training and are on average paid less than male workers for comparable skills. The sector poses additional challenges to reconciling work and family responsibilities for both women and men due to organizational and structural characteristics. These include a highly variable demand cycle with irregular working hours, part-time employment and unpredictable shifts.

19. The fragmentation within hotels and restaurants leads to differences in performance and skills. Larger hotel and restaurant chains invest in human resource development, including in-house and on-the-job training, whereas SMEs often lack the capacity to provide training

2. Employment trends and developments in tourism

and rely more on the national or local vocational training systems to meet their training requirements. Yet, because of their size and business models, including franchise, management or leasing, it can be a challenge for hotel and restaurant chains to maintain a consistent approach to human resources practice and industrial relations including dialogue across regions.

20. Promoting full and productive employment and decent work in tourism, including through sustainable enterprise development, improved working conditions and productivity, job satisfaction and motivation of workers, service quality and client satisfaction, can have an important positive impact on the industry's sustainability. A successful and sustainable tourism sector also requires efficient social dialogue and skills development, with targeted training, particularly for women, youth and migrant workers, which will also enable enterprises to better market their products.

21. Governments, employers' and workers' organizations have a major role to play in establishing and implementing coherent tourism policies and interventions that promote decent work, poverty reduction, local economic development and the protection of natural resources, and improve social cohesion and identity among the host localities.

3. Designing and implementing sustainable tourism policies that create full and productive employment and decent work for all

22. Sustainable tourism represents an important driver of inclusive economic growth and decent job creation, that can have a positive impact on income generation and education, and thus on the fight against poverty and hunger. It can contribute directly to achieving the internationally agreed SDGs.

23. The inclusion of tourism in the SDGs 8, 12 and 14 highlights the industry's potential to contribute to job creation, economic and social development. Targets 8.9 (“By 2030, devise and implement policies to promote sustainable tourism that creates jobs and promotes local culture and products”), 12.b (“Develop and implement tools to monitor sustainable development impacts for sustainable tourism that creates jobs and promotes local culture and products”) and 14.7 (“By 2030, increase the economic benefits to Small Island Developing States and least developed countries from the sustainable use of marine resources, including through sustainable management of fisheries, aquaculture and tourism”) call for a renewed focus on full and productive employment and decent work and sustainability when countries devise and implement tourism policies and strategies.

24. Governments should therefore design, promote and implement holistic sustainable tourism development policies and strategies, from the national to the local level, in partnership with social partners, public and private sector stakeholders, including host communities of the tourism destination.

25. These policies and strategies need to be based on a sound economic and environmental foundation and have the promotion of full and productive employment and decent work as their core element. At

the same time, they should seek to maximize the benefits of tourism to host communities, while minimizing its negative impacts. Sustainable tourism can be an important tool to support environmental protection and/or conservation and the sustainable use of biodiversity.

26. Given the important role played by women in tourism enterprises, integrating gender concerns into tourism policies and interventions, including by the development of a gender-responsive legal framework for business development, and establishing mechanisms with the full participation of women to prevent and address all forms of discrimination within the industry should be a priority.

27. Sustainable tourism policies, strategies and programmes should aim at:

- (a) contributing to the promotion of full and productive employment and decent work for all by, inter alia, encouraging the industry and its supply chains to source locally; promoting local ownership; supporting the creation of local and rural jobs; addressing existing decent work deficits within the sector, with particular attention to people and groups vulnerable to discrimination;
- (b) contributing to the achievement of the SDGs, in particular targets 8.9, 12.b and 14.7, including through the promotion of fundamental principles and rights at work, occupational safety and health (OSH) and other international labour standards relevant to tourism;
- (c) promoting the preservation of the destination's social and natural environment (for example, when developing mega projects such as sports events) and preserving tourism assets, including a destination's cultural heritage, ecosystem and natural resources, in order to strengthen the national, environmental and economic resilience to economic and environmental vulnerabilities and shocks that otherwise lead to insecurity and social unrest;

3. Designing and implementing sustainable tourism policies

- (d) strengthening the links between tourism and trade policies to enhance the access of MSMEs to local, regional and international markets;
- (e) improving or establishing the collection of labour market statistics related to tourism disaggregated by age, sex, occupation and employment status, and urban–rural divide, including for planning future skill needs;
- (f) including innovative mechanisms for monitoring and evaluation of tourism policies that assess progress on the promotion of full and productive employment and decent work;
- (g) in accordance with the conclusions agreed at the Global Dialogue Forum on New Developments and Challenges in the Hospitality and Tourism Sector organized by the ILO in 2010, there is a need for governments to ensure that the legal framework and their enforcement mechanisms promote adherence to decent work standards throughout the sector, and that all formats of accommodation are treated equitably as regards compliance with applicable labour, safety, commercial and taxation law and regulations.

3.1. Promoting full and productive employment in the tourism sector

28. As stated in Chapter 2, tourism is an important source of employment for women, young people and, increasingly, migrant workers that are often engaged in part-time, seasonal and casual employment. Thus, promoting full and productive employment in the tourism sector should be pursued.

29. Employment promotion interventions, including the promotion of an enabling environment for sustainable enterprises, skills development, youth employment promotion, particularly those targeting young women, and measures that facilitate the transition of workers and

economic units from the informal to the formal economy, are key to harnessing the employment generation potential of the industry.

3.2. Promoting sustainable tourism enterprises

30. Tourism enterprises are a major source of employment and innovation. Around half of the tourism workforce is employed in MSMEs of fewer than ten people, while around three-quarters work in enterprises of fewer than 50 people. While challenges confronting MSMEs vary significantly depending on national contexts and enterprise characteristics, access to finance, business regulations and inadequate skills are among common constraints faced by MSMEs, including in the tourism sector.

31. In the tourism sector multinational enterprises (MNEs) hold a significant potential for job creation, especially in their supply chains but also through foreign direct investment. With a view to becoming more sustainable, many MNEs and large enterprises have adopted policies governing labour and employment aspects of their operations and are engaging in multi-stakeholder or industry initiatives promoting responsible practices. Initiatives from international hotel and restaurant chains include the adoption of environmentally friendly and energy conservation programmes into their organizational strategies. These MNEs in the tourism sector could exchange their experiences through platforms for dialogue with the aim of promoting sustainable practices.

32. When designing and implementing public tourism policies and programmes, governments, in cooperation with employers' and workers' organizations, should aim to pay particular attention to:

- (a) creating an enabling environment for the promotion of sustainable tourism enterprises, which is central to improving their economic prospects, addressing decent work deficits for their workers and

3. Designing and implementing sustainable tourism policies

ensuring that economic activities are environmentally sustainable and beneficial to local communities in particular, and the tourism sector in general. This is especially relevant for MSMEs, as they are often more vulnerable to the negative consequences of structural changes, shocks and crises than larger enterprises. The 2007 International Labour Conference (ILC) conclusions concerning the promotion of sustainable enterprises and the 2015 ILC conclusions concerning SMEs and decent, full and productive employment creation provide guidance on what constitutes such a conducive environment and the respective roles of the ILO and its tripartite constituents in promoting sustainable enterprises;

- (b) identifying tourism sector-specific risks and implementing due diligence procedures in accordance with the UN *Guiding Principles on Business and Human Rights*. With respect to responsible business conduct, governments should clearly communicate their expectation that all tourism enterprises domiciled in their territory and/or jurisdiction respect fundamental principles and rights at work throughout their operations. They should consider whether further measures are needed, which could include the regulation, inter alia, of private tourism services through digital platforms;
- (c) simplifying existing regulations, in consultation with the representative organizations of employers and workers, while ensuring protection and working conditions for workers; providing opportunities for the participation of social partners at all levels and stages of the public policy process in the tourism sector through social dialogue and fostering consultations with other relevant stakeholders;
- (d) adapting technical and vocational education and training (TVET) systems, lifelong learning and quality apprenticeship schemes in order to respond to the skills needs of tourism enterprises, with particular attention to youth and women;

- (e) facilitating access to financial services, for example, credit, leasing, venture capital funds or similar, particularly for tourism entrepreneurs and MSMEs. Access to financial services should also be open to workers' organizations and local communities for capacity building;
- (f) planning and implementing adaptation and preventative measures to face the impacts of climate change and natural disasters and calamities while facilitating the provision of quality services and products in light of scarce natural resources and ensuring that the ecosystem, one of the main assets of tourism, is conserved and remains attractive;
- (g) developing modern infrastructure services and tourism facilities to transport, accommodate and provide quality services to tourists, such as airports, roads, well-functioning public services such as the provision of water and electricity, as well as the Internet;
- (h) establishing security services to promote and maintain the visitor's safety and security in the tourist destination, and facilitating the visitor's stay in the country;
- (i) attracting foreign and domestic investment to develop infrastructure and infrastructure services, while including local enterprises in infrastructure services development;
- (j) strengthening the links between tourism and trade policies to enhance the access of MSMEs and cooperatives to national, regional and international markets, so as to foster their integration into the national and global economy;
- (k) employers' and workers' organizations should encourage the representation of tourism MSMEs and workers in their respective organizations, improve social dialogue and assist their members with collective bargaining.

3.2.1. Promoting decent jobs for youth in the tourism sector

33. The tourism industry is not only relatively labour intensive but it also employs more young people and particularly young women than most other sectors.

34. It is estimated that, globally, in all sectors of the economy, 71 million youth were unemployed in 2016, representing a 13.1 per cent unemployment rate. In addition, some 156 million or 37.7 per cent of working youth in emerging and developing countries were living in extreme or moderate poverty in 2016 (ILO, 2016d). The SDGs contain targets specifically related to youth employment, thus highlighting the importance of the challenge and countries' desire and commitment for change. The promotion of better employment opportunities for youth, and particularly for young women, is also a key G20 objective. In 2012, the ILC adopted a "Call for action" on youth employment, which contains guiding principles and a comprehensive set of conclusions describing policy measures that can guide constituents in shaping national strategies on youth employment. The tourism sector offers employment prospects for young people and thus has the capacity to reduce global youth unemployment.

35. Governments should ensure that public policies in the tourism sector pay adequate attention to the promotion of youth employment and gender equality. They may consider:

- (a) designing youth employment policies and plans that specifically target the tourism sector and that are guided by the multipronged and balanced approach as called for by the 2012 "Call for action" with measures to foster pro-employment growth and decent job creation through macroeconomic policies, employability, labour market policies, youth entrepreneurship and rights;

- (b) promoting youth entrepreneurship especially for young women by improving access to finance for the operation of sustainable youth tourism enterprises and embedding entrepreneurship curricula at an early age, paying specific attention to the tourism sector where national contexts offer good employment prospects in the sector;
- (c) promoting provision and access to quality apprenticeships valuable to youth and employers, including by strengthening the involvement of employers' and workers' organizations and the community, and ensuring that more occupations are open to young women and other groups of young people vulnerable to discrimination;
- (d) encouraging young people's voices to be heard in decision-making processes that affect them and encouraging their greater participation and representation in employers' and workers' organizations dealing with the tourism industry;
- (e) applying the principle of equal pay for work of equal value in law and practice, paying particular attention to specific challenges affecting the industry, namely, gender stereotypes, occupational segregation, sex-biased job classification systems and the gender pay gap.

3.2.2. Facilitating the transition to formality

36. The tourism sector, partly due to its seasonality and temporality combined with weak regulation, enforcement and organization of labour, in many countries crosses the fluid boundaries between the formal and informal economies and is characterized by high informality. Migrant workers, women and youth are particularly vulnerable to informal or casual employment in a less safe and less favourable working environment than other workers.

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37. Decent work deficits, such as excessively long working hours, low wages, the lack of social protection and gender-based discrimination, are most pronounced in the informal economy. Informality in the tourism sector may be linked to sexual abuse of women and children.

38. Governments and social partners should aim, as appropriate, at:

- (a) undertaking proper assessments and diagnostics of informality in the tourism industry to inform the design and implementation of national laws and regulations aiming to facilitate the transition to the formal economy;
- (b) taking appropriate measures to facilitate the transition of workers and economic units from the informal to the formal economy, while respecting workers' rights and ensuring opportunities for income security, livelihoods and entrepreneurship, in line with the Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204);
- (c) promoting relevant tax and infrastructure policies, and local development strategies that support the tourism industry;
- (d) economically empowering groups vulnerable to the most serious decent work deficits. These groups include, but are not limited to, women, young people, migrants, racial and ethnic minorities, indigenous and tribal peoples, persons living with or affected by HIV and AIDS, and persons with disabilities. It is important to take into account the contribution that these groups can make to a thriving tourism sector;
- (e) raising awareness about workers' rights and benefits of formal employment.

3.2.3. Non-standard forms of employment

39. The NSFE, including temporary work, part-time work, temporary agency work and other multiparty employment arrangements, ambiguous employment relationships and dependent self-employment, are common in the tourism industry where diversity, fragmentation and seasonality are distinct features. A decent work agenda should address the impacts of outsourcing and subcontracting on workers' rights to organize and bargain collectively.

40. Well-designed and regulated NSFE can assist tourism enterprises' adaptability and growth, increase labour force participation and offer options for balancing work and private life. Yet in some cases "NSFE exhibited a higher incidence of decent work deficits" (ILO, 2015d, para. 205) and "when NSFE are misused by employers in order to circumvent their legal and contractual obligations and other employment related responsibilities, this undercuts fair competition, with detrimental effects for responsible businesses, workers and society at large" (ibid., para. 4) and diminishes the sector's potential to contribute to achieving a fair globalization and to reducing poverty.

41. Governments and social partners should, as appropriate, aim at:

- (a) addressing NSFE in regulatory frameworks, with the active participation of employers' and workers' organizations through enforcement of laws and labour inspection systems, active labour market policies and the judicial system;
- (b) putting in place or strengthening measures to ensure that all workers, irrespective of their contractual arrangements, are protected, taking into consideration the seven dimensions along which workers in NSFE risk facing decent work deficits – as included in the 2015 conclusions on NSFE – when tailoring strategies to the national context. These dimensions are: (1) access to employment and

labour market transitions to decent work; (2) wage differentials; (3) access to social security; (4) conditions of work; (5) training and career development; (6) OSH; and (7) freedom of association and the right to collective bargaining.

3.3. Investing in the human resource development in the tourism sector

42. A strategic approach to human resource development (HRD) is essential to create an attractive, productive and sustainable tourism sector. Effective training and career development strategies can positively impact the sector's productivity as well as worker satisfaction and retention. Well-trained workers with career perspectives can be a driver of quality and innovation and a source of competitive advantage for tourism destinations.

43. Strategic human resource management should also minimize skills mismatch by ensuring the skills supply adequately responds to demand. A major challenge in all countries is to enhance the responsiveness of education and training systems to changes in skill requirements, while at the same time improving access to training and skills development.

44. Furthermore, career development policies should be part of HRD strategies for the sector as they are central to the motivation of workers, the quality of tourism services, improved productivity as well as its attractiveness. Tourism enterprises should pay special attention to promotion and career development opportunities, particularly for women, youth and migrant workers as these are groups that represent an underutilized stock of skills in the labour market. Women, in some countries, are under-represented in higher and managerial positions, as well as over-represented in unskilled or semi-skilled work.

45. Governments, social partners, and training institutions all have an important role to play in the design and implementation of HRD policies and strategies for the sector in order to effectively address its challenges and needs. They should, as appropriate, aim at:

- (a) developing HRD policies and programmes that facilitate employability, improve access to education, training and lifelong learning opportunities and enable the recognition of previously acquired skills, competencies and experience, to meet skills shortages in enterprises and new developments in the sector such as those resulting from demographic changes;
- (b) ensuring an appropriate skills qualification framework for tourism-related skills and qualifications, including relevant certification in consultation with all the parties;
- (c) establishing an adequate quality assurance framework and accreditation system for organizations providing relevant training;
- (d) ensuring that these policies are based on a robust analysis of the supply and demand for skills and include all relevant education and training institutions, including schools, TVET and higher education institutions, as they all have important contributions to make to workforce development in the sector, including through targeted TVET programmes for new entrants and skills and management development for workers in the different tourism occupations;
- (e) raising awareness of rights of tourism workers, as well as of skills to impart values and knowledge on the responsibilities of relevant actors on gender equality and nondiscrimination, tolerance and respect for diversity;
- (f) addressing occupational segregation and the gender wage gap by, inter alia, paying special attention to career development for women, including by promoting them on the basis of their quali-

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fications to higher and managerial positions and in non-traditional areas of work, notably kitchen and engineering departments;

- (g) addressing practical barriers to international mobility for executives and senior technical experts and challenges in ensuring work–life and work–family balance.

Technical and vocational education and training and skills development

46. The tourism sector offers job opportunities that require a wide range of skills to respond to new trends and demands, including the growing use of technology and social media; the development of non-traditional tourism and online stakeholders; ecotourism, culinary, wellness, medical tourism, and meetings, incentives, conference and exhibitions (MICE), among other forms of tourism; and the rise of low-cost services in accommodation and transport.

47. TVET and skills development that specifically responds to the sector’s requirements, is central to secure decent jobs and improve employability, productivity, social inclusion and to maximizing opportunities for workers and employers and their well-being. Strategies for providing such training and skills development should envisage multiple vectors of delivery, ranging from schools, training and technical institutions and universities, to online, self-study and on-the-job settings.

48. Education and training benefit the individual and contribute to the achievement of the objectives in the tourism sector. Accreditation of TVET and skills development centres should be under strict guidelines to avoid unemployable graduates.

49. Multi-skilling and core skills, enabling individuals to constantly acquire and apply new knowledge and skills, are critical to lifelong learning and very much in demand in the sector. These include, inter alia, soft skills such as languages, information and communication

technologies, interaction with customers and co-workers, organization and management at the workplace, marketing, understanding of different traditions, cultures and cultural heritages, problem-solving, and planning and coordination. Technical skills embrace, for example, food safety compliance, technology, services or culinary skills, and, for some jobs, such as animation, also artistic and creative skills.

50. TVET programmes should promote equal access to opportunities for skills acquisition and recognition for all and encourage high levels of participation in training within wider tourism initiatives. They should be adapted to national and local circumstances and develop the competencies and skills needed for tourism workers and employers to improve working conditions, enhance the quality of job performance and to work with local stakeholders while preserving local cultures, traditions and surrounding environments.

51. In developing and implementing integrated TVET programmes and initiatives, governments should, in consultation with employers' and workers' organizations, consider ways of:

- (a) ensuring that they include modules on:
- entrepreneurship development for youth to become tourism-related providers;
 - integration of youth, older workers, workers with disabilities and migrants in the tourism labour force, paying particular attention to issues related to the recognition of qualifications;
 - gender equality issues;
 - social responsibility, sustainability, involvement of local communities, preservation of the environment, the use of natural resources;
 - legal obligations, particularly concerning labour rights, and administrative requirements set by regulatory authorities;

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- necessary action in cases of emergencies and natural disasters like earthquakes, typhoons or flooding;
 - occupational safety and health;
- (b) establishing and strengthening institutional and technical capacities of public training organizations to ensure that they have the facilities and training staff necessary to deliver relevant and high-quality programmes;
- (c) establishing and strengthening institutional and technical capacities of national and local authorities to develop policies and programmes that can promote decent work and sustainable tourism;
- (d) undertaking needs assessments to match training programmes and update curricula with the demands of workers, learners and employers as well as with the fast-changing nature of the sector; foster partnerships between tourism enterprises, tourism schools and/or higher education institutions to deliver local skills solutions for the sector and to develop research and training capacity for the sector aiming to enhance sustainable partnerships that address skills needs;
- (e) assisting tourism enterprises in their engagement with relevant authorities and training providers with regard to management and skills upgrading of their current workforce, anticipation of future occupational profiles and skills needs, and workers' acquisition of portable and employable skills. Resources should be allocated to identify and anticipate evolving skills needs, like those related to new technologies, and to review occupational skills profiles and training programmes;
- (f) promoting specific training for tourism enterprises on necessary action in cases of emergencies and natural disasters like earthquakes, typhoons or flooding. Training should consider including

all aspects from prevention to response and recovery, as well as increase business resilience.

52. The gulf between the world of learning and the world of work can be wide. The active participation of employers and their organizations as well as workers' organizations in TVET is essential to bridging this gap. As such, employers and their organizations, and workers' organizations should aim at:

- (a) maintaining close collaboration with the relevant training authorities and playing an active role in the improvement of general and specific TVET in tourism, including through sectoral skills councils; ensuring that relevant training and skills development programmes are provided for all levels of sector workers to meet the needs of enterprises as well as the development public policies;
- (b) discussing and agreeing on the training needs in line with the demand of the market and of the workforce, based on consultations with relevant tourism associations, national and local authorities;
- (c) promoting equal training opportunities for all and especially groups that may face particular disadvantages in terms of acquisition of professional skills (for example, youth, persons with disabilities, migrant workers, older persons, indigenous peoples or ethnic minorities);
- (d) promoting and implementing relevant internship and apprenticeship schemes in the tourism sector, in line with principles of decent work;
- (e) providing workers, where possible, with adequate time for relevant skills upgrading and training;
- (f) including skills development as an element to be addressed in collective bargaining arrangements negotiated at either sectoral or enterprise level;

- (g) participating in national or sectoral training bodies or councils to ensure that the sector's training needs are taken into account in the development of HRD policies and programmes.

3.4. Implementing international labour standards and enforcing compliance with laws and regulations

53. International labour standards are central to ensuring a rights-based approach to development while providing an enabling environment for improved productivity and performance. In accordance with the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up (1998), all ILO member States have an obligation to promote and to realize the fundamental principles and rights at work concerning child and forced labour, freedom of association and the right to collective bargaining and non-discrimination.

54. In ensuring a rights-based approach to the promotion of sustainable tourism, the following actions need to be considered:

- (a) promoting equality and non-discrimination;
- (b) eliminating forced and child labour;
- (c) ensuring freedom of association and the right to collective bargaining.

3.4.1. Promoting equality and non-discrimination

55. Despite the general acceptance of the principle of equality and non-discrimination, and equal remuneration for women and men for work of equal value and the high rates of ratification of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and the Equal Remuneration Convention, 1951 (No. 100), tourism workers or those seeking work in the sector, particularly people and groups vulnerable to discrimination are not always effectively protected under the

relevant national legislation. Further, due to organizational and structural characteristics of the sector, workers with family responsibilities, both women and men, face particular challenges in reconciling work with family and care responsibilities.

56. Convention No. 169 promotes the recognition and protection of indigenous and tribal peoples' integrity, cultures and identities. National laws and policies for the tourism sector, in countries where indigenous peoples live, should promote partnerships with these peoples as a means to promote cultural exchange as a way of sharing the country's cultural diversity. Governments should ensure that the rights and cultures of indigenous peoples are safeguarded. Thus the development of the tourism sector should parallel the concept of sustainable development and its social, economic, cultural and environmental implications, particularly those related to indigenous and tribal peoples.

57. Policies to promote equality and non-discrimination in the tourism sector should aim at:

- (a) promoting a general environment of zero tolerance of violence and harassment, including gender-based violence. All actors in the world of work should abstain from, prevent and address violence and harassment. An integrated approach to addressing violence and harassment (moral and sexual) in the world of work is needed. Delineating clear responsibilities for public and private employers, workers and their respective organizations, and governments in dealing with violence and harassment, and developing joint strategies and collaboration in tackling this challenge is of crucial importance;
- (b) ensuring that all legislation and policy applying to the tourism sector promote equality of opportunity and treatment in respect of employment and occupation, with a view to eliminating discrimination; for example, developing or revising national legislation and policies to prohibit discrimination and promote equal access of

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men and women to career development and benefits, bonuses and allowances;

- (c) supporting the establishment and well-functioning of childcare, family services and facilities with a view to enabling workers, both women and men, to remain in employment;
- (d) raising awareness of the benefits for the tourism industry of a diverse and inclusive workforce for enterprises' adaptability, growth sustainability and competitive edge;
- (e) including measures to address barriers experienced by population groups vulnerable to discrimination, such as policies or initiatives to facilitate equal access and participation in education and training programmes, employment recruiting processes, start-up grants and/or a range of financial services.

3.4.2. Eliminating forced and child labour: Meeting the requirements

58. With the economic growth, job creation and development opportunities that tourism brings, comes the challenge of its possible detrimental impacts on the communities and the environment. Although it is widely recognized that tourism is not the cause of human rights violations such as forced labour, human trafficking or the sexual abuse and exploitation of adults and children, parallel activities unduly associated with tourism can aggravate the problem when parts of tourist infrastructure, such as transport networks and accommodation facilities, are exploited for criminal purposes.

59. It has been estimated that 2 million children in the world are victims of commercial sexual exploitation; much of it is linked with parallel activities unduly associated with tourism (ILO, 2009a). Children who are particularly at risk include orphans and other vulnerable children, for example, children who lack adequate adult care, who are

victims of domestic violence, children from socially excluded and discriminated-against groups, homeless and street-dwelling children and out-of-school children.

60. The Minimum Age Convention, 1973 (No. 138), and the Worst Forms of Child Labour Convention, 1999 (No. 182), require immediate action against the worst forms of child labour, including slavery and drug trafficking. Member States that have not done so already should ratify Convention No. 138, Convention No. 182, the Forced Labour Convention, 1930 (No. 29), and its Protocol of 2014, and the Abolition of Forced Labour Convention, 1957 (No. 105). They may emulate other ratifying member States by developing, through tripartite consultation, national plans of action with measurable outcomes. This requires cooperation between relevant ministries and the social partners; monitoring and assessment of the problem; the design of an appropriate national strategy; and the strengthening of institutional capacities, including the establishment or strengthening of educational provision and law enforcement. When enacting national laws and regulations to protect persons, particularly migrant workers, from abusive and fraudulent practices during the recruitment processes based on international labour standards and ILO principles and operational guidelines for fair recruitment, governments should aim, *inter alia*, at:

- (a) developing integrated preventive policies and actions that recognize the importance of promoting decent work for adults and youth of working age through improved earnings, income security and social protection. Social security interventions (for example, health insurance; cash or in-kind transfers; unemployment protection; maternity protection and access to childcare facilities), designed in accordance with national needs and in line with the Social Protection Floors Recommendation, 2012 (No. 202), can help combat child

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labour. Access to free, quality, compulsory education and raising awareness of the importance of schooling are indispensable to child labour prevention;

- (b) pursuing integrated approaches to promote creation of child labour-free communities. The prevalence of the worst forms of child labour may be an entry point for intervention, but all children have the human right to be free of child labour and must not be displaced from one form of child labour to another;
- (c) establishing and facilitating child labour monitoring and identifying children at risk and their referral to appropriate services. National and community-level monitoring systems can include representative actors such as workers' organizations, cooperatives and district authorities and be pursued in collaboration with labour inspection, schools and education workers, community-based organizations and, as appropriate, with NGOs;
- (d) conducting awareness-raising campaigns and community outreach programmes which help vulnerable young people, including rehabilitated victims of human trafficking, providing them with new life opportunities;
- (e) enacting and strengthening appropriate anti-forced labour, anti-child labour and anti-trafficking laws and regulations with appropriate penalties for engaging in the practice and measures for remediation;
- (f) strengthening institutional capacities, governance, the judicial capacity and law enforcement, including for labour inspectors, to identify and intervene in cases of forced labour, human trafficking or child labour;
- (g) promoting effective collaboration between relevant ministries, government departments and social partners. Coordination with immigration authorities is important considering that migrant

workers are particularly vulnerable to falling victim to forced economic exploitation;

- (h) establishing integrated case management systems to deal with child labour.

3.4.3. Ensuring freedom of association and the right to collective bargaining

61. The rights to organize and to bargain collectively, in accordance with the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), are enabling human rights that make it possible to promote democracy, sound labour market governance and decent conditions and secure incomes at work.

62. Collective bargaining can play an important role in enhancing tourism enterprises' performance, managing change and building industrial relations. However, the tourism sector's diversity and fragmentation, informality and the increasingly complex employment relationships, include a high level of subcontracting and outsourcing. While these may be important for the functioning of the sector, they may have implications for workers' freedom of association and right to bargain collectively. Collective bargaining is an effective means of determining conditions of work in this sector, and for enhancing working conditions, career prospects and job security to the benefit of the workers. Particular attention needs to be paid to:

- (a) developing national policies and legislation, or adapting existing ones to the needs of tourism workers, to ensure freedom of association and the right to collective bargaining for all tourism sector workers without discrimination, including women, young and migrant workers, and regardless of their employment status;

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- (b) ensuring the establishment of an adequate machinery, including responsible authority and labour inspectors, to guarantee the effective application and implementation of laws, particularly those relating to freedom of association and the right to collective bargaining;
- (c) protecting tourism workers against dismissal based on their activities in workers' organizations or by reason of union membership by establishing rapid appeal procedures, and creating and enforcing laws protecting freedom of association;
- (d) establishing social dialogue structures at the national and workplace level for effective collective bargaining, worker consultation, and to create a good work atmosphere and a win-win situation in which successful enterprises provide decent work and in which motivation, trust and cooperation can be promoted.

3.5. Strengthening labour protection

63. Labour protection and social security are complementary and together provide the social protection that workers and their families need. The regulation of working conditions in the areas of wages, working time, OSH and maternity protection is central to effective and efficient labour protection in tourism, as well as other industries. Effective systems of social dialogue and collective bargaining contribute to these protections.

3.5.1. Social security

64. Out of the global population, 27 per cent enjoy access to comprehensive social security benefits, whereas 73 per cent are covered partially or not at all (ILO, 2014c). Due to short tenures, short contribution periods or low earnings and other irregular patterns of work,

tourism workers may have limited social security coverage or accrue limited entitlements over their career for adequate levels of social security benefits, namely when they reach old age. For example, as a result of their low wages, their benefit levels may result in low amounts. Unless there are provisions to guarantee minimum benefit levels, the income replacement would be insufficient to allow a life in dignity. Other non-contributory social assistance measures provided by governments could then become essential.

65. Informality in the industry poses challenges to ensuring effective social security coverage. Recent research shows that, in some countries, women are particularly disadvantaged as they are more likely than men to work in the informal economy, casual, temporary or part-time employment and tend to earn less. The compliance of employers with the requirement to register and duly contribute to social security on behalf of their workers is of significant importance. For the tourism sector, the delivery of social security coverage is especially important as it allows portability of benefit entitlements in line with the high turnover often observed in the tourism industry.

66. The Social Security (Minimum Standards) Convention, 1952 (No. 102), lays down the minimum standards for the level of social security benefits and the conditions under which they are granted. It covers the nine principal branches of social security, namely medical care, sickness, unemployment, old age, employment injury, family, maternity, invalidity and survivors' benefits. Recommendation No. 202 provides guidance to member States in building nationally defined social protection floors which guarantee at least a basic level of social security to all, encompassing access to health care and income security throughout people's lives and ensuring their dignity and rights. It provides guidance and key principles for building effective, gender-sensitive social

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protection floors. More specifically, public policies and strategies on social security should aim at:

- (a) being gender-sensitive, respond to national needs and be in line with Convention No. 102 and Recommendation No. 202;
- (b) applying social security extension strategies to persons in both the formal and informal economy, while supporting the growth of formal employment and the reduction of informality;
- (c) linking social security policies with the promotion of productive economic activity and formal employment through policies that include public procurement, government credit provisions, labour inspection, active labour market strategies and tax incentives, and that promote education, vocational training and employability, which are key for the sector;
- (d) seeking to ensure that all workers in the tourism economy enjoy social protection coverage regardless of their employment situation.

3.5.2. Maternity protection

67. Maternity protection is essential for protecting the health and safety of mother and child, strengthening families' social and economic security, promoting gender equality and women's enhanced participation in the labour force.

68. Worldwide, the vast majority of women in employment are still not protected to replace their income in the event of maternity. Despite the fact that maternity protection has been strengthened across the world, only 35.3 per cent of employed women benefit from mandatory coverage by law and thus are legally entitled to periodic cash benefits as income replacement during their maternity leave (ILO, 2014c). Maternity protection and benefits under social security are particularly important to the

sector where many women work. Relevant policies and strategies should aim at:

- (a) ensuring that all women in the workforce, including those in NSFE, enjoy protection without discrimination;
- (b) addressing gaps in legal coverage, strengthening enforcement of legal provisions and facilitating the transition to formality;
- (c) ensuring that workers have access to paid maternity and paternity leave, including cash and medical benefits, in accordance with the national laws or regulations; and ensuring protection against discrimination and maternity-related dismissal. Providing paid paternity leave is an important opportunity for fathers to contribute to child development and promote equal sharing of care responsibilities between women and men;
- (d) addressing maternity-related workplace issues by formulating and implementing practical family-friendly workplace measures, ensuring health protection at work for pregnant and nursing staff, including breastfeeding arrangements and protection against hazardous work during prenatal and postnatal periods;
- (e) financing maternity and paternity benefits through social security or other measures, rather than placing the liability on the employer in order to mitigate disincentives to recruit women;
- (f) promoting an integrated and coherent approach to work–life reconciliation and maternity protection. This includes implementing a broader set of work–family reconciliation measures for both men and women workers which range from public policies and collective bargaining to workplace initiatives. The Workers with Family Responsibilities Convention, 1981 (No. 156), provides relevant guidance to this effect.

3.5.3. Working conditions

69. While irregular working hours can offer options for tourism workers to better balance work and private life, in some cases they can also have health consequences, leading to a deterioration of the quality of service and motivation. This may particularly affect workers with family responsibilities.

70. In some cases, women, migrant and young workers could suffer disadvantageous working conditions that include unequal opportunities and greater vulnerability to abuse, violence, harassment and exploitation.

71. The regulation of working conditions in the areas of wages, working time and OSH is therefore of key importance to the sector. Tourism workers should not be excluded from the scope of any minimum standard adopted at the national level for workers in general, including those relating to social security entitlements.

Working time

72. The regulation of the hours of work, including the establishment of a maximum working day and week, for all workers regardless of the type of employment relationship is essential for workers' health, workplace safety, work–life balance and sustainable enterprise productivity. Certain working-time arrangements such as variable hours are frequent in tourism businesses to respond to customers' demands. These can make it more difficult for workers to find a work–life balance. In addressing the issue of working time, it is important to consider:

- (a) developing and implementing integrated and innovative approaches to address the needs of both men and women workers in terms of work–life balance;
- (b) ensuring that workers are entitled to annual leave with pay of a length to be determined by collective bargaining or in accordance

with national law and practice. In cases where their contract expires or their period of continuous service is not of sufficient duration to qualify them for full annual leave, the workers concerned shall be entitled to paid leave proportionate to the length of service or payment of wages in lieu, as determined by collective bargaining or in accordance with national law or practice;

- (c) undertaking measures to ensure that working hours and overtime work are properly calculated and recorded and that each worker has access to his or her record;
- (d) promoting the negotiation of working hours and working shifts between employers and workers' organizations;
- (e) compensating overtime work, including night and weekend shifts, by time off with pay, by a higher rate or rates of remuneration for the overtime worked, or by a higher rate of remuneration, as determined in accordance with national law and practice, collective agreements, and after consultations between the employer and the workers concerned or their representatives;
- (f) ensuring that workers are entitled to a daily rest period between ending work and starting work the next day and a weekly rest, in accordance with international labour standards, national laws and regulations and/or collective agreements, as applicable. Wherever practicable, split shifts should be progressively eliminated. This should also apply to those working in the form of weekend or night shifts, or during holiday periods;
- (g) determining the length of meal breaks in the light of the customs and traditions of each country or area and according to whether the meal is taken in the establishment itself or elsewhere.

Wages

73. In addressing the issue of wage differentials and remuneration, it is important to consider:

- (a) adopting minimum wage policies set at adequate levels that take into account the needs of workers and their families, as well as economic factors, and that can be effectively enforced to help protect tourism workers most at risk;
- (b) establishing a mechanism for coordinated wage setting through collective bargaining and using collective agreements on wages to establish minimum standards and to set wages above an existing minimum floor. This should also include the periodic adjustment of salary levels to reflect increases in relevant income levels or costs in the standard of living. Inter alia, financial incentives can be provided, for example, for long-term service, management responsibilities or particular skills;
- (c) ensuring that workers are paid their wages regularly, in full and without any unlawful deductions, and regardless of tips where permitted, and that these tips are distributed in a fair and transparent manner. Measures to achieve this include the documentation of wage payments by employers and effective remedies for workers to recover unpaid wages. Labour inspectors and workers' organizations play an important role in promoting and monitoring compliance with minimum wage regulations, collective agreements and employment contracts;
- (d) taking appropriate measures to promote and ensure equality of opportunity and treatment in respect of remuneration for work of equal value, without discrimination, in accordance with Convention No. 100.

Occupational safety and health

74. Risks and hazards that exist in the tourism industry include fatigue and injuries stemming from physically demanding work (for example, repeated lifting, moving and lifting beds and mattresses, bending or the overload of trays), work-related accidents and injuries (for example, cuts, burns, slips, trips and falls), chemical and biological risks (for example, toxic products, open needles), psychological risks (such as stress, harassment and violence encountered, for example, by housekeepers). In addition, some tourism workers may be at particular risk of exposure to HIV and AIDS, for example, through needlestick injury.

75. These hazards and risks have serious negative effects on workers, their families and societies at large and negatively impact enterprises' productivity and competitiveness. Identifying, preventing and controlling these hazards and risks with a view to eliminating workers' exposure is of critical importance to protect workers' health and future well-being. In effectively addressing OSH challenges, the following needs to be considered by governments and social partners:

- (a) enacting and enforcing OSH laws, including through labour administration and inspection systems. Governments should establish, in consultation with the social partners, public OSH policies, systems and programmes applicable to the tourism sector and provide technical guidance to the parties concerned;
- (b) consistently implementing prevention strategies designed to anticipate, identify, evaluate and control both existing and emerging physical and psychological risks and hazards. Particular attention needs to be paid to gender-related risks and hazards;

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- (c) adopting national laws and regulations and enterprise policies in accordance with principles of non-discrimination in employment and occupation, and the HIV and AIDS Recommendation, 2010 (No. 200);
- (d) extending coverage of OSH and other legal protection relevant to violence and harassment in the world of work to all workers and sectors by identifying and closing gaps in the coverage. Accessible and expedited procedures, which take account of the particular obstacles faced by those not adequately protected by labour law and other relevant laws, should be established;
- (e) adopting workplace policies, including strong equality and non-discrimination policies, to prevent violence and harassment particularly targeting women workers. Special attention should also be given to people and groups that are vulnerable to discrimination and more likely to be victims of violence and harassment than other workers in the sector;
- (f) adopting legal, administrative, and disciplinary measures and other types of remedial action where non-compliance with OSH laws and regulations, violence and harassment have occurred. Providing support to victims of violence and harassment, including through safe reporting and protection against victimization;
- (g) including legal provisions covering psychosocial hazards and risks, work-related stress and workers' mental health and well-being in labour codes; OSH laws, acts, and regulations; codes of practice; technical standards; decrees; and collective agreements;
- (h) collecting and analysing statistics on work-related fatalities, injuries and diseases, and monitoring their trends.

76. Tourism employers in collaboration with workers and their representatives should prioritize the following in accordance with the Occupational Safety and Health Convention, 1981 (No. 155):

- (a) Developing workplace OSH policies and management systems in consultation with workers and their representatives, with a view to improving the observance of OSH regulations, and thereby lowering injury, illness and fatality rates and reducing the occurrence of accidents and calamities. This includes cooperating with the competent safety and health authorities, and the representatives of the workers and their organizations.
- (b) Conducting workplace risk assessments on a regular basis to identify potential hazards and define the necessary risk management practices.
- (c) Implementing an integrated approach to OSH aimed to reduce the incidence of injuries, illnesses, fatalities, accidents and calamities that include the following measures:
 - the establishment of workplace safety and health committees in accordance with national law and practice and/or collective bargaining agreements;
 - identification and provision of proper tools and equipment to perform the job safely;
 - training and information on OSH for workers at all levels of the enterprise;
 - setting targets for improvements and risk communication;
 - health and medical surveillance as a monitoring tool to ensure the functioning of the measures of prevention of work-related illness.

3.6. Promoting effective social dialogue

77. Social dialogue and tripartism are the key features of the ILO's governance paradigm and an important tool for promoting fair and peaceful workplace relations, decent work and social justice. Social dialogue offers numerous benefits; in particular, it can help to minimize social conflict by facilitating consensus between the parties concerned on the design and implementation of economic and social policies. By contrast, lack of social dialogue leads to conflict, misunderstanding and fragmented progress.

78. Social dialogue includes all types of negotiation, consultation and exchange of information. Consequently, social dialogue thereby is an important tool in any industry, including tourism.

79. Collective bargaining is one means of ensuring that wage and productivity growth go hand in hand. From a worker's perspective, an employer's commitment to good faith collective bargaining represents a guarantee that the distribution of any productivity gains will be the subject of negotiation. From an employer's perspective, collective bargaining provides an incentive to invest in the development of new industrial techniques and forms of organization that will increase efficiency and productivity. By creating a link between economic upgrading and social upgrading, collective bargaining not only gives workers an incentive to cooperate with organizational change and development in the knowledge that the gains will be fairly distributed, but also supplies a voice mechanism that, among other positive effects, can enhance communication, reduce staff turnover and improve productivity.

80. Because of the nature of the tourism sector as an interface between service providers and customers, establishing good workplace management-labour relations is of critical importance, as it can positively impact service quality and the retention of staff. Challenges that

the sector faces include low union density due, inter alia, to the prevalence of SMEs, the young workforce and high staff turnover.

81. In order for social dialogue to be successful and to fully realize its potential as a tool to advance decent work in the tourism sector, governments and employers' and workers' organizations should aim at:

- (a) actively promoting and engaging in discussions at appropriate levels according to national law and practice, and/or collective bargaining, on relevant matters for the tourism sector, for example:
 - SDGs and the role of sustainable tourism, including the promotion of decent work in the tourism sector;
 - the development, implementation and monitoring of policies and interventions that promote decent work in tourism with a view to enhancing its sustainability;
 - the role of social partners and all forms of social dialogue in promoting full and productive employment and decent work and in assessing employment and labour-related needs and challenges;
 - the role of local communities and local governments in the development of tourism policies, strategies and initiatives that can impact their lives and natural environment;
 - ways of increasing productivity in tourism enterprises while ensuring sector workers benefit from adequate working conditions;
- (b) engaging in collective bargaining at the national, sectoral and local enterprise level between an employer, a group of employers or one or more employers' organizations, on the one hand, and one or more workers' organizations, on the other;
- (c) extending membership and services to all workers while promoting the transition from the informal to the formal economy;

3. Designing and implementing sustainable tourism policies

- (d) strengthening labour dispute prevention and resolution systems and mechanisms, including for the effective handling of individual complaints;

82. Governments should aim at:

- (a) strengthening processes of empowerment and organization for voice and representation;
- (b) promoting strong, independent and effective employers' and workers' organizations with adequate technical capacity and access to relevant information;
- (c) promoting mechanisms, structures, procedures and institutions such as statutory boards and committees (for example, tripartite national tourism committees), development agencies, and economic and social councils dedicated to improving labour relations and promoting sustainable tourism;
- (d) improving existing social dialogue mechanisms, where necessary, and enhancing collective bargaining and negotiation, as a platform for giving tourism workers a voice in social and economic development;
- (e) ensuring respect for the rule of law, including through effective labour inspection and enforcement in the industry and the strengthening of dispute prevention and resolution mechanisms, recognizing that these are the responsibilities of governments;
- (f) promoting effective consultations, exchanges of information and other forms of dialogue between social partners and on a tripartite basis with governments.

Appendix

The purpose of this appendix is to provide complementary information on existing international labour standards, declarations and other documents that should be taken into account when designing and implementing interventions related to the sector.

The ILO's Governing Body has identified eight Conventions as "fundamental", covering fundamental principles and rights at work:

- Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)
- Right to Organise and Collective Bargaining Convention, 1949 (No. 98)
- Forced Labour Convention, 1930 (No. 29), and the Protocol of 2014 to the Forced Labour Convention, 1930
- Abolition of Forced Labour Convention, 1957 (No. 105)
- Minimum Age Convention, 1973 (No. 138)
- Worst Forms of Child Labour Convention, 1999 (No. 182)
- Equal Remuneration Convention, 1951 (No. 100)
- Discrimination (Employment and Occupation) Convention, 1958 (No. 111)

The ILO's Governing Body has designed another four Conventions as priority instruments, thereby encouraging member States to ratify them because of their importance for the functioning of the international labour standards system:

- Labour Inspection Convention, 1947 (No. 81), and the Protocol of 1995 to the Labour Inspection Convention, 1947
- Employment Policy Convention, 1964 (No. 122)

- Labour Inspection (Agriculture) Convention, 1969 (No. 129), and the Protocol of 1995 to the Labour Inspection Convention, 1947
- Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)

The following non-exhaustive selection compiles international labour standards of relevance for the tourism sector:

- Working Conditions (Hotels and Restaurants) Convention, 1991 (No. 172)
- Working Conditions (Hotels and Restaurants) Recommendation, 1991 (No. 179)
- Right of Association (Agriculture) Convention, 1921 (No. 11)
- Right of Association (Non-Metropolitan Territories) Convention, 1947 (No. 84)
- Social Security (Minimum Standards) Convention, 1952 (No. 102)
- Consultation (Industrial and National Levels) Recommendation, 1960 (No. 113)
- Hygiene (Commerce and Offices) Convention, 1964 (No. 120)
- Hygiene (Commerce and Offices) Recommendation, 1964 (No. 120)
- Invalidity, Old-Age and Survivors' Benefits Convention, 1967 (No. 128)
- Holidays with Pay Convention (Revised), 1970 (No. 132)
- Workers' Representatives Convention, 1971 (No. 135)
- Rural Workers' Organisations Convention, 1975 (No. 141)
- Human Resources Development Convention, 1975 (No. 142)
- Labour Relations (Public Service) Convention, 1978 (No. 151)
- Collective Bargaining Convention, 1981 (No. 154)
- Occupational Safety and Health Convention, 1981 (No. 155)

- Workers with Family Responsibilities Convention, 1981 (No. 156)
- Termination of Employment Convention, 1982 (No. 158)
- Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159)
- Indigenous and Tribal Peoples Convention, 1989 (No. 169)
- Night Work Convention, 1990 (No. 171)
- Part-Time Work Convention, 1994 (No. 175)
- Job Creation in Small and Medium-Sized Enterprises Recommendation, 1998 (No. 189)
- Maternity Protection Convention, 2000 (No. 183)
- Maternity Protection Recommendation, 2000 (No. 191)
- Promotion of Cooperatives Recommendation, 2002 (No. 193)
- Human Resources Development Recommendation, 2004 (No. 195)
- Employment Relationship Recommendation, 2006 (No. 198)
- Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)
- HIV and AIDS Recommendation, 2010 (No. 200)
- Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204)

In developing policies and strategies to promote decent work in tourism, consideration should be given to the following documents:

- The ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up (1998)
- The ILO Declaration on Social Justice for a Fair Globalization (2008)

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- The ILO Tripartite Declaration of Principles concerning Multi-national Enterprises and Social Policy (MNE Declaration), adopted in 1977 (revised in 2000, 2006 and 2017)
- The UN Sustainable Development Summit adopted the “Transforming Our World: The 2030 Agenda for Sustainable Development” with its 17 SDGs and 169 associated targets
- The ILO *Guidelines on occupational safety and health management systems* (ILO–OSH 2001)
- ILO *Guidelines for a just transition towards environmentally sustainable economies and societies for all* (2015)
- ILO *General principles and operational guidelines for fair recruitment* (2016)
- UN *Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework* (2011)
- 10-Year Framework of Programmes on Sustainable Consumption and Production (10YFP) (2012)

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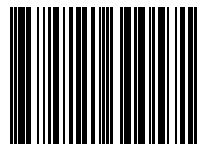
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Tourism is an important driving force of inclusive socio-economic development, with significant potential to stimulate enterprise and job creation. Over the last decades, it has experienced continued growth and diversification, becoming one of the largest, most dynamic and resilient sectors of the global economy. The tourism sector, however, faces decent work challenges that need to be addressed in order to take full advantage of its potential for economic development and job creation.

These Guidelines on *Decent work and socially responsible tourism* were adopted by a meeting of experts in early 2017 and draw upon the expertise of the representatives of governments, employers, workers and other participants. They set out common principles and the policy framework that should guide action to achieve decent work and socially responsible tourism, and full and productive employment in the tourism industry, in line with the Sustainable Development Goals.

These Guidelines constitute the first international text specifically addressing decent work and socially responsible tourism and should serve as a reference tool for the ILO constituents and other tourism stakeholders in their efforts to address labour-related challenges and opportunities for the sustainable development of the tourism sector.

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