Report on Corporate Social Responsibility for Workers Workshop

11th - 12th May 2023

The AKNAC Hotel, Accra.

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ABBREVIATIONS

Acronym	Meaning
CSR	Corporate Social Responsibility
ILO	International Labour Organization
MNE	Multi-National Enterprises
SDGs	Sustainable Development Goals
ToR	Terms of Reference
TUC	Trade Union Congress

DAY ONE

(Thursday 11th May 2023)

Introduction

A two-day Corporate Social Responsibility (CSR) for workers' organisations workshop was held at the Aknac Hotel from Thursday 11th to Friday 12th May 2023. Participants included representatives from workers' organisations and Trade Unions including the Trade Union Congress (TUC) of Ghana, Health Service Workers Union, Local Government Service Workers Union, Teachers and Education Workers Union, Ghana Mine Workers Union, Union of Education, Agriculture & General Science of GFL, General Construction, Manufacturing and Quarries Workers Union, Cocoa Research Workers Union, Ghana Private Road Transport Union, Ghana Federation of Disability Organisations, Public Utility Workers Union, Maritime and Dockworkers Union and the Communication Workers Union of TUC. The workshop was organized by the International Labour Organization (ILO).

Objectives

General Objective: To put in place a coordination mechanism to promote the MNE Declaration and the application of its principles among workers' organizations and workers' representatives in Ghana.

Specific Objectives:

a. Build a common understanding of the ILO Multi-National Enterprises (MNE) Declaration and how it can be useful for workers and their organizations to engage with enterprises on the realization of decent work in Ghana.
b. Discuss joint priorities and areas of collaboration within the trade union movement for the promotion of the MNE Declaration in Ghana.
c. Agree on the best coordination mechanism to ensure coherence and coordination in the workers' promotion efforts.

Expected outcomes.

a. A Terms of Reference (ToR) for a workers' platform,
b. An agreement on next steps for the promotion and application of the MNE Declaration through workers and their representatives in Ghana.

This report provides an account of key presentations, discussions, and outcomes of the 2-day workshop.

Opening remarks by Madam Akua Ofori-Asumadu, ILO

The National Programme Manager for the Trade for Decent Work at ILO, welcomed participants, and outlined the objectives of the workshop. She took participants through the programme outline to ensure that all were abreast of activities for the 2-day workshop.

Welcome remarks by Madam Mary Karimu, Head of the International Desk, TUC, and Focal Person for the Trade Unions.

The Head of the International Desk at TUC, and focal person for the MNE Programme under the Trade for Decent Work project being implemented by ILO, provided a brief introduction of her role as a focal person for the Trade Unions, indicating that the main objective of all focal persons is to ensure that the rights of workers are protected. She added that the protection of workers' rights begins with workers knowing the principles of the MNE Declaration, and how these principles protect their rights and promote the quality of dialogue between workers, their Unions, and employers. She ended by wishing all participants a fruitful workshop.

Welcome remarks by Dawuda Braimah, Chief Labour Officer

Mr. Braimah acknowledged and appreciated the ILO's support for focal persons at all times. He indicated that the MNE Declaration epitomises decent work, adding that workshops like these allow Unions and workers to understand their roles in ensuring and protecting the dignity of workers. He opined that MNEs appreciate the principles of the MNE Declaration, since that is the first step in reducing or preventing labour unrest at the workplace. Mr. Braimah finally welcomed all participants and wished them a fruitful workshop.

Welcome remarks by Cheickh Badiane, Technical Specialist, ILO

Mr. Cheickh Badiane expressed his excitement to be part of the workshop, adding that previous speakers had already set the tone for the discourse over the next two (2) days, to raise awareness and sensitize Trade Unions on the MNE Declaration - a very important tool for Trade Unions and workers to strengthen their actions while equipping workers to understand their roles at the workplace. He added that the workshop will also discuss how to ensure MNEs understand the principles of decent work and how to deploy them at their workplaces.

Welcome remarks by Josee Laporte, CSR specialist, ILO

Ms. Laporte also expressed her excitement on being part of the workshop. She thanked all Trade Unions for their acceptance of the tripartite instrument of the ILO and charged all representatives to own the instrument and ensure that they use it to its full usefulness in their operations. She also urged representatives to take advantage of the workshop and enhance appreciation of the tenets of decent work to enable them better represent organised labour.

Session 1

Presentation - Harnessing the contribution of business for more and better jobs in Ghana: the guidance offered by the ILO MNE Declaration

Presenter: Cheickh Badiane, Technical Specialist, MULTI, ILO

Mr. Badiane submitted the following on the MNE declaration and the opportunity the principles presents to businesses and more specifically, labour rights:

The MNE Declaration

The MNE Declaration is an instrument that recalls enterprises (multinational and national) to respect workers' rights and contribute to the realization of the fundamental principles and rights at work. The instrument as well provides direction and guidance to enterprises on social policy and inclusive, responsible, and sustainable workplace practices.

The MNE declaration makes provision for how countries can take advantage of the guidance that the Declaration provides, even though there may be differences in how citizens react to various developments and operations of MNEs in their countries, from working conditions, and the impact of MNEs' to the development of their countries. The Declaration provides recommendations in 5 areas; General principles (Fundamental Principles and Rights at Work and due diligence); Employment (Social security, forced labour, Child labour, Equality of opportunity and treatment); Training; Conditions of Work and Life (wages, benefits, and conditions of work); and Industrial Relations (settling of industrial disputes, consultation, and collective bargaining).

The MNE Declaration prioritises dialogue in resolutions. These include dialogues between government and social partners (social dialogue), between government, social partners, and multinational companies, between home and host countries of multinational enterprises, and within companies

between management and workers (industrial relations). It is worth noting that, the MNE Declaration is rooted in International Labour Standards, which stipulates best practices. Therefore, the absence of the Declaration does not give an MNE the right to contravene International Labour Standards. This is because the MNE Declaration only provides the ideal instruments to guide the operationalisation of existing international labour standards to the benefit of government and citizens.

The MNE principles and the Sustainable Development Goals (SDGs)

The guidelines in the MNE Declaration can be used in addressing challenges which neither governments nor companies can address on their own, including multi-stakeholder partnerships and international cooperation initiatives. Knowing how to use the MNE Declaration helps workers and Trade Unions to demand responsible working standards and decent work ethics from employers.

In countries like Sierra Leone and La Cote d'Ivoire who have national focal points for the promotion of the MNE Declaration and a Trade Union Network, the adoption of the MNE declaration and its principles has provided opportunities for some suppliers to receive training and capacity building in using the principles, leading to the formalisation of their operations. In addition, the guidance from the MNE Declaration has contributed to the elimination of child labour and its root causes, addressing issues such as minimum age in direct and indirect employment to protect the rights of children.

While Foreign Direct Investment is crucial to the economic development of countries, including Ghana, it is the responsibility of governments to ensure that in attracting foreign direct investments, they do not short-change the rights of their labour force. Representatives of Trade Unions must take a keen interest in the provisions of the Declaration to aid meaningful negotiations in demanding better working conditions. The manual provided by ILO on the MNE Declaration enables workers and unions to use the MNE Declaration by putting forward practical scenarios.

Corporate institutions have a responsibility to respect human rights, as espoused in the Guiding Principles on Business and Human Rights, which charges corporate institutions to have in place policies and processes appropriate to their size and circumstances and ensure due diligence. These include measures to enable the remediation of any adverse human rights impacts they cause or to which they contribute, and must be upheld by corporate institutions and the government.

To support the implementation of the principles of the MNE Declaration, the ILO has a helpdesk for businesses, which has a dedicated website with free confidential expert services for industrial questions.

After the presentation, participants were allowed to seek clarification and make inputs. The following issues were raised:

1. Whether all member countries of the ILO are aware of the Declaration and apply them in in their respective countries.
2. The ill-treatment of some Ghanaian labour by Chinese MNEs operating in Ghana, and how the ILO can help address these challenges.
3. The phenomenon of recent heads of the Labour Unions being acting and not substantive, and how it poses a challenge for continuity.
4. The non-enforcement of safety at workplaces, and exorbitant charges for verification and licensing as imposed by the Labour Organisations.
5. The need to provide training for Trade Unions to enhance their understanding and appreciation of the provisions of the Declaration that protect their rights as Labour Unions.
6. The need for a strong network for Ghanaian Trade Unions.
7. The need for ILO to consider engaging at the African Continental Free Trade level because the agreements seem to lack provisions that protect local Trade Unions.

The following responses were provided to the issues raised:

Mr. Cheickh Badiane on the level of awareness of member states of MNE Declaration and the alleged Chinese breach of labour rights in Ghana:

All ILO member countries are aware of the MNE Declaration, but the challenge lies with compliance. However, some European governments are making significant strides, even though the case of China is a cause for worry which is not being reported by only Ghana. It is the primary responsibility of governments to ensure favourable working conditions in their respective countries, stressing the need for Trade Unions to be trained on the MNE Declaration and all other trade conventions that have been ratified by Ghana to ensure that Unions can hold government accountable.

It is unfortunate that China, being a founding member of the ILO is mostly complicit in adhering to International Labour Standards. The quality/capacity

of officials that negotiate and sign agreements on behalf of government/African countries raises some questions, hence the need to be equipped with the understanding of the key treaties and agreements they sign, bearing in mind that citizens come first.

Dr. Akua Ofori-Asumadu on efforts being made by the ILO to support the implementation of the MNE Declaration in Ghana:

The Ghana Investments Promotion Corporation through their Focal Persons is working with MNEs to enhance compliance with labour laws, including the principles of the MNE declaration. In addition, the ILO is having discussions with multinationals on the MNE Declaration, and the input of Trade Unions will be instrumental in this discourse. The ILO cannot enforce country level compliance, but based on reported breaches of labour rights, the ILO can request the government to respond to complaints or reports of abuses of labour rights at the International Labour Conference.

Mr. Dawuda Braimah on the acting leaders of some Labour Unions and its implications on continuity:

An acting executive of a Labour Union must abide by the guiding principles of international labour standards, whether acting or substantive. Reacting to issues of infringements against the Ghanaian labour force by MNEs. The Labour Department has not reneged on its responsibility in protecting the rights of the Trade Unions, and is always ready to address such complaints. Trade Unions must strengthen their collaboration with the Labour Department. This is because, most of the issues facing Trade Unions can be addressed if there is an existing collaboration between the Unions and the Labour Department.

Regarding training for Trade Unions, the ideal situation will be for government to prioritise/provide training for Trade Unions on the principles of the MNE Declaration to enable them resist poor conditions of service from MNEs, and prevent MNEs from taking undue advantage of Ghanaian labour.

Group work one

Following the presentation, participants were tasked to outline the principles of the MNE Declaration that should be accorded priority attention by government and MNEs. Participants worked in four (4) groups, and each group was required to provide a maximum of 5 principles directed at the government and enterprises. The outcome is presented in the synthesised table below:

Principles	Directed to Government	Directed to Enterprises
General Policies	Paragraph 5: Ensure equal treatment between multinational and national enterprises	Paragraph 8: Respect the sovereign rights of the state and obey national laws and respect international standards
	Paragraph 3: Further the aim of the Declaration by adopting appropriate laws and policies, measures, and actions, including in the fields of labour administration and public labour inspection	Paragraph 11: Consult with government, employers', and workers' organizations to ensure that operations are consistent with national development priorities.
	Paragraph 9: Ratify all the Fundamental Conventions	Paragraph 10: Carry out due diligence1, taking account of the central role of freedom of association and collective bargaining, industrial relations, and social dialogue
Employment	Paragraph 22: Ensure and maintain, as appropriate, social protection floors within a strategy to progressively ensure higher levels of social security.	Paragraph 17: Before starting operations, consult the competent authorities and the national employers' and workers' organizations to keep employment plans, as far as practicable, in harmony with national social development policies
	Paragraph 28: Pursue policies designed to promote equality of opportunity and treatment in employment, with a view to eliminating any discrimination based on race, colour, sex, religion, political opinion, national extraction, or social origin.	Paragraphs 33 & 34: Endeavour to provide stable employment for workers and observe freely negotiated obligations concerning employment stability and social security, promote security of employment, providing reasonable notice of intended changes in operations and avoiding

		arbitrary dismissal.
		Paragraph 17: Respect the minimum age of admission to employment and take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labour **Group 2**
Training	Paragraph 37: Develop national policies for vocational training and guidance, closely linked with employment in cooperation with all the parties concerned.	Paragraph 39: Participate in programmes to encourage skills formation, lifelong training & development, and provide vocational training.
	Develop national policies and action plans for vocational training and guidance, closely linked to all stakeholders to protect employment and career path.	Paragraph 38: Provide training for workers to meet needs of enterprise and development policies.
Conditions of Work and Life	Paragraph 43: Ensure that both multinational and national enterprises provide adequate safety and health standards and contribute to a preventive safety and health culture, including taking steps to combat violence at work and attention to building safety; and that compensation is provided to workers who have been victims of occupational accidents or diseases	Paragraph 44: Maintain highest standards of safety and health at work, make known special hazards and related protective measures associates with new products and processes, provide information on good practice observed in other countries, and play a leading role in the examination of causes of industrial safety and hazards
		Paragraph 41: Across their operations, provide wages, benefits, and conditions of work not less favourable than those offered by comparable

		employers in the country concerned, taking into account the general level of wages, the cost of living, social security benefits, economic factors and levels of productivity.
Industrial relations	Paragraph 67: Ensure that voluntary conciliation and arbitration machinery is available free of charge to assist in prevention and settlement of industrial disputes	Paragraph 48,57,61: Respect freedom of association and the right to collective bargaining, provide the facilities and information required for meaningful negotiations
	Paragraph 51: Apply the principles of Convention No. 87, Article 5, in view of the importance, in relation to multinational enterprises, of permitting organizations representing such enterprises or the workers in their employment to affiliate with international organizations of employers and workers of their own choosing	

Session 2

Group work two: Challenges and opportunities for the realisation of decent work in Ghana.

The groups were tasked to outline the challenges and opportunities related to the operations of MNEs in Ghana in the quest for decent work. The following emerged:

Challenges	Opportunities
Operations of MNEs result in challenges such as: 1. Political instability, civil unrest and other forms of destruction and hindrances. 2. Pressure to adopt sustainable and socially responsible practices. 3. Cultural differences in host countries. 4. Communication/language barriers. 5. Compliance with regulations in host countries. 6. Lack of political will by governments. 7. Preferential treatment for MNEs against locals. 8. Non-enforcement of employment laws. 9. Lack of proper attention by MNEs to social protection issues. 10. MNEs exhibiting anti-Union tendencies. 11. Poor/non-adherence to labour standards by MNEs. 12. Under-resourced labour institutions (Labour Department/Labour Commission) 13. Prolonged dispute resolutions between MNEs and workers (high caseloads/lack of offices to handle cases/ overly centralised institutions). 14. Lack of adequate funds to settle disputes. 15. Dormant state institutions (absence of performance contracts) 16. Low wages (non-practical living wages) 17. Introduction of numerous taxes onto the labour market (introduction of new taxes) 18. Difficulty in getting foreign Nationals to	Operations of MNEs create opportunities such as: 1. Economic growth and development by payment of taxes and royalties/ Generating progressive tax for the economy. 2. Increased productivity as a result of industrial harmony. 3. Access to new markets, and materials. 4. Enforcement of proper employment agreements. 5. Reduced unemployment rate 6. Effective monitoring of MNEs 7. Enhanced national stability and realisation of SDGs 8. Increased tendencies of national sustainability 9. Vibrant labour movement 10. Adequately trained manpower 11. Competent tripartite arrangement 12. Informed workforce 13. Avenues for expressing concerns to employers 14. Solidarity among labour

join Trade Unions 19. MNEs resistant to negotiating with Trade Unions 20. Non-compliance of MNEs to Labour laws in host countries	groups MNEs should be trained to understand labour laws in host countries and be made to face the law when they go in contravention of the same.

Neglect of Persons with Disability

There was concern over the neglect of workers who become disabled in their line of work or work with disabilities in the MNE Declaration's sections under employment. Persons who encountered accidents at the workplace and are relieved of their posts as a result, do not get medical care from their employers. A recommendation was therefore made, indicating that the next review of the MNE Declaration should take into cognisance provisions for persons with disabilities, by providing accessible and favourable conditions for them to work.

Mr. Cheickh Badiane in response indicated that the workshop aims among others to harness such views to ensure that all labour concerns are fully embedded in the MNE Declaration in the long run.

Session 3 - The ILO MNE Declaration: What's in it for Workers

Presenter: Inviolata Chinyangarara, Specialist on Workers' Activities, ILO

Ms Chinyangarara introduced the guidelines for the MNE Declaration as a guide for employers and workers, adding that they summarise how the principles apply to the operations of enterprises. The guidelines also outline various rights that workers should enjoy, including safety from occupational hazards. Strict adherence and respect for human rights are stressed in the guidelines.

Three (3) workplace scenarios were discussed, with pathways provided on how the MNE Declaration addresses/resolves them.

Scenario 1 - Company-Union dialogue: responsible business conduct in practice.

A climate of mistrust between a well-known multinational enterprise and workers' representatives is causing tensions and disagreements. One of the disagreements is on the application of the GFA that the company negotiated with a global union federation. At a supplier company, workers are allegedly

not allowed to join a trade union, which violates the GFA and leaves workers without recourse to the assistance and protection that trade unions can provide. All involved parties agree that a solution is needed to end the current tensions.

Scenario 1 sparks misunderstanding between employer and workers, where an MNE is violating its agreement signed with the Global Union Federation, by denying workers the liberty to join Labour Unions.

Participants were allowed to suggest ways in which such instances are resolved in their respective sectors. All suggestions emphasized the need for dialogue and consensus to respect the freedom of association of workers.

The following solutions were recommended at plenary:

All Labour Unions are part of a larger Global Union Federation with subsidiaries across the globe who uphold the MNE Declaration. Scenario 1 is mostly addressed by dialogue. The MNE in this case must be reminded that they are undersigned to the MNE Declaration and denying their workers the liberty to join Unions is in contravention of the principles.

In the Ghanaian context, Scenario 1 is not uncommon. It is important for the labour laws be tested on the issue of denial of a worker from joining a Union. Global Union Federations utilise available avenues in labour laws to resolve such issues through social dialogues, and where there is an impasse, the Trade Unions can further engage the employer for an amicable resolution. The employer can also seek technical advice from the ILO Technical Unit on how to address Scenario 1 related issues.

Scenario 2 - Due diligence: A tool against union-busting and for workers' involvement

Managers in a MNE are developing a due diligence process to ensure at a minimum respect for the internationally recognised human rights in the company's own operations, its global supply chains, and other business relationships. They decide to require their direct suppliers to respect these rights and to engage a company to conduct social audits at direct suppliers of the MNE. The due diligence process follows an exclusively managerial approach and does not include workers and trade unions.

The following solutions were recommended at plenary:

Scenario 2 touches on due diligence, and it highlights a company developing a due diligence process, where only managers oversee the development of the policy. Participants expressed concerns with the process, indicating that the absence of key stakeholders such as workers is not appropriate, adding that

policy formulation requires management to formalise policies with workers' inputs incorporated to ensure acceptance of the policies.

Due diligence, according to the MNE Declaration, must include active participation and meaningful consultation with workers and Trade Unions. The first key principle of the MNE Declaration is ensuring that policy formulation is an all-inclusive process. What companies do to promote decent work is key in the due diligence process. Workers are a key part of management, and must always be involved, especially, in policies that concern them, and due diligence is one such key policy.

Scenario 3 - Combating precarious work: Using the MNE Declaration

A direct supplier for a well-known MNE employs hundreds of workers at a garment factory. The factory utilizes a substantial number of contract workers, who receive reduced pay, benefits and protections as compared to permanent workers, and cannot effectively exercise their rights to freedom of association and equal treatment for work of equal value.

The following solutions were recommended at plenary:

Scenario 3 presents a Human rights risk, and according to Paragraph 10d of the MNE Declaration, Enterprises should among others, carry out due diligence to identify and address actual and potential human rights impacts, keep contract workers in a situation of continuous precarity alongside permanent workers doing the same work can be a violation of the human right to equal treatment. MNEs as well as national enterprises, through active employment planning, should endeavour to provide stable employment for workers employed by each enterprise, and given the flexibility which multinational enterprises may have, they should strive to play a leading role in promoting the security of employment.

Ms. Chinyangarara lauded the efforts of Trade Union representatives for already applying the provisions of the MNE Declaration in addressing similar scenarios within their Unions. She urged them to share the scenarios with their Union members and explain to them how the MNE Declaration addresses same, as well as the opportunities that existed within the principles to address all forms of negative working conditions.

After the presentation, the following concerns were raised:

a. There are some companies that are not MNEs and are not undersigned to any international labour agreements, but violate workers' rights.

b. Government portrays a lackadaisical attitude to dealing with MNEs and foreign nationals who operate in contravention to all relevant labour laws.

Ms Chinyangarara on companies that are not MNEs, not undersigned to any international labour agreements, but violate workers' rights:

There are numerous instances of such companies and situations, but there are also several provisions in the MNE Declaration that can be useful in dealing with these challenges. Trade Unions need to be firm in demanding that government ensures all MNEs and/or contract workers sign up to adhere to the MNE Declaration and any other relevant labour laws. Examples from countries that have succeeded in addressing similar challenges including Gambia, Malawi and South Africa can be explored for actionable solutions.

Participants were urged to support the ILO to create a Platform for Trade Unions in Ghana, which will provide an avenue for workers to present a unified front and hold the government accountable for its adherence to all international labour conventions.

DAY TWO

(Friday 12th May 2023)

The rapporteur presented a recap of activities for day one.

SESSION 4 – Towards a workers' platform for the promotion of sustainable and responsible business practices in Ghana.
Presenters – Cheickh Badiane, Technical Specialist, MULTI, ILO
Inviolata Chinyangarara, Specialist on Workers' Activities, ILO

The session was aimed at guiding Trade Unions in Ghana to create a platform for workers to present a unified front and hold the government accountable for its adherence to all international labour conventions, with the MNE Declaration as a guiding document.

The following submissions were made:

Trade Unions were using the principles of the MNE Declaration in La Cote d'Ivoire and Sierra Leone to demand the enforcement of labour rights through the creation of a platform for Unions to join their voices and coordinate their efforts to make use of the Declaration and its provisions to harness their strengths, solidarity, and advocate in one voice. The main objective of the platform in La Cote d'Ivoire is to ensure that workers are sufficiently aware of the MNE declaration and its principles, to enable them apply these principles in their respective fields of work. Another objective was to strengthen the implementation of freedom of association and collective bargaining in MNEs.

Similarly, in Sierra Leone, the Trade Union Network on MNEs organises awareness creation and training sessions for Trade Unions and their members on how they can protect their rights within the MNE declaration.

It is very important to document the good practices arising out of the advocacy of Trade Unions in their dealings with both national and MNEs to serve as positive reference points. The examples of La Cote d'Ivoire and Sierra Leone must encourage Trade Unions to collaborate with each other in their advocacy using the MNE Declaration as a point of entry.

Topic: Discussion moderated by the workers' national focal point for the promotion of the MNE Declaration in Ghana

Facilitator: Madam Mary Karimu, Head Of International Desk, TUC-Ghana

Madam Mary Karimu, Head of the International Desk, TUC-Ghana, facilitated the session on creating the platform for workers' organisations. The following submissions were made:

a. Government has a responsibility to ensure that all MNEs that operate in the country abide by existing trade and labour laws, and MNEs need to be educated on the MNE Declaration and all labour laws in Ghana before government signs any agreement with them to begin operation.

a. Trade Unions are not against MNEs, particularly due to the employment opportunities they offer. However, Trade Unions demand responsible business between MNEs and local workers. For MNEs to be responsible, they must respect the rights of labour. It is imperative for Unions to collaborate and advocate jointly on common positions, as there is always strength in numbers.

b. While it is important for participants to provide recommendations on how a platform for workers' organisations in Ghana should work, the critical questions relating to its objectives, strategies, composition and generally, the ToR, should be determined by the Trade Unions, using the CSR workshop as a point of departure.

The following questions emerged:

b. How different will the Platform be from what was targeted in earlier meetings/training held for leaders of Trade Unions?

   The decision at plenary was to further engage the leadership of the Trade Unions to develop a ToR for a workers' platform aimed at promoting the principles of the MNE Declaration. Deputy General Secretaries were mandated to revert to their membership and engage them on the draft ToR that will be developed as an outcome of the workshop. The ToR for the CSR Platform in Ghana should be guided by the lessons from Cote d'Ivoire and Sierra Leone.

Grsoup work one

Groups were tasked to propose objectives to guide the creation of a Network to promote the MNE Declaration in Ghana. Resulting from the group work, participants submitted the following objectives for consideration:

1. Coordinate Trade Union action in ensuring adherence to ILO Convention 190 and other relevant conventions in MNEs and national enterprises.
2. Push for adherence to the right to organise and collective bargaining in the MNE Declaration.
3. Sensitise workers and management to appreciate the MNE Declaration and use it as a working document.
4. Develop mechanisms or measures to ensure the inclusion of the MNE Declaration in collective agreements.
5. Develop a comprehensive action plan for the execution of the objectives of the MNE Declaration.
6. Advocate for the enforcement of ILO Conventions 87 and 98, and the key objectives of the MNE Declaration.
7. Advocate for a declaration form as part of business registration in conformity with MNE principles.
8. Advocate for the review of the labour law to include the duties for employers to respect the rights of the worker in joining a Trade Union.
9. Streamline the principles in the collective agreements of Trade Unions
10. Build the capacity of workers to document violations and best practices on MNEs.

Session 5 - Defining priorities and next steps

Facilitator: Madam Mary Karimu, Head Of International Desk, TUC-Ghana

Group work two

The groups were tasked to define priority areas for the workers' platform considering the challenges and opportunities for the operation of MNEs in

Ghana. The proposed structure of the platform would have the TUC play a coordinating role with support from affiliate Unions.

The following priority areas emerged for both governments and enterprises:

1. Governments should establish and maintain, as appropriate, social protection floors within a strategy to progressively ensure higher levels of social security.

2. Government should pursue policies designed to promote equality of opportunity and treatment in employment, with a view to eliminating any discrimination based on race, colour, sex, religion, political opinion, national extraction, or social origin.

3. Government should further the aim of the Declaration by adopting appropriate laws and policies, measures, and actions, including in the fields of labour administration and public labour inspection.

4. Enterprises should before starting operations, consult the competent authorities and the national employers' and workers' organizations to keep employment plans, as far as practicable, in harmony with national social development policies.

5. Enterprises should across their operations, provide wages, benefits, and conditions of work not less favourable than those offered by comparable employers in the country concerned, considering the general level of wages, the cost of living, social security benefits, economic factors and levels of productivity.

6. Enterprises should respect the sovereign rights of the state and obey national laws and respect international standards.

7. Enterprises should consult with the government, employers', and workers' organizations to ensure that operations are consistent with national development priorities.

8. Enterprises should carry out due diligence, considering the central role of freedom of association and collective bargaining, industrial relations, and social dialogue.

Review of proposed objectives for the Platform

The facilitator for the session and the specialists assisted participants to review and prioritise the ten (10) proposed objectives under Group Work 1

(Day 2) into four (4) key objectives, including a broad objective and a strategy and key roles and responsibilities:

Broad objective: The creation of a worker's platform to promote the implementation of the MNE declaration and its principles in Ghana.

Specific objectives

1. Sensitize workers and management on the MNE Declaration for the inclusion of its principles into collective agreements.
2. Promote all relevant conventions contained in the MNE Declaration and its principles.
3. Document and report violations and best practices on MNEs to the ILO Committee of Experts.
4. Strengthen Trade Union's work with the government and employers to promote the MNE Declaration and its principles[1].

Strategy: Develop a comprehensive action plan to achieve the above objectives.

Roles and responsibilities of the Platform

a. Promote the MNE Declaration and its principles across all sectors in Ghana.
b. Hold MNEs accountable to respect the right of workers.
c. Showcase good practices among MNEs in the county.
d. Work in solidarity with other unions to promote workplace harmony.

The draft ToR for the Platform shall include among others the following:

a. The rationale for the creation of the MNE Platform for Workers' Organisations in Ghana.
b. An outline of the broad and specific objectives of the Platform.
c. Challenges that workers face.
d. Opportunities that exist in the operation of MNEs in Ghana.
e. Key provisions/principles in the MNE Declaration that are relevant to the objective of the Platform.
f. The strategy for implementing the provisions of the ToR.
g. The structure of the Platform[2].

[1] There was a proposal to include in the objectives - to advocate the review of the Labour Act 2003 (Act 651) to entrench worker rights and Companies Act 2019 (Act 992) to ensure MNEs comply to promote worker rights during business registration. A resolution was made for it to be flagged, to be revisited during the development of the Strategic Action Plan later.

[2] The structure of the Platformed will be fine-tuned at the meeting on the development of the Strategic Action Plan, however, the Platform shall be constituted by the leadership of Trade Unions and affiliate Unions.

Next steps

The following actions were agreed as the next steps towards operationalising the proposed Platform.

a. ToR to be finalised within the next seven (7) days[3].
b. Representatives of Trade Unions to report on the discussions and resolutions of the workshop with their General Secretaries by Tuesday 16th May 2023.
c. Participants to revert to their members/workers' organisations on the ToR for their input and/or buy-in.
d. A follow-up meeting to be held in July to work on the action plan for the Platform.

Closing remarks

Dr. Akua Ofori-Asumadu, the National Programme Manager for the Trade for Decent Work at ILO, thanked all participants for their active participation throughout the workshop, while expressing gratitude to other local and international colleagues who joined virtually. She urged the participating Trade Unions to be interested in ensuring their members work under favourable conditions, and invited all participants to a National MNE workshop to be organised later in the year.

Comrade Francis Sallah, on behalf of the Trade Unions, expressed appreciation to the ILO for organising the workshop to enhance the capacity and development of Trade Unions. He concluded by emphasising that, the time to be firm in demanding fair remuneration and good conditions of service from MNEs to the Ghanaian worker is now.

[3] The finalised ToR will be shared with all participants prior to the follow-up eeting.

ATTENDANCE FORM

No	Name	Organisation	Email Address/ Contact
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