

Annual meeting with Moderators of Associations of the Faithful,  
Ecclesial Movements and New Communities

***"Working conditions in the Associations.***

***A service in Justice and Charity"***

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# Reflexions on social responsibilities and obligations of Catholic organisations.

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My presentation will be based on my experience at the ILO where I have been an advisor to the Director General for 14 years. It is an assignment that I received from the Society of Jesus, and my Provincial. It is the result of an agreement between the Director General of the ILO and the Holy See. It is also the result of a strong convergence between the principles of the Social Doctrine of the Church and those which govern the ILO.

It is on the basis of this convergence that I would like to develop our reflection today on the legal implications of work for the Kingdom.

In particular, I would like to base my reflections

- on the fundamental Conventions of the ILO,
- on the decent work agenda, informing the ILO organisations.
- and finally I would like to take as an example certain stipulations of the Convention for domestic work.

This will allow me to draw some perspectives for further reflection and commitments.

There are constantly two directions for our reflexion.

- The first is to address the direct role of your organisation

- The second is the organization with whom your organisation are involved, in which case, you have an indirect role, obligation and responsibility:
  - as investor
  - as partner
  - as service provider.

## Some aspects of the fundamental conventions of the ILO

- The fundamental conventions of the ILO outline four areas of reflection and invite us to reflect on their resonance in the framework that concerns us, that of movements and associations.
  - Sometimes the link between the international standards and the context of each of your organisation may be obvious, sometimes there are situations that may require a closer look.
  - There are four areas to be examined :
    - Freedom of association and collective bargaining
    - Elimination of all forms of forced or compulsory labor
    - Effective abolition of child labor.
    - Elimination of discrimination in employment and occupation

### Freedom of association and the effective recognition of the right to collective bargaining.

- This freedom is fundamental to the ILO. It must be translated into ways of thinking together about employment and working conditions in your own organizations. Too often, perhaps, we tend to "address individual situations", to the detriment of the "big picture" In fact, the question of work in our organizations must be the subject of a shared reflection that engages everyone, and in which speech must be as free as possible. This is the essential meaning of this. This require also concrete translation with dialogues, discussions, and may be instutions or organizations, so that the voice of many can be expressed and heard and that the decisions taken are owned and understood by all.

### The elimination of all forms of forced or compulsory labor. "

- Forced or compulsory labor shall mean any work or service which is exacted from any individual under the menace of any penalty and for which the said individual has not offered himself voluntarily." This point is obviously fundamental and should not be underestimated. It converges with a long tradition of the Church which insists on the **freedom of commitment**. Work must be free. It also invites us to provide mechanisms for recourse. We must

also be careful not to become "accomplices in situations or organizations" that practice a form of forced labor.

### The effective abolition of child labor

- The effective abolition of child labor is to be aimed at. The minimum age must be established and cannot be less than 14 years. For children aged 13 to 15, light work that is not harmful to their health can be considered.
- It is obviously also a question of fighting against the **worst forms of child labor**, namely slavery or similar practices, prostitution, illicit activities (production and distribution of drugs), and work that endangers the health of children.
- As with forced labor, the obligation is in some ways twofold: on the one hand, to ensure that these practices are not carried out (if they are, there is a risk that they will be relatively hidden), and on the other hand, not to be a complice in collaborating with organizations that practice them.

### The elimination of discrimination in employment and occupation.

- This concerns, on the one hand, **remuneration**, i.e. the salary, the ordinary, basic or minimum wage, or any other benefits, paid directly or indirectly in cash or in kind by the employer to the worker. But also **access to employment and occupation**, as well as vocational training, mobility in employment, and conditions of employment.
- Basic discrimination: "any distinction, exclusion or preference based on race, color, sex, religion, political opinion, national origin or social origin which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation";
- These principles require careful examination, because discrimination can sometimes be obvious, but also sometimes hidden, because it can be inherited from old situations, or practiced without saying so. There are also situations in which they are "accepted".

## The four pillars of decent work

There are four pillars, two of them have been already addressed. let us therefore focus on employment promotion and social protection.

### Employment promotion

- This field seems a little less relevant. In fact, there are two aspects that I would like to highlight:
  - in the case of **direct employment**, of a member or employee of the organization, in the decent work agenda, there is an invitation to ensure that "individuals can acquire and update the necessary skills and competencies that enable them to work productively for their personal fulfillment and collective well-being;"
  - In the case of **indirect employment**, especially when the association works with other organizations, there is a call to examine the employment practices of these organizations, including how they enable individuals to achieve economic development and a good standard of living.

### Social protection

- This dimension is of particular importance in the context of the development of the economy and the achievement of a good level of social protection.
  - This dimension is undoubtedly one of the most fundamental for us today. This includes in particular :
    - social security measures\*\* and in particular the coverage of all risks, i.e. illness and accidents at work, maternity and family, old age, unemployment.
    - measures affecting **health and safety at work**
  - In this field, situations can be very diverse. It is necessary to consider the context(s) in which the work or activity is carried out:
    - **The country has a system of coverage**, whether public or private. It may be appropriate to check whether members have access to, are covered by, this mechanism.
    - **the country does not have a system of coverage**, in which case the organization can call on a transnational system, of what type? or organize its own coverage,
    - **the person does not work temporarily or permanently in a country that is not his or her country of origin**, in which case the portability of protection and insurance must also be ensured.

- Finally, the last question is whether the organization operates in several countries. How to also ensure that all members benefit from similar protection so as not to discriminate between members.

## Social dialogue

## Fundamental rights

For the sake of completeness, it is worth mentioning these two areas, even though they have in fact been touched upon in the previous paragraph.

## Another example is the case of the domestic workers convention (C189).

A recent convention also calls for the protection of domestic workers. One point of this convention seems to me particularly interesting. The convention reminds us of the importance of establishing a **written contract** and goes into great detail to specify what must be included in this contract. In particular:

- (a) the name and address of the employer and the worker;
- (b) the address of the usual place or places of work;
- (c) the date of commencement of employment and, if the contract is for a fixed term, its duration
- (d) the type of work to be performed
- (e) the remuneration, the method of calculation and the frequency of payment
- (f) the normal working hours;
- (g) annual leave with pay and daily and weekly rest periods;
- (h) the provision of food and lodging, if any;
- (i) probationary period, if any;
- (j) repatriation terms, if applicable;
- (k) conditions relating to the termination of the employment relationship, including any notice to be given by the employer or the worker.

## Some thoughts for the Future

I would like to conclude with three avenues for the future, the first of which is quite open-ended, and the other two are more concrete.

## Work is care - taking care of our common home

The encyclical *Laudato Si* invites us to take care of our common home. The way we work or engage in activities, as an organization, or also as bound, by contract, by

investment, etc, contributes more or less to this care. A project I participated in concluded by saying that work is a fundamental dimension, work must be care, care is work. This is a direction to be pursued as well, namely to ask ourselves how the work of our organizations participates in this care of the common home. It's a bit of an open field.

## **First concrete track: a working group**

The different organizations present here would undoubtedly benefit from building a common path, to exchange practices and make suggestions. This could be the basis, the starting point of a working group, in order to see how to give concrete follow-up to the reflection that we are undertaking here.

## **Second concrete track: a self-evaluation**

Second suggestion, perhaps go in the direction of a self-evaluation for each of your organizations. This could come as a result of a reflection conducted in the working group. It could be good to make a kind of practical memento to examine how organizations implement these practices, on relatively simple questions. From there, it would also be possible to consider a work plan for possible improvements.