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Subject to Legal Review for Accuracy, Clarity, and Consistency
June 18, 2004

ANNEX 15-A
LABOR COOPERATION MECHANISM

Establishment of a Labor Cooperation Mechanism

1. Recognizing that cooperation provides enhanced opportunities to improve labor standards, and to further advance common commitments, including the ILO Declaration, the Parties establish a Labor Cooperation Mechanism.

Principal Functions and Organization

2. The contact points established under Article 15.4.2 shall serve as the contact points for the Labor Cooperation Mechanism.

3. The ministries of labor, together with other appropriate agencies and ministries of each Party, shall cooperate to:

- (a) establish priorities for cooperative activities;
- (b) develop specific cooperative activities in accord with such priorities;
- (c) exchange information regarding labor law and practice in the two countries;
- (d) exchange information on ways to improve labor law and practice, including best labor practices;
- (e) advance understanding of, respect for, and effective implementation of the principles reflected in the ILO Declaration; and
- (f) develop recommendations to their respective governments for consideration by the Joint Committee.

Cooperative Activities

4. Cooperative activities to be undertaken by the Labor Cooperation Mechanism may include, but need not be limited to, the following subjects:

- (a) **fundamental rights and their effective application:** Legislation, practice and implementation related to the core elements of the ILO Declaration (freedom of association and the effective recognition of the right to collective bargaining, elimination of all forms of forced or compulsory labor, abolition of child labor

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including the worst forms of child labor in compliance with ILO Convention 182, and elimination of employment discrimination);

- (b) **social safety net programs:** Unemployment assistance and worker adjustment programs;
- (c) **working conditions:** Occupational safety and health; prevention of and compensation for work-related injuries and illness; and minimum standards for wages and benefits;
- (d) **non-national workers:** Processes and procedures for admitting, regulating and protecting foreign workers;
- (e) **labor-management relations:** Alternative forms of cooperation among workers, management and government, including the processes of collective bargaining, dispute resolution, and economic actions by workers and/or employers;
- (f) **gender issues:** Including the elimination of discrimination with respect to employment and occupation;
- (g) **labor statistics;** and
- (h) such other matters as the Parties may agree.

Implementation of Cooperative Activities

5. Labor cooperation may be implemented through:
- (a) exchanges of delegations, professionals and specialists, including study visits and other technical exchanges;
 - (b) exchange of information on standards, regulations and procedures, and best practices, including publications and monographs;
 - (c) organization of joint conferences, seminars, workshops, meetings, training sessions, and outreach and education programs;
 - (d) development of collaborative projects or demonstrations; and
 - (e) such other forms of technical exchange or cooperation that may be decided.

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6. In identifying areas for labor cooperation, and in conducting cooperative and exchange activities, each Party will seek the views and participation of its worker and employer representatives, as well as other members of the public.