

CHAPTER 9

THE INTERNATIONAL LABOR SCENE: IMPLICATIONS FOR THE DECADE OF THE 1980s “THE WAY THE WIND IS BLOWING”

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As I was flying out here yesterday, busily attempting to redo the notes for today, the beauty of the day prompted me to think back many years ago when I was a child and every Monday (weather permitting) was very special in our home. It was wash day. This meant dragging out the Maytag washer (complete with hand wringer), filling innumerable tubs with hot water, cleaning off the old metal clothesline, and rounding up all dirty clothing, bedding, towels, and the like, for participation in an arduous exercise that took up most of the day.

Once the wash was done and hung out to dry, my fascination often turned to looking at the assorted collection of household and personal articles to determine whether there was a wind blowing and, if so, in which direction. It was just good lazy fun to sit and watch and to speculate on which piece would get the jump on the others, if and when a breeze developed.

As we look at the clothesline of the international labor scene today, we quickly conclude that there are so many crosscurrents at play that it is impossible to determine which area will have primary significance in the foreseeable future. Moreover, in our brief time today, it would be impossible to examine in depth any single development. So, perhaps my assignment would be discharged best by highlighting what appear to be emerging developments in which we all have a vested interest.

I think you are aware of the background of the International Labor Organization. It is the only truly tripartite international body—composed of representatives of government, employers, and workers representing, today, more than 140 nations. The ILO was established in 1919 and is the sole survivor of a collec-

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tion of international organizations started under the auspices of the abortive League of Nations.

Since its inception, the ILO has had one primary mission: the establishment of a body of labor standards that will be observed by nations throughout the world. And over the 60 plus years of its existence, the ILO has adopted a variety of Conventions and Recommendations covering almost every aspect of human rights and labor relations as we know them here in the United States. Some of these instruments seek to guarantee basic human rights, such as freedom of association, freedom of labor, and equality of opportunity and treatment in employment. Others have been concerned with employment policy and employment services, industrial relations, labor administration, general conditions of employment, the employment of women and children, industrial safety, health, and welfare, social security, migrant workers, work on plantations, and the treatment of indigenous populations (the polite international phrase for the examination of apartheid).

The establishment of labor standards through the ILO process has had a profound effect on countries throughout the world—regardless of their state of economic development or of their political and ideological roots. However, the role of the ILO does not stop even after the laborious and time-consuming process of establishing a labor standard. The organization has developed an elaborate mechanism for the ratification of Conventions by member nations, together with continuing supervision by the ILO staff and oversight committees of the extent to which such members abide by the standards. Complaint procedures and special investigations by the ILO are utilized to call to the attention of the world any countries that are failing to abide by what the international body considers to be minimal acceptable labor standards. Special reports are utilized to highlight—and publicize—flagrant violations.

Since 1919, the International Labor Organization has adopted more than 300 Conventions and Recommendations which cover the spectrum of employer-worker rights and obligations. And without question, they have advanced the lot of working people throughout the world.

In addition, and almost since its inception, the ILO has played a principal role in providing technical assistance and vocational education and training, particularly to developing nations. Each year extensive training sessions are held in all parts of the world

to provide government, employers, and workers with expert assistance in modifying and improving their labor laws, and also to equip today's managers and workers with the know-how to adapt to changing technology. The ILO maintains a permanent vocational education institute in Turin, Italy, which is supported both through general funds of the ILO and by individual contributions from member nations.

The United States has been a leading member of the ILO since its inception. Indeed, for many years the joint efforts of the United States government and its employer and worker delegations led the fight for the improvement of worker or labor standards on an international basis.

All of this, however, came to a screeching halt four years ago. In 1977 the United States formally withdrew from membership in the ILO. The circumstances surrounding this exit are detailed and complex, but they can be laid essentially to two factors: first, an increasing resentment of the blatant disregard of ILO standards by Eastern bloc countries, and, second, in more recent times the emergence into the membership of the International Labor Organization of a large number of Third World nations, many of whom felt compelled to use the forum of the ILO for overt political purposes. For example, recent debates of the Annual Assembly of the ILO have been heavily laced with virulent attacks upon the State of Israel.

The U.S. position in 1977 was that tripartitism could not survive if it was applied to one segment of the world and not to another. It was the position of the United States and a number of other ILO members that ILO standards are universal and open to only one universal interpretation. Moreover, the U.S. urged that the ILO return to its traditional role as a technical-human rights body and reverse the trend toward being a political forum.

The withdrawal of the United States from the ILO was a severe setback for the international organization. The U.S. had always made sizable financial contributions to the body, and the loss of this support required the ILO to cut back substantially on a variety of activities. Moreover, the historic leadership that the U.S. provided to the ILO was sorely missed.

During the intervening two and a half years, informal entreaties were made by a number of countries for the United States to reassess its position. Eventually, in the interest of the overall goals of the organization as well as in our own self-interest, and

with some private assurances that procedures would be developed to make the organization a more democratic body, the United States rejoined the ILO last year.

In light of this background, one might appropriately ask whether the ILO serves a useful purpose. My answer, of course, is a resounding YES. Is it so important that the United States be a member of this body? And what are the long-range implications for the work of the ILO, particularly as they relate to U.S. interests? The answers to these questions can best be encapsulated in an assessment of the future of the ILO as it would appear today.

First, it seems obvious that the ILO will continue its traditional role of setting international labor standards, and despite the resistance or noncompliance from Eastern bloc nations, this should remain the paramount role of the organization.

Second, even with the swirling change of political and economic circumstances throughout the world, it is conceivable that the ILO will be able to carry out its primary mission and, at the same time, avoid some of the political posturing that has so frustrated the activities of the United Nations.

Third, from the point of view of the United States, the ILO represents the most significant international forum for the introduction of fair and humane working conditions for the people of all countries.

Fourth, with the growth of multinational corporations, the role and influence of the ILO will be of even greater significance.

This last point poses a problem of particular interest to United States corporations. Years ago it was relatively easy for U.S. employers to advocate improved international working conditions and standards for workers since, unquestionably, the U.S. enjoyed one of the most progressive labor standards programs in the world. So, it made sense for U.S. corporations, on humane grounds as well as competitive ones, to suggest that all other nations should live up to the same types of standards that were enjoyed here in the States.

Today the situation is somewhat different. U.S. corporations now have extensive facilities in many countries that only a few years ago were regarded as totally undeveloped. In this context, it will be interesting to see the posture that U.S. corporations take at the ILO with respect to labor standards in developing nations, and, particularly, if the ILO and other international

organizations go, as they seem inclined to, in the direction of examining various aspects of multinational operations—including the possible usefulness and feasibility of establishing principles and guidelines governing the social policy of such enterprises. Undoubtedly there will be times when very difficult questions will arise in terms of the direction the U.S. employer community should pursue on the international labor front. Yet I remain confident that U.S. employers are going to continue to maintain that it is in their best interests, irrespective of their multinational character, to assure that advanced labor standards prevail in every region of the world. Although the U.S. employer and worker delegations might disagree on technical matters or the extent and timing of the introduction of a new standard, in the long run they will be much closer together than employer and worker delegations from a number of other countries.

The decade ahead is going to be a particularly significant one for U.S. employers on a variety of fronts, and of equal interest and concern to American trade unions and the United States government. As I mentioned a moment ago, the role of multinational corporations will undergo serious scrutiny over the next ten years.

By the same token, the question of international trade will inevitably loom larger and larger in the eyes of American interests. Take the current automobile situation alone. Where should we, as private citizens or the government, come out in terms of the current controversy over auto imports? Informed, intelligent sources, including employers and union leaders in the auto industry, see no easy answer. There seems to be general agreement that the imposition by legislation or executive order of import restrictions is undesirable. But how far does one go using only moral suasion, particularly when dealing in an international environment? Reactions to recent reports of a Japanese government decision to limit auto exports to the U.S. highlight the proliferation of divergent views on this subject—particularly in Japan.

The implications of anything done here are suggested by a cartoon I saw recently in the *Wall Street Journal*. An American couple were in an auto showroom full of shiny new U.S. cars. They were standing in front of a large TV set, with an eager auto salesman right behind them. The husband turned to the wife and said, "What do you think, dear? They promised that if we would buy an American-made car they would give us a Japanese-

made TV set." As Charlie Wilson would *not* have said it, "What is good for General Motors is not necessarily good for General Electric."

Turning briefly to one final subject:

As we look at the international labor front today—and at the direction the winds are blowing—the most significant development of this decade, if not of our generation, is what has happened in Poland over the last year. And then I would quickly add that over and above the heroic efforts of the Polish workers, the ILO played a more significant part in those developments than might be apparent to the casual observer—and certainly if your source of information is limited to the U.S. media.

Solidarity and the rise of Lech Walesa did not come about in Poland overnight. The concerns of Polish workers have been developing for years and particularly since the unrest and repressions of 1970 and 1976. The strike in Gdansk of May 1980 represented only the culmination of increasing worker frustrations that have built up over a number of years.

So you may ask me, what does all this have to do with the ILO?

The fact of the matter is that for the past ten years officials of the ILO have had a series of discussions with the Polish government and also with Polish workers concerning two basic Conventions of the ILO. The first is Convention No. 87, enacted in 1948 and entitled "Freedom of Association and Protection of the Right to Organize." The second, Convention No. 98, was adopted in 1949 and is entitled "Right to Organize and Collective Bargaining." For the past six or seven years the ILO Committee of Experts on the Application of Conventions and Recommendations, chaired by our mutual distinguished friend, Frank McCulloch, has had a continuing dialogue with the Polish government on Convention No. 87. During this time the Committee of Experts repeatedly pointed out the inadequacies of the Polish law. The response from the Polish government over the same period was merely that the law was under review.

In 1978 the International Confederation of Free Trade Unions filed a complaint with the Freedom of Association Committee of the ILO governing board concerning the total disregard of the Polish government of Convention No. 87. Similar reports were filed by the ICFTU in May 1979 and November 1979. In May 1980 the ILO persuaded the Polish government to permit a senior ILO official, Nicholas Valticos, Assistant Director General for International Labor Standards, to meet with the Polish

government and discuss with them the problems associated with continuing noncompliance with Convention No. 87. During 1980, Valticos had a number of discussions with Polish officials, leading eventually to the implementation of the spirit of the Convention on Freedom of Association. Indeed, Point No. 1 of the historic Gdansk agreement of August 31, 1980, signed by the duly appointed governmental commission and the Solidarity leadership, relies upon ILO Convention No. 87 as the basis for establishing trade unions in Poland free and independent of the Communist Party.

It is unquestionably in the minds of knowledgeable observers that the implications of the government's continuing refusal to abide by these ILO Conventions inspired the Polish workers to feel that they were on the right side of the issue. Indeed, the noncompliance by the government with these Conventions became the central issue in the ultimate judicial test leading to the establishment of Solidarity as an independent union representing the workers of Poland. In that case the Supreme Court of Poland, overruling a lower court decision, cited as decisive ILO Convention No. 87 and the Gdansk agreement. The courage of the Polish workers has been continually reinforced by their conviction that they were abiding by international law.

Although time does not permit full treatment, a parallel history surrounded the recent successful efforts of Polish farm workers to form their own union independent of the Communist Party. There the workers relied on ILO Conventions No. 11 (1921) and No. 141 (1975), both relating to freedom of association and right to organize for agricultural workers.

All of this is not to take away for a moment from the unbelievable courage that has been demonstrated by the leaders of Solidarity and the Polish workers themselves. It is almost inconceivable that in a Communist Bloc country a movement could be developed so effectively that in a relatively short period of time the vast majority of a nation's workers are organized within the same labor organization. In my judgment, the quiet, effective, and continual prodding of the ILO had a great deal to do with bringing about the recent events in Poland.

I wish I could say the same in terms of constructive input from the United States. On this score I am afraid our record has not been particularly impressive. I remind you that in the fall of last year the United States government criticized the American labor movement for publicly pledging financial support to Solidarity.

As recently as a month ago—but, fortunately, with decreasing intensity—the United States government repeatedly informed the world of the ominous threat of a Soviet invasion of Poland.

Yet, my grievance in this connection does not go so much to the United States government as it does to the media. I recently read a brief but very incisive report written by a member of the staff of the International Metalworkers Federation who spent two weeks in December 1980 touring nine large industrial cities in Poland. This individual interviewed more than 100 workers, members of the Solidarity leadership and others. As one reads the document, the persistent theme that comes through—from community after community throughout Poland—is that the workers and the government might be able to work out their own problems if the Americans would *please* stop insisting that Russia was going to invade at any moment. The Polish workers' point was that they had a strong and unified movement, that the government had developed a measure of trust and respect for its leadership, and so long as they could keep their own people in line, they felt that they could work out their differences with the Polish government. But each and every day of that conflict—not only on radio and television in the United States, but through various means of international communications—the constant U.S. media thrust was the imminence of a Russian invasion.

Where was the American press in the 1930s when the present-day United States industrial labor movement was getting off the ground? It certainly was not extolling the virtues of workers' rights or freedom of association. If we had had television in the 1930s, can you name one network anchor-person who would have given so much time and attention to the legitimate rights of American workers as to the violence and bloodshed that ensued?

But back to Poland only briefly: I have shared with you my feelings in terms of the significant developments in Poland over the past year. But do these developments have broader implications?

Let us revisit ILO Convention Nos. 87 and 98. The Russian government is not concerned about Poland only because it is a satellite country whose leadership potentially is losing a firm grip on its internal political situation. The Russians have to fear the fact that they and other satellite countries are legally bound by those same ILO Conventions. Can you imagine the conse-

quences if a significant number of workers in Rumania or Bulgaria or Hungary or *Russia* decided to assert the same rights that are being exercised by their Polish brethren? Wishful thinking? The application of a theory until it reaches practical absurdity? Perhaps—but only perhaps. And what would be the international economic and political implications of such a development?

Yes, the winds on the international labor front are blowing. Currents and crosscurrents for change are affecting every part of the world, but often in very different forms. International labor matters will play a dominant role in the decade ahead—and beyond—in shaping social, economic, and, indeed, political changes that will have worldwide implications.

While neither you nor I know where these winds are going, we are all well-advised to keep an eye on their direction.