



# Promoting Compliance with International Labor Standards in Colombia

Valkyrie Hanson

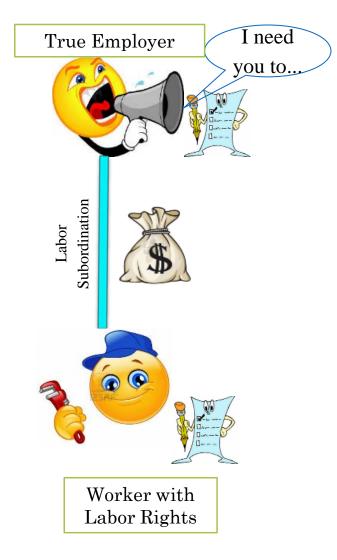
**Chief Technical Advisor** 



# Identifying and **Combating Ambiguous** and Disguised Employment **Relationships in Supply** Chains

# **Tools and Methods**

#### **Direct Employment Relationships**





## Ambiguous and Disguised Employment Relationships

Labor Subordination

Permanent Mission Activities

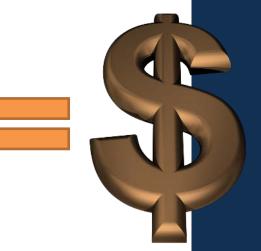


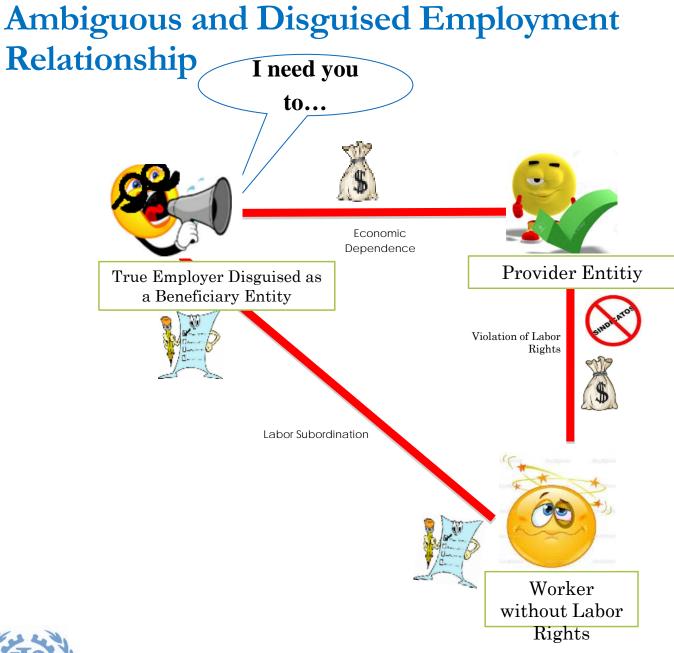
**Economic Dependence** 

Administrative Dependence

Violation of Labor Rights









## **Tripartite Pronged Attack**

1. Labor Inspectorate

## 2. Workers/Unions

3. Employers/Associations





Program to Strengthen Labor Inspection in Colombia

Labor Inspectorate

Training Program to Strengthen Labor Inspection in Colombia – Training Modules

Module I – Administrative Labor Procedures

Module II – Ambiguous and Disguised Employment Relationships

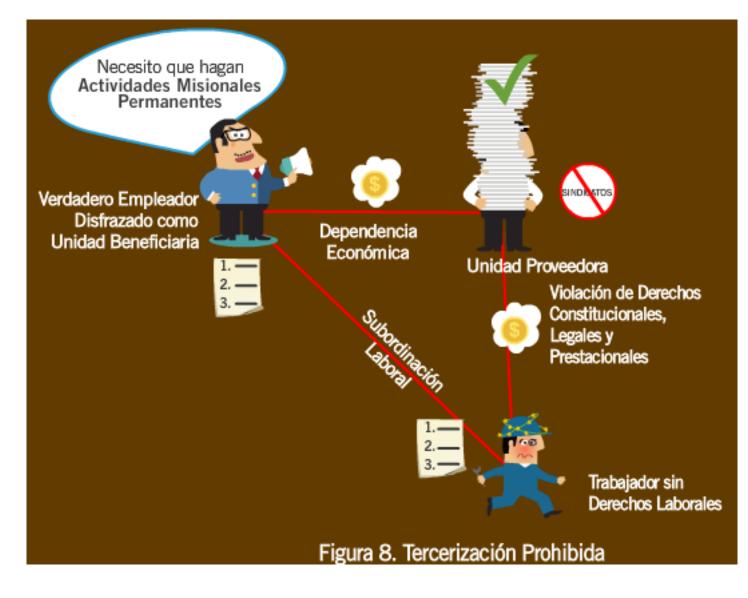
Module III – Conduct Prejudicial to the Right of Freedom of Association

Module IV – Competencies of the Division of Inspection, Monitoring, Control and Regional Management





#### Training Program to Strengthen Labor Inspection in Colombia – Virtual Classrooms





Training Program to Strengthen Labor Inspection in Colombia – Inspection Guides

Practical Labor Inspection Guide on the Calibration of Sanctions

Practical Labor Inspection Guide on Administrative Labor Procedures





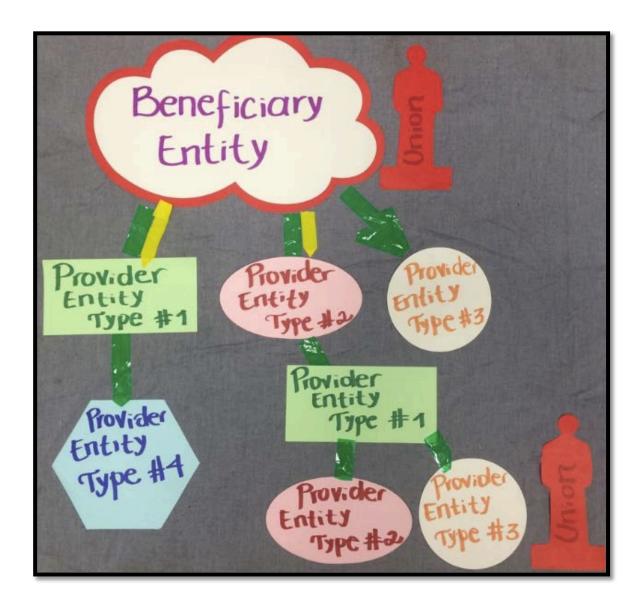


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# **Tools and Methods**

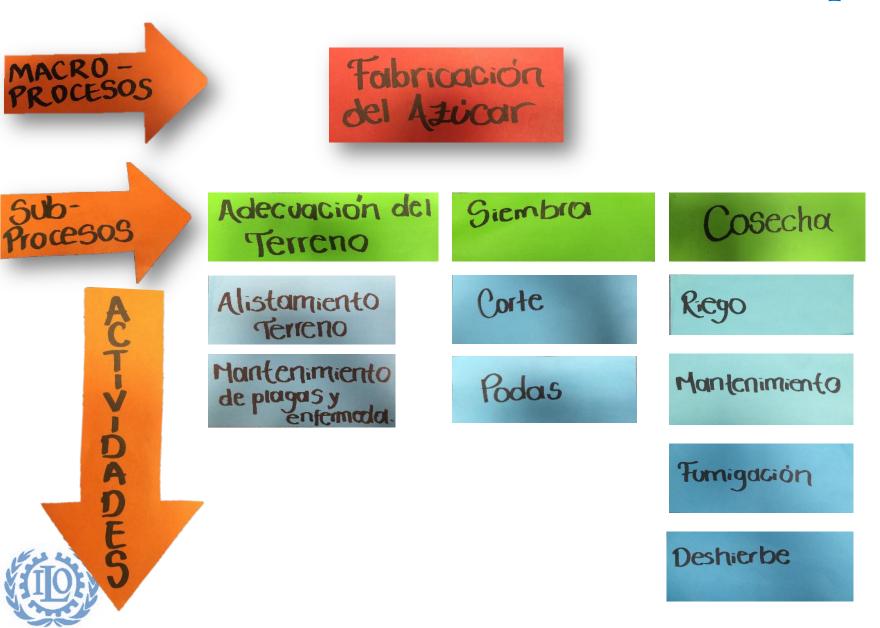


#### **Contract Map**





#### **Production Process Map**



#### **Checklist to Identify Ambiguous and Disguised Employment Relationships**

<ul> <li>Los asociados y/o trabajadores indirectos labol de la entidad que contrata? SI NO</li> </ul>	ran en procesos o actividades misionales permanentes		
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Tributario, Cámara de Comercio, y/o página web de la entidad que contrata.	social, veinominación u objeto social, Nos da indicios de cuáles son las actividades económicas de la entidad que contrata.		-
2. Processor use since			
2. Procesos y actividades: - Mapeo de procesos.	211		
ID: Si tiene un Carrie	2. Lista de funciones establecidas. Nos da indicios de cuid		
ip: Si tiene un Certificado de Calidad es obligatorio tener Japa de procesos.	Nos da indicios de cuáles son las	2.	
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	dores directos, asociados y/o	E	
	dores indirectos, asociados y/o dores indirectos. Permite	4.	
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dos o los trabajadores indirectos ades contratadas.	ciados y/o trabajadores	I STORAGE AS AN AND A STORAGE AS A STORAGE A	
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Program to Promote Formalization in Colombia

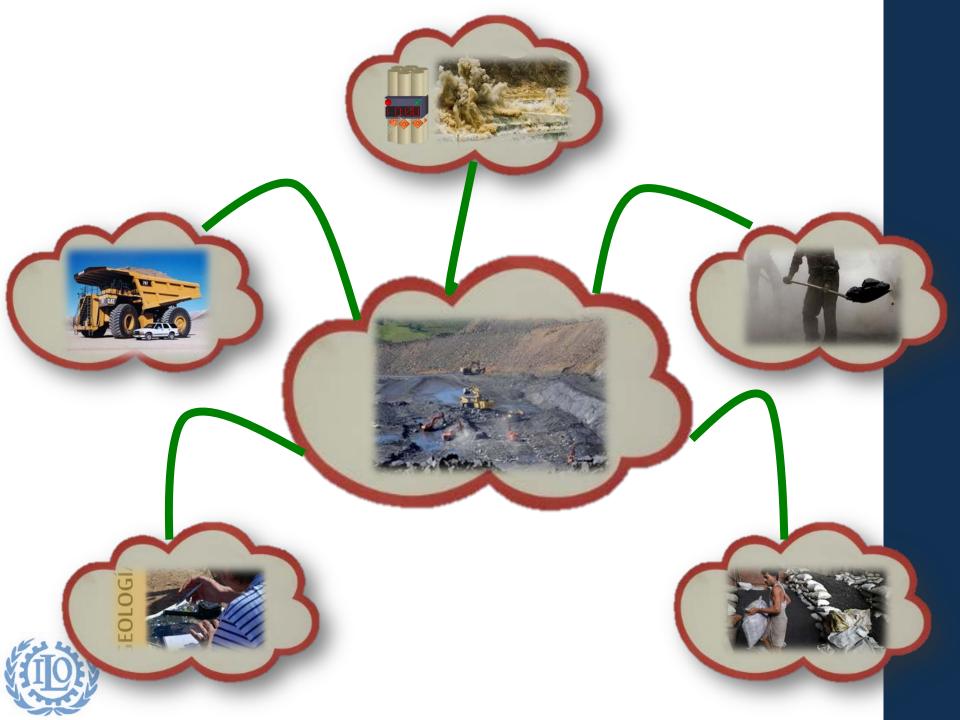
# Workers/Unions

## **Issue Mapping**

- Step 1: Contract Map
- Step 2: Production Process Map
- Step 3: Checklist to Identify Ambiguous and Disguised Employment Relationships

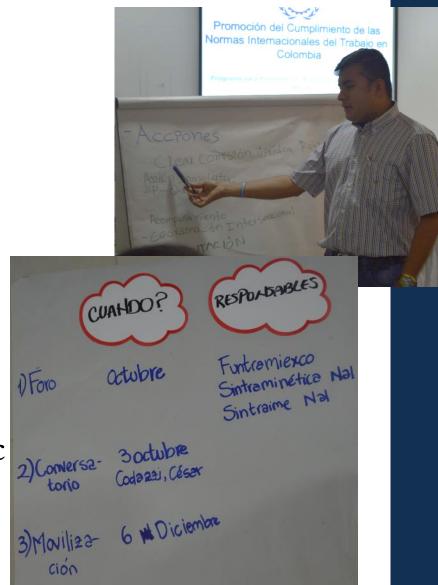






## **Strategic Intervention Mapping**

- Step 1: Identify Strategic Actors
- Step 2: Develop Strategic Intervention Plan
  - Worker Education Strategy
  - Organizational Strengthening Strategy
  - Communication Strategy
  - Legal Strategy
  - Political Strategy
- Step 3: Implement Strategic Intervention Plan







Program to Promote Formalization in Colombia

Employers/Assotiations

## Self Assessment Mapping

Step 1: Contract Map
Step 2: Production

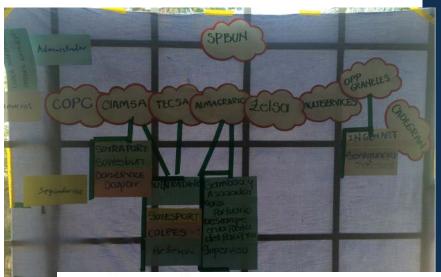
Process Map



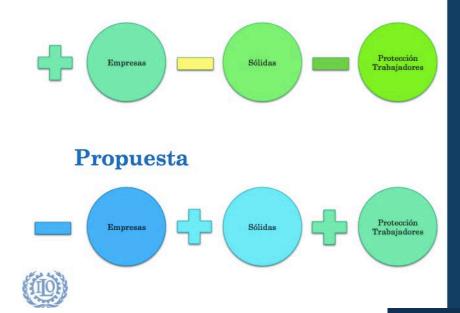


#### **Proactive Solution Mapping**

• Step 1: Identify minimum guarantees for labor formalization



 Step 2: Develop labor formalization strategies and solutions Antecedentes

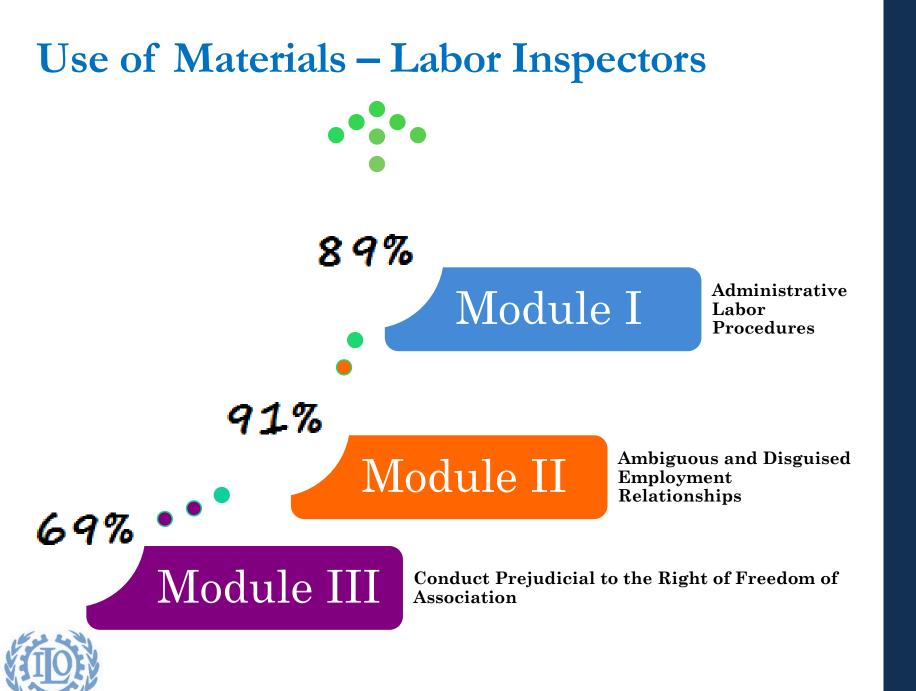






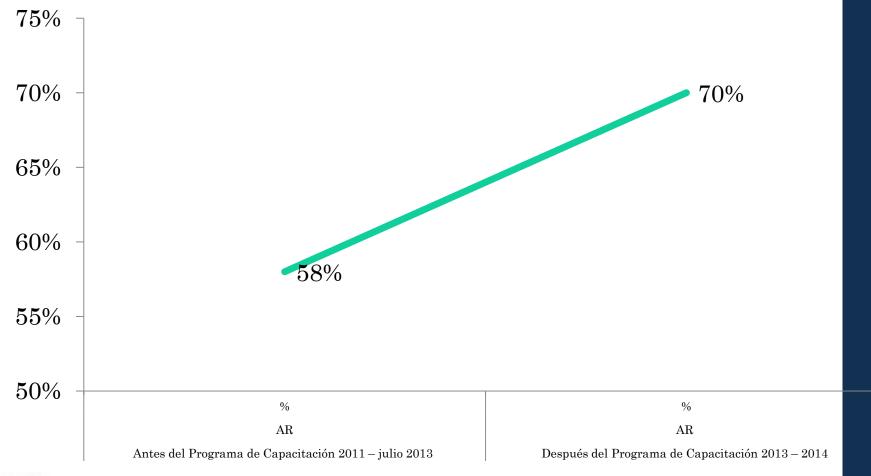
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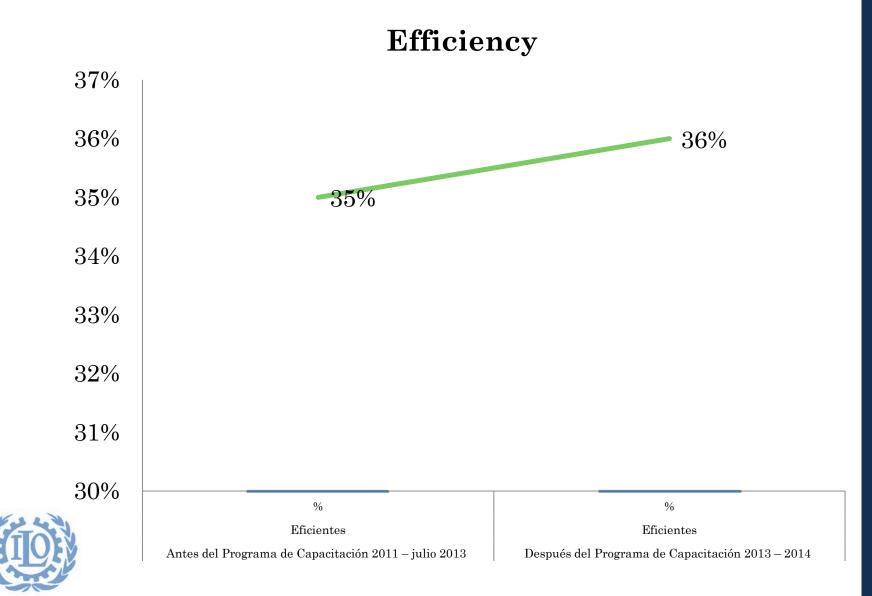
#### **Unification of Criteria**

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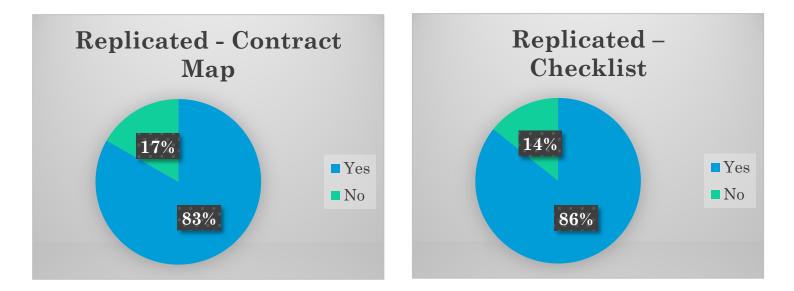


#### **Improved Efficiency**



## Use of Materials – Workers/Employers

#### Workers/Unions



#### **Employers/Associations**

• Emblematic case: Ports



#### Labor Inspectors





#### **Workers/Unions**



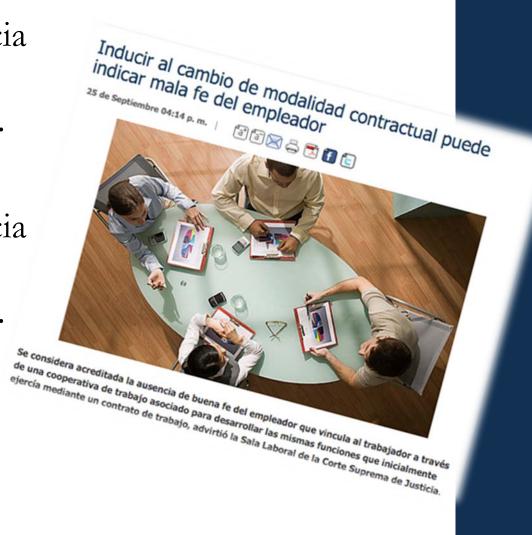


## **Employers/Associations**



## Adoption of Criteria in Jurisprudence

- Corte Suprema de Justicia (Sala de Casación Laboral) Radicación No. 50249
- Corte Suprema de Justicia (Sala de Casación Laboral) Radicación No. 46289.







# Thanks!