

International Labour Conference first standard-setting discussion: protection against biological hazards

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In June 2024, Mr Sean Chester and Ms Bulelwa Huna had the privilege of being part of the South African delegation attending the International Labour Conference (ILC) in Geneva – an experience that was both challenging and rewarding. As South Africa has ratified the Tripartite Convention,¹ this delegation consisted of representatives from Government, organised business, and organised labour. In this particular Standard Setting Committee, Sean Chester was appointed by Business Unity South Africa (BUSA) to serve on the Employers' Committee as an occupational hygiene subject specialist. The Government technical expert was Ms Bulelwa Huna – Head of Occupational Hygiene at the Department of Employment and Labour. Organised labour was represented by Ms Riefda Ajam, General Secretary of the Federation of Unions of South Africa (FEDUSA).

Our primary task was to compile the Biological Hazards Convention, supported by a recommendation – a critical document aimed at safeguarding workers from both routine (inherent) and emergency (outbreak) biological risks in the workplace. This was no small feat. The complexity of the subject matter required a deep understanding of both the scientific aspects of biological hazards, and the practical implications for governments, employers, and workers.

The Standard Setting Committee's focus on biological hazards in workplaces is not only unprecedented in the ILC, but also crucial in aiding members to safeguard their workers and businesses. This is particularly relevant in regions like Africa and South America, where small and medium enterprises (SMEs) and informal employment form the backbone of their economies. These regions do not enjoy the protection afforded by multinationals, although this is a requirement in the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy.²

The passion of the tripartite groups for their mandates has set a dynamic tone for our negotiations. We all know that changing mindsets can be challenging, and our discussions have been a

testament to this. While we found common ground in many areas, consensus on some fundamentals, including the definition of a biological hazard, proved elusive.

Further to this, the placement and understanding of definitions and concepts within the draft convention sparked considerable debate. Terms such as risk, risk assessment, risk-based approach, reasonably practicable and, of course, biological hazard, were discussed repeatedly, underscoring their importance in the draft.

During the 110th Session in June 2022 of the ILC, all social partners ensured the recognition of the Occupational Safety and Health Convention, 1981 (No. 155),³ and the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187),⁴ as fundamental conventions within the meaning of the International Labour Organization (ILO) Declaration on Fundamental Principles and Rights at Work. This meant that occupational safety and health at work was added as the fifth principle of the ILO's fundamental rights and principles at work. Following the decision, the convention on protection against biological hazards was the first to be developed, and therefore all discussions had to emulate this fundamental right.

Like other conventions (e.g. Chemical Convention, C170),⁵ this particular convention had to be specific on requirements for protection against biological hazards, as there are member states that do not have legal frameworks and wholly rely on such conventions. Although substantial time was devoted to aligning the discussions to principles outlined in both C155 (Occupational Safety and Health Convention, 1981)³ and C187 (Promotional Framework for Occupational Safety and Health Convention, 2006),⁴ this was perhaps at the expense of technical detail. Poor oversight in these areas would have disastrous consequences for government, workers, and employers.

The hours were long, often stretching late into the night. Each day was filled with intense – often combative – discussions, debates, and meticulous review of every clause and provision. Despite the



Organised labour was represented by Ms Riefda Ajam, General Secretary of the FEDUSA

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The ILC facilities are set up to accommodate multiple languages and hundreds of participants

Photograph: courtesy of the ILC

demanding schedule, the sense of purpose that permeated the committee was palpable. We were united by a common goal: to create a binding instrument that would make a tangible difference in the lives of workers around the world, whilst safeguarding the sustainability of businesses in times of biological hazard emergencies and pandemics.

The tripartite process was rigorous, involving employers, governments, and workers who represented the interests of 187 member countries, but it was also an opportunity for learning and growth. There was an opportunity to engage with experts from diverse countries and fields, gaining insights that broadened our perspectives and deepened understanding and appreciation of the way the world navigates when drafting international instruments such as conventions.

In the end, the hard work paid off. As a first draft, the convention that was compiled was comprehensive, practical, and forward-thinking. It was a testament to the power of collaboration and the collective commitment to improving workplace safety and health.


Looking back, South Africa was well represented and this significant project was an opportune moment to showcase the importance of occupational hygiene in the world of work. The experience was a powerful reminder of the impact we can have when we come together to address complex issues. It was hard work, but it was also incredibly fulfilling. We look forward to returning to finalise the document in June next year.

In closing, appreciation goes to the Department of Employment and Labour as it ensured that the South African delegation was prepared for the task at hand, and played a pivotal role in providing substantial inputs to promote worker health and wellbeing and to support business continuity. Through this first sitting, the Standard Setting Committee on Biological Hazards demonstrated the commitment to contribute to the United Nations (UN) Sustainable Development Goal (SDG) 8, i.e. to promote sustained, inclusive and sustainable economic growth, full and productive employment, and decent work for all; as well as Target 8.8 – to protect labour rights and promote safe and secure working environments of all workers, including migrant workers, particularly women migrants and those in precarious employment. Within the South African context, this is addressed in National Development Plan (NDP) Outcome 4. The work of the Standard Setting Committee also responds to SDG 3, i.e. to ensure healthy lives and promote wellbeing for all, at all ages; and Target 3.3, which has relevance to biological hazards and occupational health. These targets and NDP outcomes support our aspirations for the *Africa we Want*, as

espoused by the African Union, especially Aspiration 1: to have a prosperous Africa based on inclusive growth and sustainable development.

As an employer representative, Sean Chester would like to acknowledge BUSA and his South African colleagues, particularly Mr Kaizer Moyane, Ms Sanelisiwe Jantjies, Ms Jahni de Villiers, and Ms Bevely Jack; the Biological Hazards Employer Committee Chair, Ms Isabel Maya Rubio and Vice Chair, Mr Pierre Vincensini; and the International Organisation of Employers (IOE) Adviser, Mr. Robert Marinkovic, and the colleagues on the employers' committee. Thanks also go to the Worker Committee Chair, Mr James Ritchie, International Trade Union Confederation (ITUC) advisers, and the workers' representatives, who ensured that robust deliberations were held throughout the sessions. Without the voice of government representatives, the discussions would not have resulted in the draft report that was tabled to the conference plenary for adoption. Special appreciation goes to the South African Government representative Ms Bulelwa Huna and the African Group representative, Dr Betty Nyereyegona (Zimbabwe Medical Advisor: Occupational Health). These two government representatives are top-shelf specialists who had a huge impact on the drafting of the convention.

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Sean Chester was honoured to add to the proceedings of the employers' concluding statement to the entire conference

Photograph: courtesy of the ILC



L-R: Dr Betty Nyereyegona, Ms Bulelwa Huna, Ms Petrina Nghidengwa, Dr Benjamin, Mr Sean Chester

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