

## Points of consensus<sup>1</sup>

The Global Dialogue Forum on Decent Work in the World of Sport,

Having met in Geneva from 20 to 22 January 2020,

Adopts the following points of consensus:

### **Opportunities for and challenges to decent work in the world of sport**

1. Sport is an important means to realize health, wellbeing, education, development, peace, and decent work, and it is a pursuit enjoyed by athletes worldwide. It is an important economic activity with the capacity to promote full, productive and freely chosen employment, as well as empowerment, especially for young women and men. There are, however, widespread obstacles to the achievement of decent work for athletes in some areas.
2. Sport is a key enabler for the achievement of the Sustainable Development Agenda 2030, inspiring people to pursue important values of respect, teamwork, and fair play, and at the same time acting as an equalizer in society. Sport has the power to inspire and unite people of all nationalities and walks of life, irrespective of gender and ethnicity.
3. The working conditions of athletes vary across regions and sport disciplines, between team and individual sports, and within a wide spectrum. Policies to address decent work in sport need an innovative approach to reflect the diversity of sport. There is no one-size-fits-all approach.
4. All workers, including athletes, regardless of the type of employment relationship, require, as a minimum, to be protected by the fundamental principles and rights at work. Social dialogue is based on respect for freedom of association and the effective recognition of the right to collective bargaining. Social dialogue, including collective bargaining, has diverse forms and levels depending on the contexts and traditions of each country. Consultations, exchanges of information and other forms of dialogue between social partners and with governments and other stakeholders are also important.

<sup>1</sup> These points of consensus were adopted by the Global Dialogue Forum on 22 January 2020. In accordance with established procedures, they will be submitted to the Governing Body of the ILO at its 340th Session in October/November 2020 for its consideration.

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5. Free, independent, strong and representative employers' and workers' organizations, together with trust, commitment and respect by the governments for the autonomy of the social partners are key conditions for effective social dialogue in sport.
  6. Important advances have been made to promote sport for women. Significant gaps in income, sport opportunities and playing conditions are nonetheless still prevalent between women and men athletes. Athletes face special challenges reconciling maternity or paternity and work-life balance with the demands of sporting careers.
  7. Athletes are exposed to various forms of violence and harassment, including gender-based violence and racism and other forms of discrimination, by various parties. The Equal Remuneration Convention, 1951 (No. 100), the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), the Violence and Harassment Convention, 2019 (No. 190) and Recommendation (No. 206) are particularly relevant to supporting governments, together with social partners and other stakeholders, in preventing and addressing discrimination, violence and harassment in sport.
  8. Children and young athletes require special protection from abuse and from injuries and illness resulting from sport, including protection of mental well-being. Such protection is especially important for minors in situations away from their home. The Worst Forms of Child Labour Convention, 1999 (No. 182) is particularly relevant in this regard. In some cases, access to education can be a challenge; however, there are examples of good practices in several countries.
  9. Athletes may be bound to provisions preventing them from moving or competing. Government, social partners and relevant stakeholders should work together on preventing any practice that may result in forced labour.
  10. Sport is an important means to develop personal, professional and social skills that are essential in any career. Nonetheless, in many countries athletes require support in accessing and realizing opportunities for skills development that support their ability to transition into, through and from their sport career.
  11. Injury, sickness and mental health issues are common occupational risks in sport. Changing playing styles, increasing competition periods, doping-related issues and other factors are posing increasing risks of long-term injury and sickness for athletes.
  12. Although there have been some encouraging developments, it remains challenging to establish and implement effective remedy mechanisms to address grievances of all kinds. While some redress mechanisms exist and are effective in addressing violations of athletes' rights, others are not. In these cases, effective grievance mechanisms should be created, enhanced and further developed.
  13. Lack of cohesive statistical data and comprehensive knowledge on the working conditions, social protection, contractual arrangements and other work-related issues makes it difficult to develop evidence-informed policies and measures addressing decent work deficits among athletes.

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## Current practices in advancing decent work in the world of sport

14. Governments, in collaboration with employers' and workers' organizations and other relevant stakeholders, as appropriate, have implemented a number of policies and practices to address issues of decent work in the world of sport, including through social dialogue.
15. Collective bargaining exists in a variety of sports and has been beneficial in advancing the rights and wellbeing of worker athletes and the sports in which they work. In Europe, the Union of European Football Associations (UEFA), the International Federation of Professional Footballers (FIFPro), the European Club Association and the European Leagues have signed an autonomous agreement establishing minimum requirements for standard player contracts.
16. Many governments, employers' and workers' organizations, and other relevant stakeholders are making progress in promoting sport for women, which has attracted growing spectator attention in recent years. Effective measures can include greater investment in and promotion of women's sports, including through media, greater inclusion of women in sport governance, coaching and officiating, and monitoring and accountability mechanisms.
17. Governments, employers' and workers' organizations, and other relevant stakeholders have adopted programmes and policies to ensure maternity leave for women athletes, as well as their reintegration in their sport career after the maternity period, and provided for flexibility in competition rules to allow for maternity and paternity leave.
18. Sport for persons with disabilities is also a growing sport sector and can benefit from greater investment, promotion and social dialogue, including with the support of governments, employers' and workers' organizations, and other relevant stakeholders.
19. More proactive measures are needed to combat violence and abuse, including gender-based violence and racism and all other forms of discrimination. These measures include education, training for sport sector personnel, media campaigns, clear policies on player rights and protection, and joint actions between athletes and sport organizations to signal mutual repudiation of such behaviour.
20. The professionalization of sport careers can be a means of addressing decent work challenges. The further development of sport careers in official occupational classifications, training curricula, statistics and in law can provide for more formal measures to address working conditions in sport.
21. Personal development and dual career programmes are important in the world of sport, as they allow athletes to develop a strong personal identity, achieve a life-sport balance, skills to effectively manage the high performance environment and ultimately prepare for life after sport. These programmes are also a protective measure to integrate athletes in the labour market in case of occupational injuries. Governments, employers' and workers' organizations and other relevant stakeholders have established personal development programmes, greater links between educational and sport training facilities, and employer networks that hire elite athletes.
22. A number of countries have developed laws and regulations to protect child athletes from exploitation and ensure that they do not have to choose between education and sport, including through the regulation of relevant education institutions. While a number of international

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guidelines regarding children in professional sport exist, such codes of conduct and ethics do not follow identical approaches or standardized terminology.

23. Governments, employers' and workers' organizations, and other relevant stakeholders have scaled up efforts to promote occupational safety and health in sport. Some sports have agreed on, for example, concussion management and have established a protocol to treat associated injuries.
24. Compliance with and respect for athletes' contracts is linked to the existence of effective redress mechanisms at country, regional and global level. Some governments, employers' and workers' organizations, and other relevant stakeholders have put in place a range of disciplinary measures and remedy systems to address decent work deficits and provide athletes with a safe space to air grievances. However, these systems and measures could be further strengthened, bearing in mind the "duty of care" concerned actors have towards all athletes.
25. Some governments have developed social protection systems that support athletes after injury, whereas in other countries access to social protection for athletes is limited or does not exist.

### **Recommendations for future action by the International Labour Organization and its Members**

26. Governments, employers' and workers' organizations and other relevant stakeholders should promote all forms of effective social dialogue to advance decent work in sport, including through collective bargaining, at national, regional and global levels, as appropriate. As sport varies greatly across regions and disciplines, social dialogue should be promoted through innovative approaches.
27. Governments have the duty to adopt, implement and effectively enforce national laws and regulations to ensure that the fundamental principles and rights at work and ratified international labour conventions protect and apply to all, in accordance with these conventions.
28. Governments, employers' and workers' organization and other relevant stakeholders should promote principles set out in the United Nations Guiding Principles on Business and Human Rights and the Sporting Chance Principles, and engage collectively through relevant stakeholders, such as the Centre for Sport and Human Rights.
29. Governments should promote cooperation and policy coherence with relevant stakeholders.
30. Governments, employers' and workers' organizations and other relevant stakeholders, each within their own responsibilities, should create an enabling environment to promote decent work in the world of sport, including by:
  - a. generating equal opportunities for all and providing equal conditions of work for female athletes, including through establishing strategies and policies that promote gender equality, monitoring, evaluation and accountability, and further enhancing the business case for gender equality in sport;
  - b. protecting athletes from acts of violence, racism, abuse and discrimination at all times, through education programmes, coalitions of different stakeholders, anti-discrimination

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legislation, a zero tolerance culture, awareness raising, and effective redress mechanisms;

- c. developing innovative personal development and lifelong learning programmes through engagement with athletes to protect and advance their physical, mental and social wellbeing. Such programmes should support structural, financial and human resource capacity of sport associations to ensure dual career pathways and integration of athletes into the labour market after a sport career;
- d. ensuring occupational safety and health, encompassing all physical and mental health, including through social dialogue;
- e. enforcing, and where necessary reviewing, existing law and practice and taking steps to ensure access to comprehensive and sustainable social protection coverage for athletes, particularly in relation to workplace injury benefits and maternity protection;
- f. safeguarding the rights of children and young people to participate in sport in conditions of freedom, dignity and safety, including through the integration of dedicated policies, programmes and training in keeping with the best interests of the child and internationally recognized standards.

**31. The Office should:**

- a. promote ratification and effective implementation of international labour standards relevant to the sport sector, taking into account the changing patterns of the world of work, the needs of workers and sustainable enterprises, as well as the respect, promotion and realization of the fundamental principles and rights at work;
- b. build the capacity of constituents, including through regional meetings and technical assistance when requested to engage in effective social dialogue and to advance decent work in the world of sport;
- c. collect data on sport employment and athlete working conditions, including assessing knowledge gaps to inform policy decisions;
- d. research and disseminate good practices on social dialogue, non-discrimination, occupational safety and health, and skills development;
- e. strengthen collaboration with other international and regional organizations and sport bodies, with a view to promoting fundamental principles and rights at work and policy coherence on matters relevant to decent work for athletes, and to shaping the global sport agenda with respect to decent work;
- f. collaborate with relevant stakeholders to promote awareness of the contribution sport can make to social justice and development, and of decent work issues in the world of sport;
- g. engage in development cooperation to promote decent work in the world of sport, in collaboration with relevant international organizations;

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- h. engage in research on the application of fundamental principles and rights at work in the world of sport, with a view to informing decisions by the ILO Governing Body on the acknowledged need for future action and dialogue on this issue.