

2015-16 Questionnaire

This questionnaire is intended to compile information about violations of the right to freedom of association, the right to collective bargaining and the right to strike. It is addressed to trade unions at all levels and solidarity support organisations.

The information provided will become part of the ITUC Survey and the ITUC Global Rights Index and will be published online (survey.ituc-csi.org) and presented at the International Labour Conference in June 2016. Moreover, the ITUC submits the violations recorded to the supervisory mechanisms of the ILO.

There are 35 questions in total. Please answer to each question with yes/no. More importantly, it is essential to provide examples in the box under the question. Each example should include the following facts:

- Name person (if possible) and/or union concerned
- Date/timeline of incident(s)
- Location of the incident
- Description of the incident and the circumstances surrounding the incident.
- Who is responsible? Company/sector? Which government institution?
- Motivation: Do you suspect a motive for the violation?
- Have you taken any steps national or international level? (e.g. have police been contacted, have inquiries been conducted, are other national authorities involved, the position - if any of the Government)
- Are there any further consequences or implications of the violation?
- Was this violation an isolated incident or part of a pattern of abuses?

Name of respondent
Date
Union
Contact information

Have trade unionists been arrested?
<i>Please give examples with details.</i>

Have demonstrations or publications (newsletters, petitions, union flags) been prohibited?
<i>Please give examples with details, if applicable.</i>

Have travel bans or house arrests been imposed on trade unionists?
<i>Please give examples with details, if applicable.</i>

Have trade union offices been attacked or occupied?
<i>Please give examples with details, if applicable.</i>

Have workers been physically attacked or threatened?
<i>Please give examples with details, if applicable.</i>

Has the state refused to register a union?

Please give examples with details, if applicable.

Have workers faced discrimination at work because of their union membership?

Discrimination can include dismissal, transfer, harassment or intimidation.

Please give examples with details, if applicable.

Are all unions treated equally or does the state/employer favour some unions?

For example, if the state distributes subsidies unequally to unions, if the state makes statements against a certain union, etc.

Please give examples with details, if applicable.

Has the employer or state tried to prohibit/control/manipulate trade union activities (meetings)?

Please give examples with details, if applicable.

Has the employer/state tried to influence union elections?

Please give examples with details, if applicable.

Has the employer/state investigated documents of unions without reason?

Please give examples with details, if applicable.

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Has the employer withheld union dues despite existing check-off agreements?
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<i>Please give examples with details, if applicable.</i>
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Have accounts of unions been frozen?

<i>Please give examples with details, if applicable.</i>
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Have employers ever refused to negotiate certain issues?

<i>Please give examples with details, if applicable.</i>
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Have employers refused to bargain with representative unions?
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<i>Please give examples with details, if applicable.</i>
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If no union is covering the majority of the workers in the unit, can you still bargain on behalf of your members?
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<i>Please only respond to this question if the national law provides for recognition of exclusive bargaining agents allowing unions to represent all workers.</i>

<i>Please give examples with details, if applicable.</i>
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Have employers negotiated collective agreements directly with workers instead of trade unions?

Please give examples with details, if applicable.

Have there been cases where employers engaged in bad faith without the intention to reach an agreement by delaying negotiations?

Please give examples with details, if applicable.

When you negotiate a collective agreement, does your employer provide you with information on the financial situation of the company?

Please give examples with details, if applicable.

Can unions bargain at all levels (enterprise/occupation/sector/regional/national) without difficulties?

Please give examples with details, if applicable.

Do all workers have access to copies of collective agreements?

Please give examples with details, if applicable.

Has the employer changed or refused to comply with any provision in collective agreements?

Please give examples with details, if applicable.

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Have public authorities refused to register collective agreements?

<i>Please give examples with details, if applicable.</i>
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Have collective agreements been extended (scope/time) without the consent of unions?

<i>Please give examples with details, if applicable.</i>
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Have strikes been prohibited or stopped?

<i>Please give examples with details, if applicable.</i>
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How long does it normally take to start a legal strike?
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<i>Include also cases where it has been otherwise difficult to call a legal strike.</i>

<i>Please give examples with details, if applicable.</i>
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Have workers been forced to terminate a strike and go back to work?
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<i>Please give examples with details, including date/reason.</i>
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Has the employer hired workers to replace striking workers?
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<i>Please give examples with details, including date/reason.</i>
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Have workers been disadvantaged/punished for participating in a strike?
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<i>Please give examples with details. Indicate name of victim, date, reasons.</i>

Has the employer/state stopped a strike or collective bargaining by referring a dispute to arbitration?
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<i>Please give examples with details, including date/reason.</i>
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Can all categories of workers join unions, bargain collectively and strike?
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<i>Please list all categories of workers who have been prevented.</i>

Can workers freely choose the union they want to join?

<i>Examples: Workers were prevented from establishing more than one union per enterprise or occupation. Workers from different workplaces and cities were not allowed to join the same union.</i>

<i>Please give details.</i>

Does the government consult with you on labour laws or policies?

<i>Details:</i>

Can you go to court when your rights are violated? Are the courts in your country independent?

Examples: Cases which have taken several years to be adjudicated. Cases where trade unionists were arrested without charges being laid. Cases where courts have shown bias against trade unionists.

Please give examples with details, if applicable.

Other violations: