

## ISSUE DESCRIPTION

COMMITTEE Human Rights Council

ISSUE Improving the Protection of Temporarily Unemployed Workers

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## Introduction

Being unable to induct a maintainable unemployment insurance scheme is still a concerning issue for nations worldwide. The reasoning predominantly is the economy's incapability to guarantee benefits for temporarily unoccupied people. Unemployment insurance is a financial support provided by the government for a defined period of time. Typically, given to those who register as unemployed due to circumstances beyond their control, often with conditions securing the citizen's desire in job-seeking. In 1911, with the passage of its National Insurance Act, Great Britain became the world's pioneer in establishing national unemployment insurance. This scheme was rudimentary as it only covered certain groups of *manual trades (mechanical engineering, building, iron founding, shipbuilding, construction of vehicles, saw milling, and machine work)*<sup>1</sup>. Finally, in 1920, the scheme became nationally general and applied to all workers. In the 20th century these schemes and programs underwent numerous alternations to evolve into the systems present in today's society.

## Definition of Key Terms

Unemployment insurance (UI) - A financial support provided by the government typically to those who register as unemployed due to circumstances beyond their control, often with conditions providing the citizen's desire in job-seeking.

Job tenure - The duration an employee has worked for their employer.

Qualifying period - The period of time, especially time spent in your job, before you have the right to receive something or do something.

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<sup>1</sup><https://www.ssa.gov/history/reports/ces/cesbookc2.html#:~:text=In%20its%20National%20Insurance%20Act,were%20frankly%20experimental%20in%20nature.>

Qualifying conditions - The requirements compulsory for the entitlement of benefits. These may have various categories, focusing on separate aspects.

International Labour Organization (ILO) - Dedicated to advancing social justice and globally acknowledged human and labor rights, the ILO was established in 1919 and has been recognized as a specialized UN agency since 1946.

Underemployed worker - A state, in which an employee is working in a occupation where their capabilities and skills are not fully utilized.

Replacement rate - The benefit expressed as a percentage of prior earnings. Benefits are often computed as a percentage of the mean monthly earnings over the previous three (or six) months.

Public Employment Services (PES) - Public Employment Services (PES) serve as the entities bridging jobseekers and employers. They play a crucial role in aligning the supply and demand in the labor market by providing information, placement services, and active support at both local and national levels.

Suitable job - Suitable work refers to work for which a worker possesses the required skills and is medically capable of performing.

Waiting period - A waiting week occurs during the first week of a new spell of unemployment when a jobless worker satisfies all the requirements for eligibility but does not receive any benefit payment for his/her first week of unemployment.

International Social Security Association (ISSA) - The world's leading international organization for social security institutions, government departments and agencies founded in 1927 under the auspices of the ILO. The ISSA promotes excellence in social security administration through professional guidelines, expert knowledge, services, and support to enable its members to develop dynamic social security systems and policy throughout the world.

Emerging country - A country that has some characteristics of a developed economy, but does not fully meet its standards.

## General Overview

Unemployment insurance schemes intent to provide temporarily workless individuals with a partial income thereby facilitating them to carry on basic standards of living during this period of time. By financial safeguarding, drastic economic declines are preventable as well as the maintenance of consumption is possible. In addition, they assist people in job-seeking through specialized measures and provisions, including support, counselling and advice in looking for employment, and facilities for enhancing, updating and developing skills. The majority of unemployment benefit programs are meant for people formerly having had formal employment. Most systems exclude unemployed people having had no formal job before, the long-term unemployed, and the underemployed. The broadness of the spectrum of services is a subject of economic situation of countries. Usually, more protection is issued towards the claimants in case of advanced countries than in emerging countries.

## HISTORY

The earliest unemployment insurance scheme in the United Kingdom developed rapidly so by the end of the 1910s, it became universal for all manual and non-manual workers earning less than 250 £ a year with a few exceptions. Besides the United Kingdom, some other nations started to establish systems of their own as well.

Unemployment Provision Convention, 1934 (No. 44) of the International Labour Organization (ILO) was the pioneer in addressing unemployment insurances. It obliges all ratifying countries to set up a scheme that guarantees assistance and safeguard for people facing unemployment due to external factors. Basic principles were formulated restricting legitimacy to benefit or allowance to preceding job tenure, previous period of unemployment, and a specified number of contributions made during a designated period before claiming benefits.

With the Social Security (Minimum Standards) Convention, 1952 (No. 102) of the ILO, an international agreement was reached and laid down the basis for the nine classes of social security. Minimum objectives were set, encompassing a minimum percentage of the population to be protected, a minimum standard of benefits to be delivered, and specific terms and durations for qualifying for these benefits.

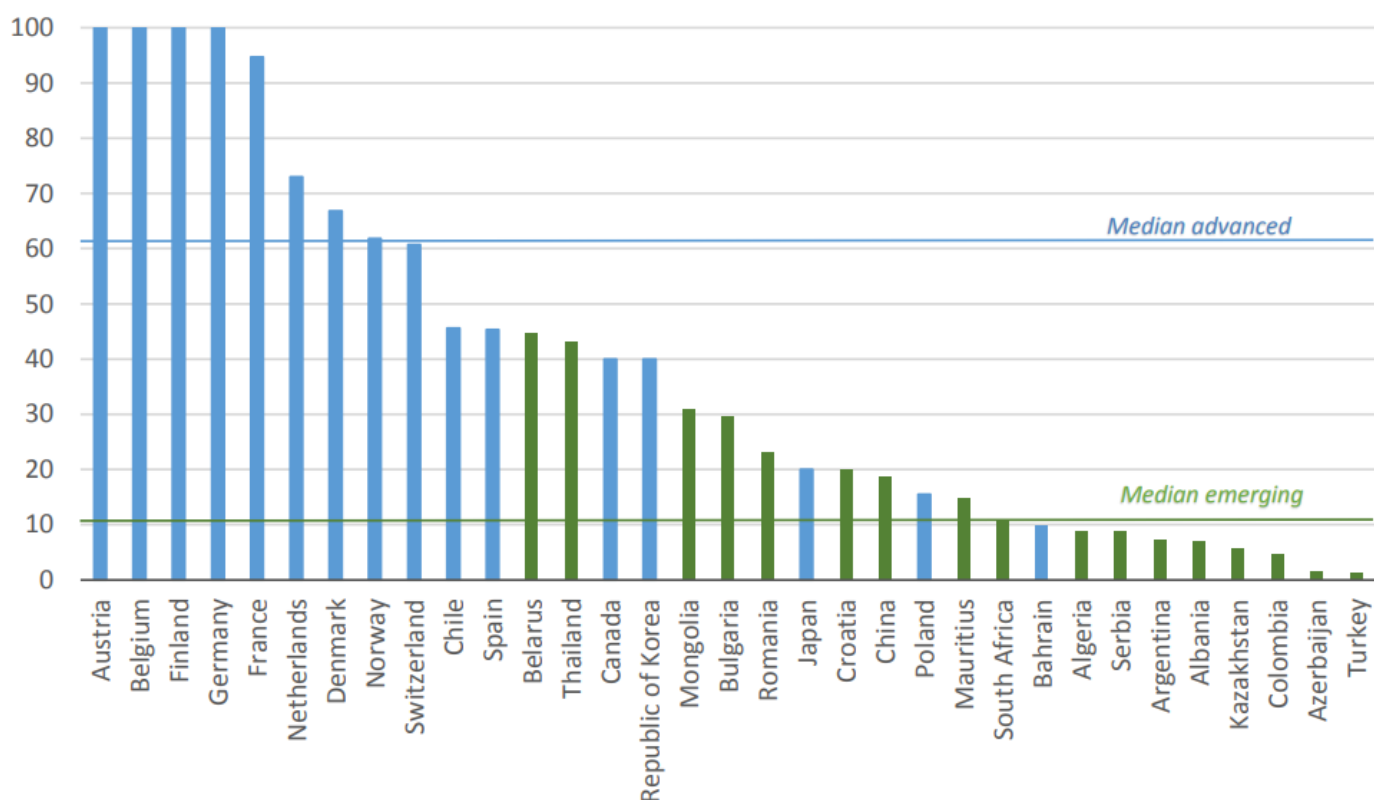
Employment Promotion and Protection Against Unemployment Convention, 1988 (No. 168) of the ILO is a revision of ILO Conventions No. 44 and No. 102. The focal point of it is to motivate all Members to coordinate their UI schemes and their employment policies. For this purpose, governments shall endeavor to ensure that their unemployment protection systems, with

accentuated focus on the methods of dispensing unemployment benefits, are instrumental in the promotion of comprehensive, productive, and voluntarily chosen employment, and do not act in a way that dissuades employers from providing or discourages workers from seeking productive employment. The Convention further urges all Members to institute specialized programs supporting disadvantaged groups of people, may or having issues with finding lasting employment namely women, young workers, disabled persons, older workers, the long-term unemployed, migrant workers lawfully resident in the country and workers affected by structural change.

## GENERAL UNDERSTANDING OF UNEMPLOYMENT INSURANCE SCHEMES

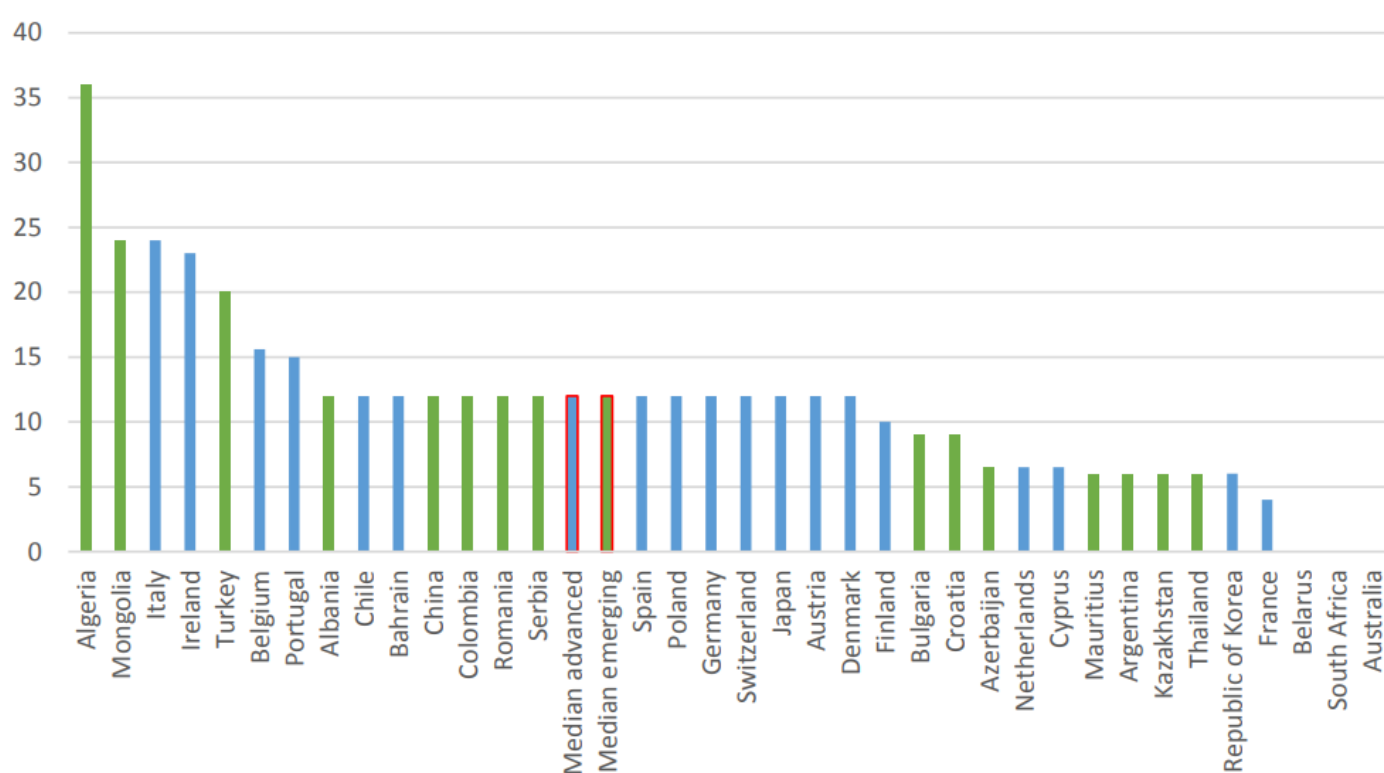
Unemployment insurance schemes around the world: Evidence and policy options, a research report of the ILO Research Department from 2019 examined various aspects of UI schemes in over thirty countries with different economic backgrounds. In the report, the systems of either emerging or advanced countries and their comparison can be observed. The first remarkable difference arises when looking at coverage rates of UI programs across groups of countries. In advanced economies, coverage rates of UI schemes generally exceed 40 per cent with a median of 61.3 per cent. At the same time, only few emerging economies have coverage rates above 30 per cent while in eight countries out of 17 with available information the coverage rate is below 10 per cent with a median of 10.6 per cent.

COVERAGE OF UNEMPLOYMENT BENEFITS, AS A PERCENTAGE OF THE UNEMPLOYED POPULATION



Qualifying conditions for the entitlement of benefits can alternate amongst nations. Although various qualifying conditions exist, the majority applies for the preceding employment period and the causes for termination. Several problems may encompass the two extremities, as soft eligibility criteria may result in the deformity of the labor market since citizens would be able to quickly gain access to UI. Whereas exceedingly strict conditions may exclude groups necessitating assistance the most. According to the report, governments consider previous job tenure to be the most substantial criterion of UI eligibility. A significant amount of advanced and emerging countries require an employment of 12 months before the qualification for UI representing the median for both sorts of countries.

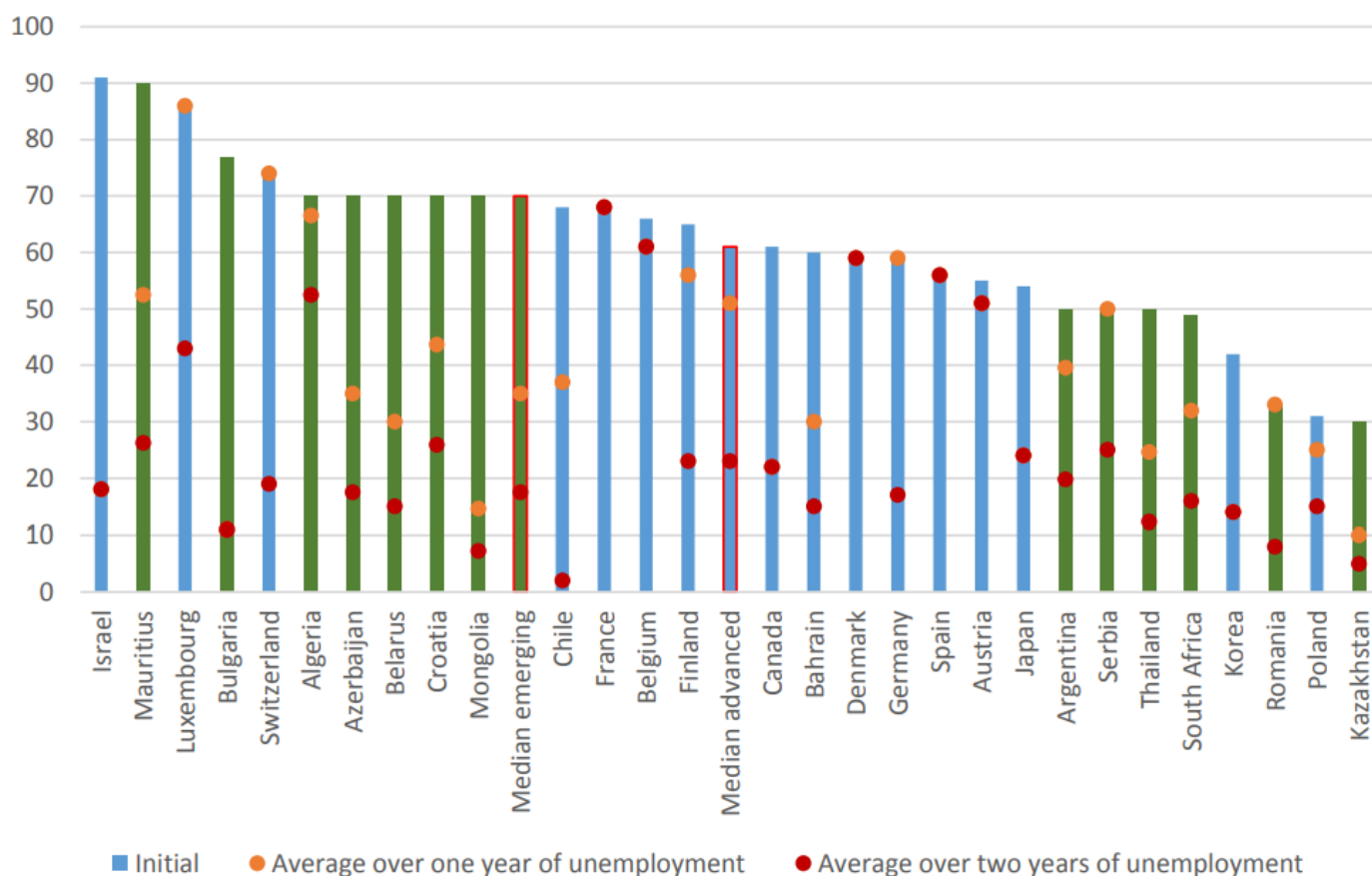
LENGTH OF MINIMUM JOB TENURE TO JOIN UI SCHEMES, IN MONTHS



Another aspect nations consider is the inclusion of individuals willingly leaving their position. Their involvement in UI schemes could lead to unintended consequences, as employees might quit their jobs to draw profit from the availability of benefits. Consequently, most governments do give them the opportunity to acquire unemployment benefits.

The most essential element of UI schemes for the claimants is the average replacement rate. Generally, replacement rates decrease as time passes, thus the highest replacement rates are observable at the commencement of taking UI. Emerging economies usually provide higher replacement rates initially than advanced economies, however considering long-term unemployment, the difference reverses.

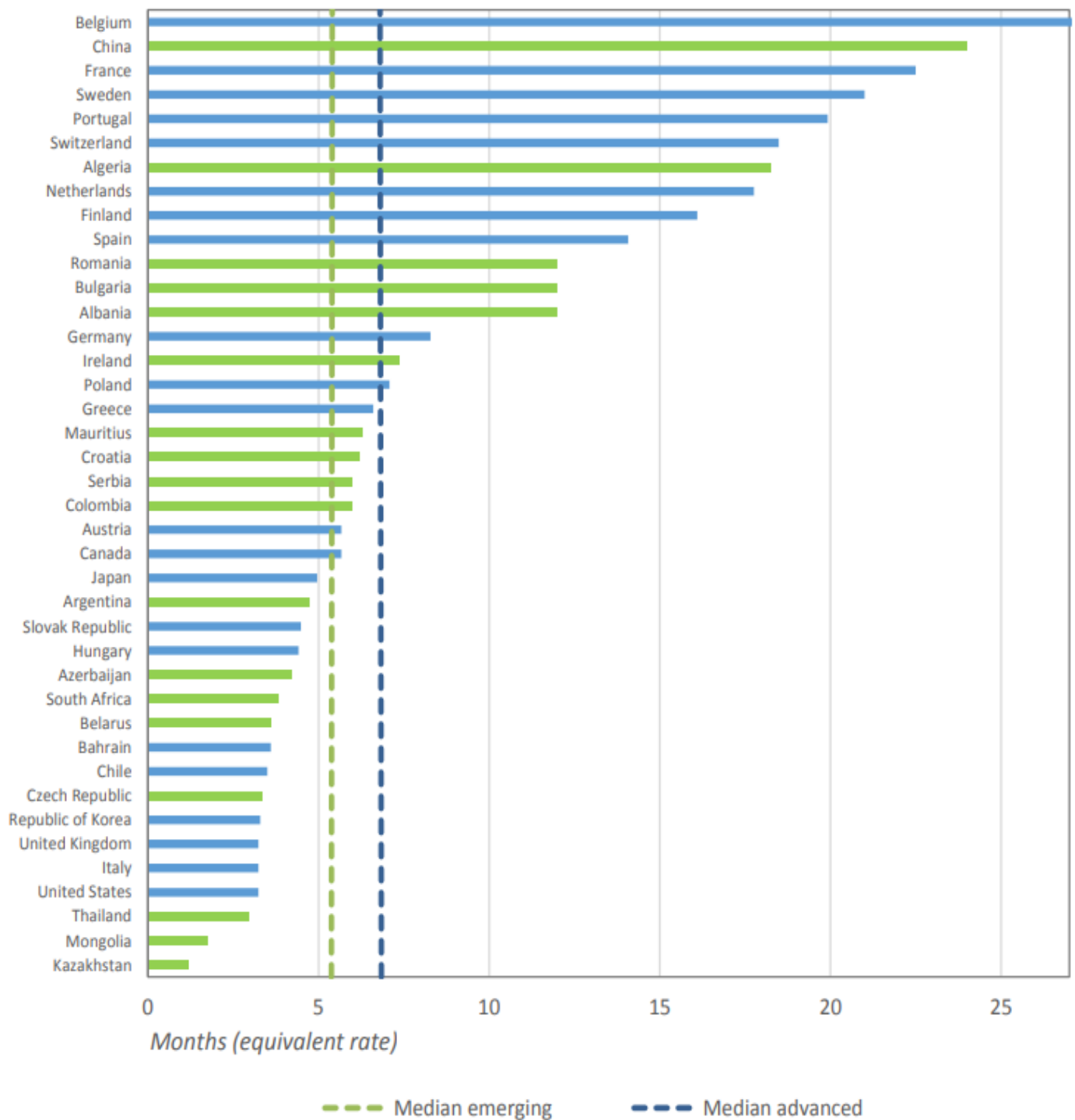
## AVERAGE REPLACEMENT RATES (AS A SHARE OF PREVIOUS INCOME)



Most countries have set up upper and lower bounds, preventing unfairly generous payments to those not necessitating it and support those in urgent need of it. Well-developed UI systems differentiate replacement rates according to the previous wage of the individuals. The median replacement rate in advanced economies is 58.5 per cent, rising to 67.7 per cent for those initially earning less than 67 per cent of the average wage and dropping to 46.3 per cent for individuals with an initial income surpassing 150 per cent of the average. The duration of the entitlement to unemployment benefits is somewhat shorter in emerging economies with a median of 5.4 months than advanced economies with a median of 6.8 months. Particularly, it is conditional on the required time to seek new employment. (Figure: Maximum duration of unemployment benefits at an equivalent rate)

The vast majority of countries have already integrated Active labour market policies (ALMPs) into their UI schemes, thereby focusing on to condition the rights of UI claimants while increasing the incentive of participants in job-seeking as well. For this reason, individuals are obliged to register with the public employment services (PES) offices. The PES offices enable linking income support provision to programs that enhance efficient job-search efforts. The requirement to report to PES offices is a general methodology to monitor job-seeking, aiming to control job-search activity and providing advice on how to look for a job, eventually offering the participants several opportunities to re-employ themselves.

## MAXIMUM DURATION OF UNEMPLOYMENT BENEFITS AT AN EQUIVALENT RATE



If an individual decided to refuse suitable job-opportunities offered, sanctions can be applied. The severity of these sanctions is generally dependent on the generosity of the UI systems. These regulations are meant to further urge the unemployed in job-search and the acceptance of offered job-opportunities. Excessively strict sanctions could have counterproductive effects on unemployed persons, resulting in the downturn of job-quality or even the reduction in participating in the program.

## THE IMPACT OF COVID-19

The COVID-19 pandemic, starting in 2020, exposed all nation to extraordinary challenges in case of partial unemployment. Referring to a 2021 ILO estimate, approximately *255 million full-time jobs were lost in 2020 and working-hour losses have been four times higher than during the global financial crisis in 2009.*<sup>2</sup> Comprehensive and generous schemes were inducted worldwide in advanced economies, aiming to smoothen the economic situation and to protect people from becoming unemployed. Countries, striving to tackle the issue, instituted various methodologies to assist people in urgent need. Some governments immediately increased unemployment benefits and introduced complementary temporary unemployment benefits alongside with the extension of eligibility durations and alleviating qualifying conditions. Other measures such as granting subsidies to companies in the most affected sectors to carry on employing and rehire dismissed workers were also instituted in some nations. Emerging countries previously having no social security schemes brought in social assistance grants for defined unemployed persons.

### Major Parties Involved

**International Labour Organization (ILO):** The ILO is a determinant body regarding the improvement of conditions for unemployed, having made several conventions and recommendations aiming to motivate governments to take this affair into further consideration. These conventions laid the foundation of systems of the modern world and henceforward provide both advanced and emerging countries with guidance. The ILO functions as a monitoring body, generating reports and statistics including specific and exact data on the progress and achievements of the global community.

**International Social Security Association (ISSA):** The ISSA's observations are pivotal to the proper analysis and administration of social security systems. It generates annual and monetary reports of countries and their current status regarding all kinds of social security systems. The Association creates statistics to show the involvement of the countries in question. Through the COVID-19 pandemic, it was a key body to analyze the impacts of the crisis on social security. Furthermore, it made proposals and provided guidance to aid states tackle the crisis in an appropriate and least harmful way possible.

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<sup>2</sup> <https://www.issa.int/analysis/unemployment-benefits-during-covid-19>

**Austria:** In Europe, most countries have instituted UI schemes already, however it also has outstanding economies, such as Austria, setting a shining example for the still emerging countries. Austria is among the few countries, allowing participation in UI schemes in case of voluntarily resignation. Its system is particularly oriented to reintegration, as participants are required to report to PES offices every 2 weeks, thus having more opportunities and assistance given by the authorities. Besides being motivative, the scheme is exceptionally generous by means of benefits. Benefits may also be dependent on several other determinant factors such as family status, and therefore can be increased by family supplements and other additional benefits. During the COVID-19 pandemic, Austria has managed to keep the unemployment rates relatively low, peaking in 2021 at 6.18 per cent due to its comprehensive and effective rulings. This percentage has been further reduced to 4.71 per cent by the end of 2022 through the active measures taken by the government. With these numbers, Austria is below the 6.2 per cent average of the European Union in December 2022.

**India:** Among emerging countries, India is exemplary as it has accomplished severe development over the past decades. India has proven how crucial ALMPs are when addressing such issues. India introduced a public works program in 2005, namely the Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS). The Act gave special attention to the rural areas of the country, striving to enhance the quality of living of the inhabitants in the territories by waged employment, beneficial to the infrastructure for the region. This program is one of the largest in the world, reaching about 70 million people annually. It also emphasizes the promotion of women's participation in the workforce, mandating that a minimum of one-third of the beneficiaries are women and ensuring equal wages for both men and women. The program produced favorable outcomes for employment, labor force participation, and wages. Additionally, it not only promoted female participation in the workforce but also increased their wages by 8 percent. Since the institution of this scheme, the country has gone through significant changes regarding employment and gender equality in the labor market.

## Timeline of Events

**1919** – Foundation of the International Labour Organization

**November 8, 1920** – First universal unemployment insurance scheme in Great Britain

**1934** – Unemployment Provision Convention, 1934 (No. 44)

**1952** – Social Security (Minimum Standards) Convention, 1952 (No. 102)

**1988** – Employment Promotion and Protection Against Unemployment Convention, 1988 (No. 168)

**2005** – The institution of the Mahatma Ghandi National Rural Employment Guarantee Scheme in India

**2012** – Social Protection Floors Recommendation, 2012 (No. 202)

**2020** – The start of COVID-19 pandemic globally

## Previous Attempts to Solve the Issue

### UNEMPLOYMENT PROVISION CONVENTION, 1934 (NO. 44) OF THE INTERNATIONAL LABOUR ORGANIZATION

Convention No. 44 of the ILO urged all countries having no compulsory UI is in operation to create such a system as soon as possible and besides proposed to involve not only wholly but partially unemployed persons in the system. It states that *the qualifying period permitted by the Convention should not exceed 26 weeks' employment in an occupation covered by the scheme, or the payment of 26 weekly contributions or the equivalent, within twelve months preceding the claim for benefit, or alternatively 52 weeks' such employment, or 52 weekly contributions or the equivalent, within twenty-four months preceding the claim for benefit.*<sup>3</sup> Waiting period allowed by the Convention shall not be more than eight days. Convention further highlights that the duration for which benefits are paid under national laws or regulations should align with the financial stability of the scheme and suggests that every attempt should be taken by governments to provide benefits as long as claimants require them.

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<sup>3</sup> [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:R044](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:R044)

## SOCIAL SECURITY (MINIMUM STANDARDS) CONVENTION, 1952 (NO. 102)

### Social Security (Minimum Standards) Convention, 1952 (No. 102)

Convention No. 102 of the ILO was the first agreement on international levels concerning the basic principles of social security. It defined unemployment benefits to be periodical payments for: prescribed classes of employees comprising at least 50 per cent of all workforces; or all residents whose means do not surpass limits prescribed by competent authorities; or in case of Members not having adequately developed economy, prescribed classes of employees comprising at least 50 per cent of all workforces in industrial sectors employing 20 persons or more. The Convention suggested that benefits shall be granted all through the contingency, *except that its duration may be limited: where classes of employees are protected, to 13 weeks within a period of 12 months; or where all residents whose means during the contingency do not exceed prescribed limits are protected, to 26 weeks within a period of 12 months.*<sup>4</sup> The waiting period for benefits is the initial seven days of unemployment. It instituted that the administration of social security schemes ought to be on a tripartite basis, working towards the reinforcement of the conversation between governments, employers, and workers. To achieve the goals set by the Convention, no specific conditions and approaches were mentioned, thus Members could remain flexible in seeking solutions.

## EMPLOYMENT PROMOTION AND PROTECTION AGAINST UNEMPLOYMENT CONVENTION, 1988 (NO. 168)

Convention No. 168 of the ILO primarily aims for the reintegration of unemployed into the labor market and widen the number of persons eligible for unemployment benefits. It advises to include persons being partially unemployed due to external factors but not having broken employment relationship; individuals with part-time employment seeking full-time work comprising minimum 85 per cent of all workforces; and persons seeking employment, precedingly not considered as unemployed or participant of such scheme. Accordingly, ten categories were established whereout ratifying countries had to institute at least three. These categories constitute of *young persons who have completed their vocational training, studies, or compulsory military service; persons after a period devoted to bringing up a child or caring for someone who is sick, disabled or elderly; persons whose spouse had died, when they are not entitled to a survivor's benefit; divorced or separated persons; released prisoners; adults, including disabled persons, who have completed a period of training; migrant workers on return to their home country, except in so far as they have acquired rights under the legislation of the*

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<sup>4</sup> [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C102](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C102)

*country where they last worked; and previously self-employed persons.*<sup>5</sup> The Convention calls all nations for prioritizing a policy aimed at fostering comprehensive, productive, and voluntarily chosen employment by all appropriate means such as employment services, vocational training and vocational guidance.

## SOCIAL PROTECTION FLOORS RECOMMENDATION, 2012 (NO. 202)

Recommendation No. 202 is a pioneer international instrument offering guidance to nations in addressing social security gaps and progressively attaining universal protection by establishing and sustaining comprehensive social security systems. Introducing the concept of social protection floors, Recommendation No. 202 outlines the fundamental components of the human right to social security. A notable accomplishment of Recommendation No. 202 is its provision of policy guidance to states for fulfilling their overall responsibility in creating and maintaining these extensive social security systems. It achieves this through a set of principles that provide instructions for the formulation and execution of social security programs. These guiding principles deliberately echo fundamental human rights principles as well as core principles related to the effective governance, delivery, and financing of social security systems.

## Possible Solutions and Approaches

### ACTIVE LABOUR MARKET POLICIES (ALMPS)

ALMPs and their integration into UI schemes is instrumental in tackling the issue of partially unemployed persons. Particularly, these policies seek to safeguard current employment positions and generate fresh job opportunities, fostering a connection to the labor market and the reintegration of long-term unemployed and inactive individuals. They also aim to co-operate in the job-search and job-matching process, primarily focusing on those who are not actively engaged in the labor market. The Organisation for Economic Co-ordination and Development (OECD) database determined six categories for ALMPs: training; employment incentives; direct job creation; start-up incentives; public employment services and administration; sheltered and supported employment and rehabilitation. Regarding UI schemes, the pivotal ones are employment incentives, public employment services and administration, and sheltered and supported employment and rehabilitation. These three measures assist the unemployed as well as aim to prevent termination, therefore ALMPs are crucial in prevention and resolution as well. Furthermore, ALMPs can assist in reducing inequality and unfair treatment on the labor market,

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<sup>5</sup> [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_INSTRUMENT\\_ID:312313](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:312313)

as it enables groups usually facing discrimination to utter their concerns. The COVID-19 crisis has proven that ALMPs are functional measures in addressing such problems, since it seriously smoothened the impacts on labor market in the countries in which at least one kind got instituted.

## ESTABLISHING COMPREHENSIVE UI SYSTEMS

The keystone of addressing this societal affair is the integration of inclusive UI schemes into social insurance programs as well as it is the initial step to be highlighted. The majority of nations still do not have UI social insurance programs included in their legislation concerning unemployment pointed out a report by the International Social Security Association (ISSA) in 2021. The inquiry took 182 countries into consideration, of this less than 50 per cent had built in UI into their legislation. The ILO approximated that 38.6 per cent of the employees have the advantage of UI granted in law, however only 21.8 per cent of them get to possess the benefits. Owing to this, it is unambiguous that the least supported branch of social insurances systems is the UI. The COVID-19 crises further aided in the international recognition of the essentialness of UI schemes. Setting up such programs undoubtedly contributes to economic growth by encouraging individuals to join the labor market in a manner that is both advantageous and convenient for them. Furthermore, it can further strengthen the relationship the governments and the employees, eventuating an uplift in general happiness in nations. The rate of poverty is seemingly lower in countries having UI schemes integrated into their social protection systems, as the primal purpose of them is to reintegrate unemployed individuals into the working life, by motivation and provision of assistance and alternatives for them. To the best understanding of global experts, this currently appears to be the most efficient and fruitful solution to address the problem of unemployment.

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