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Project	TRAINING4PORT	
Work Package	WP3-Setting up a supportive environment for labour force competence	
Activity	Strategy to point up the main gaps and to set up strategic objectives to improve the existing regulatory framework for jobs in ports and of the modalities of employment of the workforce in ports	
Result	THE STRATEGY	
Responsible	UPIR	
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1. The background

The internal organization of dock labour is taking place within a wider setting of legal and social conditions. The legal constraints are embedded in the appropriate port labour regulation and legislation and industry-wide labour and safety regulations.

Port reform is often strongly associated with dock labour reform. Low labour productivity in fully state-owned ports is one of the main driving forces behind port reform process throughout the world. Employment creation objectives of governments often go hand in hand with a surplus labour force in public ports, particularly in developing countries. Low productivity is combined with high costs since port employees in state-owned ports typically enjoy income stability, job security and fringe benefits. The need to reform port labour regimes is both a motivation to initiate private sector participation and an obstacle. An IAPH survey on privatisation trends in the top 100 container ports in the world revealed that some 17% of ports regarded labour reform as a critical element, with a further 30% claiming it was either very important or important (Baird, 2002). Is for evidence that successful labour reform is a precondition for the private sector to be willing to assume the responsibility for a port or terminal. Trade unions are sometimes blamed for difficulties during the process of port privatization. If more foreign trade depends on organized labour this could be interpreted as an obstacle to private sector participation. On the other hand, it could also be true that union membership is positively correlated with a higher general level of a country's social and economic development.

Port workers' trade unions typically express great concerns prior to and during port reform processes because they fear job losses, casualisation of labour and changes in working conditions. The International Transport Workers' Federation expresses this sentiment: "In nearly all cases, investments in new port infra- and superstructures coincided with downward pressure on working conditions and employment in order to cut labour costs as much as possible. Deregulation, privatization and growing competition are leading to this downward pressure and subsequently to the increasing use of non-union labour, casualisation of labour and flexibilisation of labour relations and working conditions, all of which are not in the interests of workers" International Transport Workers' Federation 1997, p. 9-10). While deregulation, privatisation and

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casualisation are aimed at increasing wealth for all, reform processes can be a recipe for mass dismissal of dock workers and a deterioration of working conditions including health and safety. This view seems to be supported by several studies. Others are more positive on the long-term employment effects of port reform. Port reforms generally lead to increased labour productivity measured in terms of output per dock worker. Employment reductions are one means of driving up productivity, and in some cases they are indispensable. Other ways in which port reform brings labour productivity improvements include capital investments, especially in new technology. Badly designed retrenchment programs are to be avoided since they can lead to the wrong workers leaving or to mass demoralization negatively affecting labour productivity.

Stakeholders’ relations management and social dialogue are prerequisites to a peaceful and successful port reform process. Governments and employers who do not involve trade unions throughout the entire restructuring from the early stages of the reform until the implementation of the changes face an increasing risk of disputes and strikes.

In order to secure dock workers’ co-operation in the implementation of a port reform process, the benefits from the public sector’s divestiture must be as tangible and clear as possible. In this context, the distribution of the benefits of increased efficiency among port stakeholders remains a key issue. Dock workers often have to be firmly convinced that reform serves the objectives of raising future incomes and standards of living. A clear stakeholder involvement and open social dialogue can shift trade unions’ objectives from pursuing short-run job-preservation in a rapidly changing technological environment to embracing future job-creation. Labour reform processes which imply a shift to private sector employment through company-based labour agreements typically face opposition from unions since they often result in a reduced union density.

The timing of port reform is crucial for its success. Most port reform and port labour reform takes place in periods where there is a strong economic downturn and or there are serious problems with the competitiveness of individual ports or the (national) port system. When the port is doing well, trade unions are generally strong, supported by good prospects for more port employment. Employers enjoy a high utilization of their equipment and they will be more eager to keep things as they are in order to

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avoid disputes or even strikes which could temporarily immobilize their resources. When the economic situation in the port is less promising, cost-cutting strategies of employers might push towards a change in the status quo. The resulting call for changes in existing dock labour practices combined with lower port employment levels, typically changes the balance between employers and trade unions.

The issue of port labour reform typically arise when having smaller or larger changes to existing port labour practices. These changes more than once are part of broader port reform processes in European ports. The port industry has been undergoing port labour reform for over 100 years. The introduction of containerisation in the 1960s and with it the reduction of the port labour force accelerated reform processes in many ports around Europe. Much of the change has been driven by technological innovation. While the imperatives for change may have been the same, different countries and ports adopted quite different approaches to the change process.

The key issues that often appear in labour reform processes can be summarized as follows :

- The definition of ‘dock work’ and the (legal) status of the dock worker
- Labour employment modalities
- Arrangements at the work floor
- **Specialization/categorization/qualification of dock workers**

Dockers in port are generally not a homogenous group. Significant differences between their members can relate to the particular tasks carried out, the required skills, the way they are hired, the training arrangements, career planning, etc.. .

One of the foundations for categorization of dock workers is the division between permanent and non-permanent workers. Increased mechanization and specialization in port, vessel and cargo load technology have introduced higher demands in terms of specialized skills and flexibility. International shipping lines and global terminal operators, particularly in the container business, increasingly demand direct employment for a significant number of their own workers, especially crane drivers and other operators of heavy yard equipment (the regulars). Casual workers are deployed during periods of peak demand. Even when a labour scheme is in place that includes a pool of registered casual workers, local port employers often hire a large part of the dockers on an almost continual basis (the quasi-permanent workers or semi-regulars). Labour schemes often include a ‘continuity rule’: a docker hired on a particular day can be rehired for the next day(s) to complete a ship without having to

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be rehired every one of these days in a central hiring place (the principle of ‘repeat hiring’). The rule also gives the chance to new dock workers to become acquainted with the routines in a gang.

Some labour systems rely on a system of job categories of dockers, with varying degrees of labour mobility between categories. Other employment systems are based on job qualifications, allowing a (casual) docker to be deployed for any dock work as long as he has the right qualification(s). Port labour systems show various types and degrees of multi-skilling among dockers. The multi-skilling programs can be organized at company-level, by the pool or provided for by the state. Multi-skilling arrangements in some cases allow functional combinations of several jobs to be performed within the same shift.

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2. The strategy

This strategy is developed to improve the existing regulatory framework of port labour and employment modalities in ports.

All strategies developed under TRAINING4PORT project are based on the following general objectives :

1. protecting and promoting health and safety in ports;
2. improving the skills of portworkers and enhancing their professional status and welfare;
3. securing the greatest possible social and economic advantages from advanced methods of
4. cargo handling and other port operations;
5. improving cargo handling efficiency and enhancing the quality of service to port clients; and
6. protecting the natural environment in and around the port area, and promoting decent work
and sustainable jobs in ports

These objectives are consistent with international labour standards and goes hand in hand with improvements in productivity, safety and health, and economic performance. Investment in skills development is invariably part of this process, as a better trained workforce will be more productive and safety conscious. Where portworker training leads to efficiency gains and service improvement, and consequently more trade passing through the port, the result is often more as well as better jobs.

The regulatory framework is the framework on which the implementation of an competency-based training for port workforce is based. Without a supporting environment this goal cannot be reached. This strategy will point out the main objectives and actions to be initiated/performed to create the supporting environment.

The starting point are the conclusions of the survey developed under WP3/Activity 1.

The survey conclusions are based only on references to competence of port labour.

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At EU level the port sector is characterised by high diversity of organizational, management and requirements even all ports finally provide , generally speaking, the same port services package

As a core idea all ports fighting to meet market demands as a strong competition occurs, at least during the last decades, on the market.

The port labour competency has become more and more a critical issue and in the same time a strategic tool to rise the port services quality

It's time for all ports to focuss on labour force at least as much as on innovation.

A short summary of the main findings resulted from the survey has been structured on main issues related to port worker competence

	Romania	Rep.of Moldova	Ukraine	Bulgaria	Croatia	Germany
Port management	Landlord	Service	Landlord	Landlord	Landlord	Landlord
Port services are defined	YES	NO	YES	YES	YES	YES
Port operator certification is required	NO	NO	NO	YES	NO	YES
Port jobs are clearly defined and standardised	NO	NO	NO	YES	NO	YES
Port worker concept is defined	YES	NO	NO	YES	NO	YES
requirements for port workers competence and training	NO	NO	YES	YES	NO	YES
Training & qualification available services for port workers	NO	NO	YES	NO	NO	YES
Port workers are registered	YES	NO	NO	YES	NO	YES
Port operators are registered	NO	NO	NO	YES	YES	YES
There are associations of port workers	YES	NO	YES	YES	YES	YES
Special regulations for employment of port workers	NO	NO	YES	YES	NO	YES
Health and safety special regulations for port workers is in force	NO	NO	YES	YES	NO	YES

To improve the supportive environment for port labour competence development three directions for action are established :

1. port activity regulation
2. legal classification of professions
3. port workers access to training

Port activity regulation

Concerning port regulations there is a high diversity of legal framework ruling port infrastructure management and port services. Also, these rules are regulating or not the port worker statute and requirements as well port labour employment. Even in cases such regulations exist these are set from a large scale from general to

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detailed rules. As more general are these rules as these are not referring to competence being mainly focussed on safety, security and employment.

Although the port labour market demand more and more competent workforce the competence requirements has not been up-graded in the specific regulations nor introduced in those in which are missing.

There has been identified three direction of action :

- clear definition of port worker statute and certification
- certification requirements for port services providers including requirements related to port workers competence

Legal classification of professions

All involved countries has legal classification of professions but not all port jobs are covered. Even some jobs are included many differences between job's name and job's description occurs. There are huge differences between competences and skills requirements. Excepting jobs related to crane and forklift drivers and boatmans, no qualification/training requirements exist. With few exceptions no occupational standards exist.

- upgrade the classification of professions
- standardisation (occupational standards)

Port workers access to training

There are three direction of action :

- training system reform
- evaluation

The new approach to focus on competency-based approaches to training in the port sector reflects the recent shift in training provision from “job analysis”, used to pinpoint the skills needed for a particular job, to an identification of the competencies required for a given function. The term “competencies” covers the “knowledge, skills and know-how applied and mastered in a specific context”. Many of these competencies are common to a significant number of functions in ports – and indeed are necessary throughout the transport and logistics chain. Competencies can

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therefore be combined to create recognized qualifications (defined as “a formal expression of the vocational and/or professional abilities of a worker which is recognized at sector, national or international levels”). With a competency-based approach to training, modular programmes can be used to deliver training in a flexible and cost-effective way that meets the needs of all parties. This approach has been used successfully by major ports around the world and indeed by the ILO through its Portworker Development Programme (PDP).

Another important issue is the modality of providing qualification/training services. A new approach should focus much more on work-based learning.

There are a number of reasons for policy makers, individual companies and social partners to be interested in introducing, expanding and improving the quality of work-based learning.

From the enterprises’ point of view, workplaces in which employees constantly learn new skills and new ways of doing things tend to be more productive and more profitable. They tend to be more innovative, be better at using employees’ knowledge to improve product quality and customer service, and have lower staff turnover.

From the learners’ point of view, work-based learning can make their programmes of study more interesting and connect them more directly to the world of work. It can improve their job prospects by giving them more relevant work skills and by connecting them to employers who may offer them jobs after they graduate. This can be an important way of expanding opportunities and increasing social inclusion among groups that are disadvantaged in the labour market.

From the employees’ point of view, the chance to learn new things makes work more interesting. It encourages employees to be more interested in improving their career prospects, and increases the chances that they will undertake formal VET

For public policy makers in initial, post-secondary and continuing VET, work-based learning:

- produces higher-quality skills that are more relevant to real work situations than does learning that occurs entirely in the classroom; and it produces skills that are likely to be more up to date with current practices in the workplace;
- helps to strengthen cooperation between education and business, and to create strong links, both for individual students and for the system as a whole, between vocational education and the real demands of the labour market

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- increases the link between learners and the labour market and so improves their chances of getting a job after they complete their training;
- involves employers in designing and managing VET, thus increasing their confidence in the system;
- makes economic sense, with costs shared between employers and government rather than all being met from the public purse; this means that government budgets should go further;
- makes greater use of plant and equipment on employer premises for training, and so reduces the need to purchase expensive training equipment;
- can create learning opportunities that many publicly financed VET schools and colleges cannot afford.

For those who run schools and colleges, work-based learning:

- can be a powerful way to develop generic skills such as team-work and problem solving, and basic work habits such as punctuality;
- shows students the relevance of their courses to future jobs, and so makes them more interested in studying; this can be important for increasing participation and outcomes for disadvantaged students;
- can be used in career guidance programmes to teach young people about what is involved in jobs and careers.
- leads to better school-to-work outcomes: young people who have been involved in work-based learning are more likely to get jobs, as their skills are more relevant to employers' needs, they have better basic work habits, and their contacts with employers are stronger.

For policy makers in public employment services, work-based learning:

- can re-motivate those who are long-term unemployed and maintain their motivation to seek work;
- increases unemployed people's contact with employers, and so can increase their chances of getting a job;
- is a way to develop new skills in a more interesting and relevant way than classroom-based training, particularly for people who have low levels of education.