

► ILO Sectoral Brief

May 2020

COVID-19 and the Public Service

The Coronavirus-19 pandemic, which is considered to be the worst crisis in the world of work since the second world war, has a massive impact on health systems, and a devastating impact on the global economy and societies. The pandemic has thus far resulted in drastic emergency measures in most countries around the world.

Each State has the responsibility first and foremost to take care of the victims of natural disasters and other emergencies occurring on its territory. Hence, the affected State has the primary role in the initiation, organization, coordination, and implementation of humanitarian assistance within its territory.

► [United Nations, General Assembly Resolution 46/182 of 19 December 1991, Guiding Principles, para. 4.](#)

The UN Secretary-General has called for strong public services to combat the pandemic and said that “[w]e cannot resort to the usual tools in such unusual times.”¹ “Big government” is now widely called for to save the world from the pandemic, even by those that have in the past regarded government as a threat to liberty and free markets.²

As the response has moved some countries towards creating an emergency-based economy with the state playing a greater role, the public services have been placed in the forefront. Governments have maintained public services operating to the extent of their capacity to provide them remotely, but many have reduced some operations in order to keep employees safe: that is the case of waste collection, courts, transport and postal services. Only some airports, cultural events, and other services that entail the gathering of large amounts of people have been suspended. Other governments have drafted non-essential workers to work in support of the essential ones, for example in the manufacturing of health equipment. Technology has been able to perform surveillance and work tasks that were not possible or acceptable just months before the crisis, for example to work remotely in entire enterprises or monitoring people’s movements to track the virus and those in close proximity to infected people.

Besides health and education workers, all public servants play a role in halting the spread and recovering from the pandemic. This is true regardless of their occupation: whether in the administration of the state like tax collectors, police or correctional officers; implementing economic and social policies like labour inspectors; providing services to the community like waste collectors; or supporting compulsory social security systems like social workers. As custodians of public goods, public servants are indispensable conduits for the recovery. The COVID-19 pandemic demonstrates the crucial importance of disaster preparedness and that private-sector partners cannot manage alone the scope of interventions needed now.

This brief will seek to summarize the main ongoing discussions regarding the role of governments and public servants as the face of the response to the crisis, and their challenges during the pandemic and in the recovery. As health crises have become more frequent,

1 Antonio Guterres (2020). “[Secretary-General’s opening remarks at virtual press encounter on COVID-19 Crisis](#)”, 19 March.

2 Naomi Oreskes (2020) “[We Need Big Government to Save Us From the Pandemic](#)”, Time magazine online edition, 17 April.

member States will need to make more efforts to prepare in advance, and provide public servants the skills and equipment necessary to participate in this preparedness, as well as the opportunity to participate through social dialogue. In order to build trust in state institutions, which is essential,³ states should protect the independence of public servants,

including whistle-blowers. As a global public good,⁴ the multilateral system must help coordinate and strengthen public services, essential in the global response as are scientific research and health services.

► 1. The impact of COVID-19

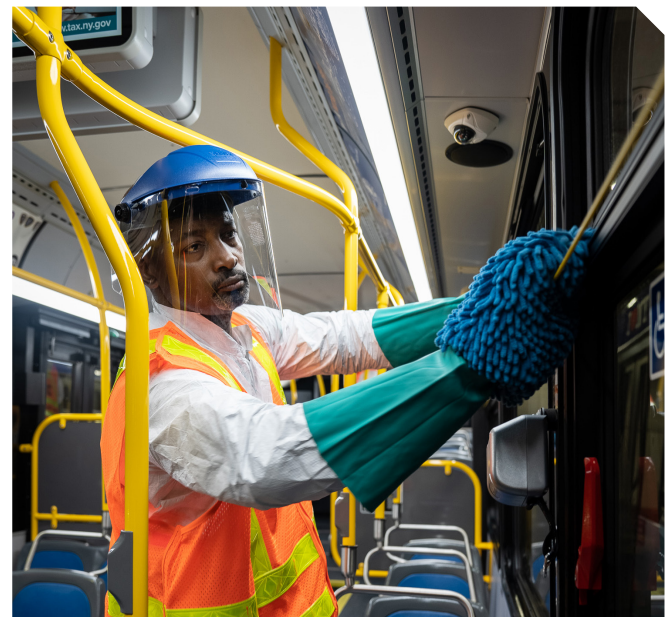
“In the future, as public and government services continue to grow and become more complex, it is anticipated that occupational safety and health [OSH] hazards will increase and become more widespread.”

► ILO Encyclopaedia of Occupational Safety and Health⁵

This future has come to pass: in the context of the current pandemic, personal care aides, garbage collectors, first responders including police and medics, as well as correctional officers are among those with the highest exposure to illnesses in the United States and the United Kingdom.⁶ These groups, similar to public emergency service workers, cannot refuse working in close contact with citizens who may be ill.

The pandemic has exposed some negative impacts on emergency preparedness of reductions in public employment and funding, enacted after the financial crisis of 2008.⁷ Public servants are affected by several other factors:

- If they become ill, they can be victims of stigma and discrimination, for example being excluded from access to medical services.⁸ They can still



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be expected to render services to other affected people, despite their own suffering.

- Law enforcement officers, first responders and others may face violence or harassment from citizens who resist restrictive measures.⁹
- They may lack adequate equipment and professional networks when working from home or other remote locations.¹⁰

3 WHO Global Preparedness Monitoring Board (2019). “[A World at risk: Annual report on global preparedness for health emergencies](#)”.

4 See, Kevin Rudd (2020), “[Kevin Rudd on America, China and saving the WHO](#)”, The Economist, 15 April.

5 A. Weber (2011), “Occupational Health and Safety Hazards in Public and Governmental Services”.

6 Lukas Kikuchi & Ishan Khurana (2020), “[The Jobs at Risk Index \(JARI\): Which occupations expose workers to COVID-19 most?](#)”, Autonomy, 24 March; Lazaro Gamio (2020), “[The Workers Who Face the Greatest Coronavirus Risk](#)”, The New York Times, March 15; Gabrielle Olya (2020), “[The 50 Most Dangerous Jobs for Contracting COVID-19](#)”, GOBankingRates, 28 April.

7 See, for example, Polly Toynbee, Leo McCann, Paresh Wankhade, and Peter Murphy (2019), “Conclusion: Understanding Emergency Services in Austerity Conditions” in Critical Perspectives on the Management and Organization of Emergency Services (New York: Routledge).

8 UNESCO (2020), “[COVID-19-related discrimination and stigma: a global phenomenon?](#)”, 25 May.

9 ILO (2015), “Employment promotion in disaster response: Worker needs and challenges in post-Haiyan Philippines disaster settings”, p. 52.

10 J. O'Halloran (2020), “[UK employees complain of lacking tools to work at home effectively](#)”, Computer weekly, 4 June.

- Some are not protected by civil service statutes, and have been dismissed, as happened to Chile's contract metro workers.¹¹
- Some governments often pay their wages with long delays, which makes the public servants even more vulnerable to financial shocks.¹²

The plight of corrections officers demands urgent attention: prisons are ripe for contagion and the resulting panic has led to riots and deaths in many countries.¹³

► 2. Responses by constituents and partners

Many member States have adopted some of the following measures to address the rapid contagion of COVID-19:

- Raising health service budgets substantially, reversing previous budget reduction measures;¹⁴
- Urging citizens to remain at home and keep a distance from each other;
- Ordering non-essential businesses and public services to close;
- Ordering public servants to work from home, using the available technology;
- Offering government services by telephone and online, while enforcing distance and hygiene requirements where this is not possible;
- Monitoring the movement of people who are suspected of carrying the virus and those in close contact with them, combined with extensive testing.

In short, the focus has been on reducing social contact by placing most non-essential activities into "sleeping" mode, using technology to deliver others, and focussing on activities that are essential. Governments with large reserves or credit have assumed the expenses of inactive businesses; some may steer the activities of large sectors towards the protection of the health of the population. Besides implementing remote modalities of work, governments have postponed personnel actions; allowed public services to recall retired employees; provided support to public servants in the form of child care and other social services; advanced the payment of salaries; or reduced the wages of highly-paid officials, both to subsidize the response

and to communicate solidarity with those who must face the crisis up front. Although most work-related measures have been imposed unilaterally by the governments, they purport to be temporary and several national and local governments have consulted public servant organizations regarding measures to protect staff. In some instances, they have agreed to boost existing agreements that provide leave arrangements and personal protective equipment. However, most countries will require financial and technical assistance to implement these measures.

Public servants' organizations have demanded that governments initiate consultations; abandoned plans to strike for economic causes or launched strikes to press for more safety protections; or requested governments to clarify the terms "critical services" and "critical staff."¹⁵ Unions have also requested protective equipment, flexible leave requirements, continuing payment of wages and sick pay, and regular dialogue between unions and authorities for social, residential, home care and contract workers, as well as prison staff.¹⁶

Challenges posed by the recovery

Confronting the pandemic will transform economies, perhaps irreversibly. Countries with high technical capacity may make e-government measures permanent and widespread, while others without this capacity may lag behind. In those who do, the measures raise questions on the role of technology in the new workplaces. For example, governments may be able to deliver more services without adding staff, to engage private-sector enterprises to provide public services, or

11 El Periodista (Chile, 2020), "[Trabajadores de Metro se manifiestan por vulneraciones laborales en medio de crisis sanitaria por Covid-19](#)", 30 March.

12 For example, in 2019 the ILO Committee of Experts on the Application of Conventions and Recommendations made observations and/or direct requests concerning wage arrears in the public sector regarding Benin, Cameroon, Comoros, Côte d'Ivoire, Gabon, Guatemala, Libya, Mali, Mauritania, Republic of Moldova, Poland, Tajikistan, Uganda and Zambia.

13 UN News (2020), "[COVID-19: UN teams step up efforts to protect rights in prisons, as revolts intensify worldwide](#)", 5 May.

14 Besides many EU member states, the USA and some regional governments in Australia and Canada, see Fiji (Vijay Narajan, "[COVID-19 Response Budget: Health and COVID-19 Response](#)", 26 March 2020); Panama (El Capital financiero, "[Presupuesto 2020 se reorientará para atender emergencia sanitaria causada por el COVID-19](#)", 30 March 2020); Peru ([Supreme Decree No. 072-2020-EF](#), 5 April 2020); and Indonesia, (Dion Bisara, "[Indonesia drops 3% budget deficit cap for \\$25b Covid-19 stimulus](#)", Jakarta Globe, 31 March 2020). The EU suspended debt limits for its member States.

15 Professional Institute of the Public Service of Canada (18 March 2020), "[Calling for a clear definition of 'critical' federal government services](#)".

16 EPSU (2020), "[The safety and staffing challenges facing health and social services](#)", 19 March; S. Jenkins (2020), "[Services Australia to receive extra 5000 workers](#)", The Mandarin, 23 March; EPSU (2020), "[Fighting COVID-19 in prisons and detention centres in Europe](#)", 19 March.

even to trade in them. This will require guarantees that workers offering those services can carry out their tasks without improper external influences, as the ILO [Convention on Labour Inspection](#), 1947 (No. 81) and the [Labour Administration Convention](#), 1978 (No. 150) require.

In addition, the transition will pose the following challenges for public employers:

- Addressing ethical questions regarding worker and citizen privacy in the use of monitoring technology.
- Providing learning opportunities for workers to use the new technology, to maximize the resulting opportunities for workers.
- Providing equal access to advanced digital infrastructure within and among countries, to prevent income disparities.
- Providing OSH protections for workers who must attend work in case of a second COVID wave.

Some policymakers may advocate for budget reductions, as seen in the decade since the 2008 financial crisis. These measures led skilled workers to emigrate, depriving the public services of talent.¹⁷ On this occasion, public employers may increase staff temporarily and the resulting surplus may be used to absorb the surge in demand for services in future crises. The increased facilities for remote work may facilitate mutually agreed temporary transfers to essential services.

The role of public administration workers in the recovery

The crisis has exposed widespread unpreparedness, the weakness of government agencies operating without adequate budgets, coordination and solidarity, the fragility of “just-in-time” supply chains, and the many groups of vulnerable sectors of the population, who will need to be protected against future contagion. Public servants must provide accurate information about the crisis, keep services running, maintain order, provide support to the affected population and, when possible, ensure

a smooth transition to normal economic activity. Governments should coordinate the recovery from the crisis among the different levels of public administration-- including local governments-- and with the private sector. They should do so in ways that reduce inequalities that aggravate the effects of the crisis and mobilize citizens to energize the long-term recovery.

Many public services are key to the post-COVID-19 recovery. Besides core agencies like health, civil service and other ministries; OSH, sanitation and labour inspection services; communications offices and social protection programmes, the following public services play key roles in the recovery:

- **Scientific research agencies** must search for ways to develop treatment and vaccines in order to immunize the first responders and the general population against COVID-19. There is unprecedented international cooperation in this field.¹⁸
- **Health Ministries** have a wide range of responsibilities in pandemics, including managing health worker policies and compiling and processing data to trace the movements of the virus. Public servants with these skills may be transferred to relevant offices.
- **Local governments** run many first-line public services and have been sharing information about experiences in other countries, mainly through associations of local governments, like the National Associations of Local and Regional Governments of Africa have done with their counterparts in the European Union (EU), but are hampered by declining revenues.¹⁹
- **Consumer and citizen protection agencies** enforce any price controls imposed to prevent merchants from profiteering from scarce goods, and protect citizens against illegal discrimination in social protection measures, as they have done in South Africa and Portugal.²⁰
- **Public oversight bodies** ensure transparency in large transactions to support the recovery as has been legislated in Japan, the UK and the USA. In addition, whistle-blower protection policies can help eliminate unethical behaviour in these transactions, as recommended by the OECD.²¹

17 See, e.g., Bryan M. Evans, Carlo Fanelli, Eds. (2018): *The Public Sector in an Age of Austerity: Perspectives from Canada's Provinces and Territories* (McGill-Queen's University Press), p. 193; Evangelia Marinakou, Charalampos Giousmpasoglou, and Vasileios Paliktoglou (2016), “[The Brain Drain Phenomenon in Higher Education in Greece: Attitudes and Opinions on the Decision to Immigrate](#)”, paper presented to the 3rd Annual International Conference on Humanities & Arts in a Global World, 3-6 January 2016, Athens, Greece.

18 WHO (2020), “[Public statement for collaboration on COVID-19 vaccine development](#)”, 13 April.

19 See, UCLG Africa (2020), “[Interaction between the Associations of Local and Regional Governments and European Union \(EU\) delegations in the framework of the programming process of the EU Cooperation \(2021/2027\) in Africa](#)” (Press release, 7 May), and OECD (2020), “[The territorial impact of COVID-19: managing the crisis across levels of government](#)”, 3 April.

20 See, Regulations and directions: [Consumer and customer protection during Coronavirus COVID-19 lockdown \(South Africa, 19 March 2020\)](#), and Centre for Social Studies (2020), “[Coronavirus COVID-19 outbreak in the EU Fundamental Rights Implications- Portugal](#)”, EU Fundamental Rights Agency, 23 March.

21 See OECD (2020), “[Public Integrity for an Effective COVID-19 Response and Recovery](#)”, 19 April.

- **Water operators** are mostly public entities, and are essential to implement the recommendation to wash hands—particularly in countries where access to safe sanitation and hygiene is lacking. This has been implemented, for example, in Bangladesh, Guinea, Honduras, Madagascar, and Peru.²²
- **Mass transportation services** have ensured the mobility of essential workers, as in Azerbaijan so that the few activities that have continued are maintained, at great risk to drivers and maintenance crews. services have ensured the mobility of essential workers, as in Azerbaijan so that the few activities that have continued are maintained, at great risk to drivers and maintenance crews.²³
- **Wildlife protection ministries** implement bans on the trafficking in animals like the one issued by China, helping prevent the spread of zoonotic diseases like COVID-19.²⁴
- **Correctional services** help contain contagion among inmates housed in confined spaces conducive to contagion, as has occurred in Brazil and other countries.²⁵
- **Customs offices** supervise the flow of persons through borders to reduce contagion. In Cuba, the office has ensured timely sharing of advance passenger information with the sanitary control authorities.²⁶
- **Court systems** prevent discrimination, infringements of human rights by technological monitoring, and sort out conflicts that citizens may have with employers and creditors.²⁷

Underlying each one of these public services are public servants of all levels of hierarchy, and their knowledge of the reality on the ground is essential to build the expertise for which public administration is respected. Issues that affect them must be addressed at all levels and through a transnational, integrated approach similar to the one adopted to confront the HIV crisis, adapted to the particularities of COVID.

In addition, citizens have relied on public services delivered by low-paid workers during the lock-downs. Governments should recognize and compensate these public servants appropriately, and anticipate the impact of new technology on them. This can be achieved by providing them the means to acquire the necessary skills, and integrating work design and lifelong learning measures before adopting technological innovations.

Successful pandemic preparedness requires strong, sustainable public services that earn the trust of the population. Countries with high levels of trust in public servants have waged relatively successful efforts, involving multiple public services. Because this trust depends “on the government’s performance in the provision of economic wellbeing, social welfare, or some other good”,²⁸ governments must build the skills of public servants, provide them the necessary tools, and establish mechanisms for social dialogue between governments, government agencies and worker representatives. An international approach is necessary, since “the labour standards in one country are positively correlated with the labour standards elsewhere.”²⁹

► 3. ILO tools and reponses

Member states can address many of the issues raised throughout this brief through social dialogue: not only *information exchange*, but also *consultations* about measures to be taken and *negotiation* about the impact of any measures that impact working conditions. As stated in the [ILO Guidelines on](#)

[Decent Work in Public Emergency Services](#) (2018), “collective agreements and other social dialogue processes can promote collaborative labour relations based on joint problem-solving and collaboration at the national, regional or local levels”³⁰ and retain skilled staff that support emergency preparedness.

22 See Sanitation and Water for All (2020), “Live: Country Experiences on COVID-19 and WASH”, 27 March.

23 International Association of Public Transport (2020), “[Guardians of Mobility: from the Front Lines in Baku, Azerbaijan](#)”, 30 April.

24 World Wildlife Fund (2020), “[COVID-19 and Wildlife Trade: Perspectives and Proposed Actions](#)”, 14 April.

25 Conectas Derechos Humanos (2020), “[The Risks Of COVID-19 in Prisons: Know Conectas's Actions](#)”, 14 April.

26 World Customs Organization (2020), “[What Customs can do to mitigate the effects of the COVID-19 pandemic: Highlights of WCO Members' practices](#)”, 2nd edition, 16 April.

27 International Commission of Jurists (2020), “[The Courts and COVID-19](#)”, 5 May.

28 Jack Barbalet (2019), “[The Experience of Trust: Its Content and Basis](#)”, in Masamichi Sasaki (Ed.), *Trust in Contemporary Society* (Brill), p. 18.

29 Ronald Davies and Krishna Vadlamannati (2013), “[Race to the Bottom in Labor Standards? An Empirical Investigation](#),” *Journal of Development Economics*, Volume 103, July, p. 1.

30 Part 3, para. 21.

Effective social dialogue must be built on the right to join workers' organizations and the effective right to engage in collective bargaining, as stipulated in the Conventions on [Freedom of Association and Protection of the Right to Organise, 1948 \(No. 87\)](#); on the [Right to Organise and Collective Bargaining, 1949 \(No. 98\)](#); and on [Labour Relations in the Public Service, 1978 \(No. 151\)](#). These Conventions cover all forms of contractual arrangements in the public service, even when "subcontracting is used to mask the existence of a real employment relationship".³¹ The [Collective Bargaining Convention, 1981 \(No. 154\)](#) also calls on governments to promote collective bargaining in the public sector, since agreed solutions can support crisis preparedness and response. At the national level, Convention No. 150 suggests that particular activities in the field of its national labour policy may be directly negotiated between employers' and workers' organisations. Information technology can facilitate the means to address both health concerns and social dialogue.

Several ILO instruments address the issues raised by public servant organizations. The [ILO Hygiene \(Offices and Commerce\) Convention, 1964 \(No. 120\)](#) covers office workers in the public service, and requires employers to keep all premises and equipment properly maintained and clean; sufficient wholesome drinking water or other wholesome drinks; and sufficient and suitable washing and sanitary facilities. Where public servants are lodged in employer-owned property, the [ILO Workers' Housing Recommendation, 1961 \(No. 115\)](#) advises employers to provide adequate sanitary and washing facilities. In addition, citizens have relied on public services delivered by low-paid workers during the lock-downs. Governments should recognize and compensate these public servants appropriately, and anticipate the impact of new technology on them. This can be achieved by providing them the means to acquire the necessary skills, and integrating work design and lifelong learning measures before adopting technological innovations. Public servants who telework as a permanent arrangement, whether full-time or part-time, and not in alternation with office-based work, should enjoy equality of treatment with other wage earners, as required by the [Home Work Convention, 1996 \(No. 177\)](#).³²

The [Occupational Safety and Health Convention, 1981 \(No. 155\)](#) requires employers to provide appropriate training in OSH, and to ensure that worker representatives receive adequate information on measures taken to secure OSH. It also requires that employers enable workers or their representatives or representative organisations to inquire into all aspects of OSH associated with their work, and to consult them on these matters, in accordance with national law and practice. Workers must comply with workplace safety and health requirements.

The [ILO Recommendation on Violence and Harassment, 2019 \(No. 206\)](#) calls on governments to adopt measures to protect workers who are more likely to suffer violence and harassment, like health and emergency services, transport and social workers, and work in isolation. The [ILO Employment and Decent Work for Peace and Resilience Recommendation, 2017 \(No. 205\)](#), in turn, recognizes the importance of good governance and combating corruption and clientelism in the prevention of emergencies. It also protects the rights at work, safety and health and working conditions of all workers engaged in crisis response. In addition, it urges public authorities to adopt and implement a comprehensive and sustainable employment strategy to protect livelihoods, promote employment and decent work and income-generation opportunities, both during and in the aftermath of the crisis. A wide range of other international labour standards contain specific guidance on policy measures in the public sector that promote a human-centered approach to the current crisis and its recovery.³³

Public administrations and public servant organizations have a pivotal role to play in pandemic response through social dialogue, preparedness and emergency responses. Robust labour relations systems can help governments to retain a top quality civil service and reduce brain drain. Governments and public servant organizations can also establish joint disaster reduction management capacity building programmes at the national and local levels. They share a heavy responsibility which can only be discharged with coordination and the best information and advice. The international community should assist in this effort, as it should do in other pandemics and in climate-related or other disasters.

31 Committee of Experts on the Application of ILO Conventions and Recommendations (2013), "[Collective bargaining in the public service: A way forward](#)", Report 102/III/1B to the 102nd International Labour Conference, para. 96.

32 See CEACR, General Survey 2020, Report III (Part B) to the 109th session of the ILC, para. 635. For example, 44 of 100 US employers surveyed by McKinsey in May 7 to May 13, 2020, believe that at least a quarter of their desk-based employees would be able to work from home permanently.

33 The ILO publication "[ILO Standards and COVID-19 \(coronavirus\)](#)" explains how respecting key provisions of these instruments helps maintain decent work while adjusting to the pandemic.

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