

# Effective Employers' and Business Organizations

A series of practical guides to building and managing effective Employers' and Business Organizations



## Advocacy and lobbying

Being the voice of business





# ADVOCACY AND LOBBYING

BEING THE VOICE OF BUSINESS

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# FOREWORD

Successful enterprises are at the centre of strong economies and sustainable societies. They create employment and raise living standards, leading the way for nations to prosper. As representatives of the collective view of enterprises, Employers and Business Members Organizations (EBMOs) are essential to promoting and creating an enabling environment in which businesses, economies and societies can thrive. EBMOs can help bring about a more peaceful and stable country and advance in achieving the UN's Sustainable Development Goals by bringing innovative solutions to complex challenges.

One of the central roles of the Programme for Employers' Activities of the ITC ILO is providing capacity-building support for ILO employers' constituents in the area of management of Employers' and Business Member Organizations. In this context, the key reference material so far has been "The Effective Employers' Organizations package", a series of Guides produced in 2006 for the Bureau for Employers Activities by faculty members of the University of Geneva International Organizations MBA. This set of guides has been extensively distributed, read and used.

Since mid-2016 the Programme for Employers Activities of the ITCILO, in close coordination with the Bureau for Employers' Activities of the ILO, has been working to renew this package to reflect the changes in the ways business is representing business and to showcase newer best practices.

The new Effective Employers' and Business Member Organizations package has a new and completely different format; it is not based anymore on guides only. The "backbone" of the package is the [online platform](#).

The platform is structured around five key thematic areas: Good Governance, Lobbying and Advocacy, Communication, Membership development and Services.

For each thematic area, different training aids are available:

- Newly developed reference guides
- A set of Power Point presentations, ready to use for training purposes
- Practical checklists

- A set of videos showcasing best practices from Employers' and Business member Organizations all around the world or short excerpts of "lessons" from key note speakers.
- Additional useful tools.

This platform is a "living laboratory". Therefore, if you have good and innovative practices worth sharing, please contact us. We count on you to keep enriching and updating the material and support Employers' and Business Member Organizations in becoming more and more relevant and effective.

The guide on "Lobbying and Advocacy" is a piece of this mosaic. We sincerely hope that this Guide will be a useful tool to stimulate, motivate and support Employers and Business Member Organizations to review their practices and identify the most successful strategies to bring about an evidence-based advocacy agenda for an enabling environment conducive to private sector development and jobs creation.

Jorge Illingworth  
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# INTRODUCTION

Advocacy is the art of persuasion and influence underpinned by the science of robust, evidence-based policy positions. It includes all the actions undertaken by an Employers' and Business Member Organisation (EBMO) designed to influence laws, regulations and the general attitude and approach of decision-makers in socio-economic policy in favour of its members. The key to effective advocacy is knowing **what you stand for, what you want to achieve, whom you will need to convince, and how you will go about it.**

At this point it is important to mention the **distinction between advocacy and lobbying.** As mentioned above, the overarching objective of any EBMO's advocacy strategy is to influence decision-makers with a view to advancing and improving conditions for its members. Nevertheless, lobbying is a subset of advocacy, it being a key advocacy tool including specific activities aimed at making decision-makers take a stand on a specific issue<sup>1</sup>. Being an effective advocate to further the interests of the business community is a key reason for employers to join the Organisation – along with a recognised need for the services that the Organization offers. It then becomes a virtuous circle – recruiting and retaining more members that provide more income, thereby allowing more advocacy and new or better services to be offered which in turn again leads to recruitment of more members. Knowing how to engage in advocacy in a systematic and planned way is therefore crucial for any EBMO's on-going viability.

The expansion of “civil society” and the actions of Governments in including an ever-increasing number of voices in the decision-making process means that EBMOs may find that their voice on behalf of the business community is just one of many vying for attention, notwithstanding the importance of their constituents to the economic well-being of the country and the creation of jobs. This crowded space requires EBMOs to focus more specifically on two areas:

- **Seeking synergies and commonalities of interest with other civil society groups** so that there is a stronger voice with more substance; and
- **Ensuring that the positions developed for adoption are evidence-based with clear buy-in from members.**

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<sup>1</sup> United Nations International Children's Emergency Fund, UNICEF. *Lobbying: an advocacy tool.*  
<http://www.advocate-for-children.org/advocacy/lobbying/start>

The different advocacy strategies an individual EBMO might adopt will depend to a large extent not only on the issue under consideration but also on the political system in place. In some countries quite assertive lobbying is an accepted and expected normal part of the political landscape; in others a more circumspect range of advocacy tools will be better employed. Regardless of the country, however, there are basic principles that can be widely applied which this Guide sets out.

There are three elements to advocacy, namely the requirement to have

- 1. Something to say**
- 2. Someone to say it on behalf of**
- 3. Somewhere to say it**



# 1. SOMETHING TO SAY

## 1.1 Mandate

The starting point, as in any activity where a decision has to be made by an EBMO on whether or not to engage, is to refer to the EBMO's founding documents. Ideally the vision, mission statement or objectives of the EBMO will clearly establish that a key purpose of the organization's existence is to enable private sector businesses to flourish. That means ensuring that the business environment, that is the set of factors shaping the opportunities and incentives for firms to invest productively, create jobs and expand, is the most optimal. Thus if any service under consideration or any issue that arises from a policy perspective will further that key objective, the EBMO has a mandate to act. Such a vision statement could be:

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*"To be the pre-eminent organization in effectively promoting and supporting enterprise development"*

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with the supporting mission statement being:

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*"To promote and protect the interests of the private sector through effective advocacy, social dialogue and provision of value-added services to facilitate an enabling environment for sustainable business."*

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Some older employers' organisations have not changed their constitutions since they were established when a focus on industrial relations and dispute resolution at the workplace and nationally were the only areas specified. For such an organization to attempt to address issues of real concern to current-day businesses such as taxation, immigration policy, building codes, environmental issues and so forth, the very real risk arises of a key member being opposed to the majority view, or of a non-member of the Organization - even the Government itself - bringing any intervention to a halt by saying that the EBMO has no mandate to engage in such issues. A broad, all-encompassing key objective for the EBMO to do everything in its powers to ensure an enabling environment for sustainable enterprises is therefore essential to enable it to play an effective advocacy role. Such an added objective could be:

*“To promote and represent the business interests of employers in national, regional and international fora so as to ensure an enabling environment for sustainable enterprises.”*

The importance of a clear and actualized EBMO mandate is therefore well-known. As an example, in the late 1990s the Irish Business Employers Confederation (IBEC), when reviewing its existing mission and values statement in preparation for its strategic review, set itself the following questions<sup>22</sup>:

**Q1** What is/are the main problem(s) that our employers' organization exists to solve? Describe how the world would be improved, changed or different if our employers' organization was successful in solving the problem or responding to the need.

**Q2** What is the main purpose of our employers' organization? This should be a short statement that describes the ultimate result we are hoping to achieve; making sure to indicate outcomes and results (e.g. to improve the business environment); note the means of achieving these results (e.g. by lobbying government).

**Q3** What is our business? Describe the business or businesses we are in – our primary services or activities.

**Q4** What are the fundamental values and beliefs that should guide us in our day today interactions with each other, with our members and with others?

**Q5** To be successful into the future, which of these will remain the same, what needs to change and how?

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<sup>22</sup> International Labour Organization, 2005. P.10. *The Effective Employers' Organization Guide two, Strategy. A Strategic Approach to the Management of Employers' Organizations.*

## 1.2 Institutional approach<sup>3</sup>

Before choosing an advocacy issue it is important to form an Advocacy or Government Affairs Committee. The committee should be small, with between five and seven members, and be representative of the association's diverse membership.

Beyond being representative, advocacy committee members should be familiar with key regulatory, legislative and policy issues facing association members and have a good understanding of policymaking practice in their country. They must also be willing to devote a significant amount of their time to advocacy-related matters on a regular basis.

This entails:

- attending committee meetings;
- shaping and overseeing advocacy efforts;
- reading, editing, and approving strategy documents and publications; *and*
- contacting association members and policymakers when appropriate.

The Chairperson is responsible for keeping the committee's activities on track and ensuring that the targeted goals are met.

In order to accomplish its mission in an effective and timely manner, it is recommended that the advocacy committee has a budget and staff at its disposal. Once the committee is formed and staff are recruited, the Chair should consult with committee members and staff and establish a tentative meeting schedule.

## 1.3 Choosing an Issue

Regardless of its mandate, however, no EBMO can hope to address all the issues that might have an impact on the business environment. Therefore the two next most important documents needed to assist an EBMO in determining which issue should be focused on and thus in allocating both financial and human resources, are its **strategic plan** and **business agenda**. A three-to-five-year strategic plan with a mid-term or even an annual review period gives the EBMO a clear focus along with the ability to include new issues of critical importance that might emerge. In conjunction with a strategic plan, many organizations have identified priority areas for engagement in a business agenda under which their members promote the EBMO's proactive advocacy and thus ensure significant benefits for business.

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<sup>3</sup> The Center for International Private Enterprise. P.13. How to advocate effectively: a guidebook for Business Associations. [http://www.cipe.org/sites/default/files/publication-docs/advocacyguidebook\\_english.pdf](http://www.cipe.org/sites/default/files/publication-docs/advocacyguidebook_english.pdf)

## 1. SOMETHING TO SAY

According to international sources such as the World Bank's Ease of Doing Business, the World Economic Forum's Global Competitiveness Report, and the International Labour Organization's Enabling Environment for Sustainable Enterprises, among others – and while acknowledging that each country will put different emphases on different aspects – there are some generally-accepted common areas that impact on the status of the environment for doing business, namely: ***political and macroeconomic stability; the rule of law; the administrative system (i.e. the level of State intervention and bureaucracy); the level of infrastructure; access to credit; the education system; taxation; competition law; open markets; and labour legislation.***

After the EBMO has completed a full analysis of the national situation and undertaken wide consultation with members, it should develop priorities, with a reasonable number selected for inclusion in the business agenda.

### **Consultation with members on advocacy priorities<sup>4</sup>**

There are three general approaches to taking account of the views of members:

- a) conducting a census or sample questionnaire;
- b) interviewing a sample of members; *or*
- c) holding focus groups.

A combination of these three approaches should be chosen. Whatever is agreed upon, it is important to ensure that the full range of members in terms of business sector and organizational size is covered.

When the members' views on advocacy priorities are received, it is time to turn them into broad advocacy objectives, that is a National Business Agenda, on which will be developed specific campaign plans.

The proactive publication and wide dissemination of business agendas have a two-fold purpose in advocacy:

- they raise wide public awareness of the importance of particular issues to the business community even before policy development or lobbying commences; and
- they signal to members and other stakeholders that the EBMO is a serious organization that will use its influence and resources to bring about positive outcomes for its constituents.

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<sup>4</sup> International Labour Organization. P.10. An Effective Employers' Organization. Guide three, Advocacy. Maximising the Impact of the Voice of Business  
[http://www.ilo.org/public/english/dialogue/actemp/downloads/projects/eos/guide3\\_en.pdf](http://www.ilo.org/public/english/dialogue/actemp/downloads/projects/eos/guide3_en.pdf)

Two themes are integral to a business agenda: ***an identification of the obstacles to private sector development*** and ***recommendations for reform and change***. Such a business agenda is a strong tool enabling EBMOs to demonstrate that they are driven by policy and not by politics. Regardless of the political party in power, the EBMO will retain its reputation and credibility as an independent, principles-based organization by measuring any Government proposal against its own identified requirements for change.

#### **How to build a Business Agenda<sup>5</sup>**

If Employers' and Business Member Organizations are to be effective in their advocacy efforts, they must have a clear understanding of the objectives they seek to achieve. It will be useful at this stage for the organization to undertake PEST (Political, Economic, Social, Technological factors) and SWOT (Strengths, Weaknesses, Opportunities and Threats) analyses. The list of potential issues generated through this process will probably be long. The next step will be to refine the list, on the basis of the relevance of the issues to the organization's members and the likelihood of advocacy success.

When the organization has received its members' views on advocacy priorities it is time to turn them into the broad advocacy objectives, the National Business Agenda, on which the organization will develop specific campaign plans. At this point it is important to ensure that the advocacy objectives are approved by the Board. The organization will now have its first real result – the National Business Agenda. This concise list of the advocacy objectives that the organization intends to pursue is a valuable document and deserves broad circulation and a degree of publicity.

An example of the five priorities for competitive and attractive business environment development from the Republic of Moldova is as follows:

- Reducing administrative barriers, State intervention in the economy and ensuring a competitive business environment
- Optimisation of the fiscal system
- Consolidation of the Rule of Law
- Development and efficient use of human capital
- Promotion of investment and facilitation of foreign trade.

<sup>5</sup> International Labour Organization, 2005. P.7-11. The Effective Employers' Organization. Guide three, Advocacy. Maximising the Impact of the Voice of Business.  
[http://www.ilo.org/public/english/dialogue/actemp/downloads/projects/eos/guide3\\_en.pdf](http://www.ilo.org/public/english/dialogue/actemp/downloads/projects/eos/guide3_en.pdf)

## 1.4 Reactive Approach

Most small organizations, however, find that most of their time and resources are spent responding to the plethora of proposals for new regulation put forward by Government, making it difficult to develop proactive policies and position papers. And because of the nature of many of the proposals put forward by Government, EBMOs are perceived as being primarily negative – that is, opposed to issues such as minimum wage increases, extended regulation and penalties for occupational safety and health, higher import duties and so forth – to the extent that Government and the public in general tend to dismiss their contributions.

Putting forward alternative proposals backed by international and local data and examples will assist in allaying this perception, as always will finding something positive to say about what is being proposed. **Often it is points of detail** that the business community objects to in a proposal and not the initiative itself. This needs to be clearly identified at the start of any advocacy initiative. In spite of the fact that some members of an EBMO are likely to be against a minimum wage, most share the view that it provides protection for the most vulnerable employees and ensures businesses are not undercut by other employers paying below an agreed standard. Similarly, most employers share the view that being opposed to the requirement for a healthy and safe workplace would be detrimental to their activities. Concerns can also arise from issues surrounding implementation of a policy or any potential precedent for future legislation; such issues are not always easy to explain to the public.

Remembering that advocacy is about persuasion and influence, it is always useful practice to preface any substantive negative comments on a proposal with a statement welcoming the initiative and assuring the Government that the intention of the EBMO is to work constructively to achieve the best possible outcome.

## 1.5 Evidence-Based Positions

An influential factor for all countries in policy-making decisions is their ranking in international surveys measuring the cost of doing business, the ease of doing business, the level of corruption, human development, and a range of other factors, all of which influence the degree of competitiveness of a country's economy. Foreign and indeed domestic investors use these rankings to make investment decisions, and capital flows – both inward and outward – can follow on closely from the release of such reports.

As these reports encapsulate all aspects of an individual country's openness to good business practices, EBMOs will find them an indispensable starting-point in developing their business agendas and advocacy for change. ***The objectivity and impartiality of the reports add weight to proactive advocacy*** and also support pleas against any major policy change that could worsen the position in an area already identified as at risk.

As well as enabling comparisons to be undertaken of countries in the same geographical region, comparisons can also be made with economies of similar size or focus (e.g. island nations with tourism as the key economic driver or countries in which agricultural exports account for the majority of foreign revenue). Most important, however, are the year-on-year comparisons of how an individual country is progressing. Rankings in categories that remain static or are in decline can be seized upon by an EBMO as clearly being an area where positive change is required.

The ILO's Bureau for Employers' Activities considers the use of such international rankings as so critical to positive advocacy outcomes that it has developed a software tool for use by EBMOs that can speedily and accurately provide a wealth of data for use in national or regional advocacy efforts. Named the ***Enabling Environment for Sustainable Enterprises Data*** (EASE-Data)<sup>6</sup>, the tool contains data from seven international databases which in combination have more than 300 specific indicators that an EBMO can access for almost any country in the world.

It is clear that the information contained in them not only provides a focus on how the country's practices are perceived internationally but it also enables an EBMO to undertake further work *via* primary data collection such as enterprise surveys in order to prioritise and work on those specific issues which have an impact on the overall country rating.

The World Economic Forum's ***Global Competitiveness Report*** (GCI) ranks the competitiveness of 144 countries. The GCI includes statistical data from internationally recognized agencies, notably the International Monetary Fund (IMF), the United Nations Educational, Scientific and Cultural Organization (UNESCO), and the World Health Organization (WHO). It also includes data from the World Economic Forum's annual Executive Opinion Survey in order to capture concepts that require a more qualitative assessment, or for which comprehensive and internationally comparable statistical data are not available. Overall the GCI combines 114 indicators that capture concepts that influence productivity.

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<sup>6</sup> International Labour Organization. *Enabling Environment for Sustainable Enterprises*.  
<http://eese-toolkit.ilo.org/index.php/en/>,  
<https://metaleph.com/eese-data/>

At a national level, specific issues of particular importance to EBMO members under the various headings might be policy instability (institutions), a poor work ethic (labour market efficiency), corruption (institutional), inflation (the macroeconomic environment) or foreign currency regulations (financial market development). By using the in-depth country analyses to examine those areas which have moved upwards in a particular ranking, practical examples can be extracted for use in national advocacy. A proposal is always more convincing if its implementation elsewhere can be shown to have led to a discernible improvement in a country's competitiveness.

Similarly, the World Bank's ***Doing Business Report*** provides objective measures of business regulations and their enforcement across the largest business cities in 189 economies. Each economy is ranked according to ten sets of indicators<sup>7</sup>:

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*Ease of Doing Business, Starting a Business, Dealing with Construction Permits, Getting Electricity, Registering Property, Getting Credit, Protecting Minority Investors, Paying Taxes, Trading Across Borders, Enforcing Contracts and Resolving Insolvency.*

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These sets of indicators are combined into an overall "ease of doing business" ranking.

The indices under each of the ten categories in the *Doing Business Report* are set out in the form of a series of questions that each country must answer for itself. These can form the basis of secondary analysis that an EBMO can undertake by surveying, for example, its SME members using the same criteria. The issue of access to credit is a concern for small businesses and entrepreneurs in all countries, so developing a series of practical examples of small businesses being unable to obtain finance, and thus unable to expand or even continue operating, will add weight to a submission for change.

EBMOs can also study another country's analysis of best practice with a view to initiating discussion of needed improvements. For example, enforcement of contracts is a key consideration for investors. The indices under this heading include an analysis of the time taken to pursue a claim from lodging to resolution, the cost calculated as a percentage of the claim, the quality of the judicial process *vis-à-vis* the OECD average, court structure and proceedings, case management, court automation, and alternative dispute resolution. An EBMO in a country where the time taken to enforce a contract is rated as excessive

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<sup>7</sup> World Bank. *Doing Business. Measuring Business Regulations.* <http://www.doingbusiness.org/>

might usefully analyse the processes in place in a country with easier regulations that facilitate better performance.

**Being part of an international network of EBMOs is also a considerable advantage** in going beyond what is available to other organizations or individuals. While all will have access to published reports, knowing the detail or strategic approach to achieving an outcome will often be of even more value. Tapping into the experience of other EBMOs confronted with the same issues and learning from them should form an integral part of an EBMO's strategic advocacy approach.

## 1.6 Cost / Benefit Analysis

International and regional data may need to be supplemented by a cost-benefit analysis of the policy proposal using primary data at national level. Many countries have an independent Regulatory Impact Assessment Unit which undertakes an analysis of the relative costs and benefits of any proposed legislative change. Although this is a useful tool for EBMOs, it is also important that they undertake their own investigation with inputs from members to ensure that all costs – explicit and implicit – have been captured as well as all benefits. Of course it is not always possible to put an exact figure on costs associated with implementation (or non-implementation) of a proposal but the EBMO can use estimates backed up with evidence of cost ranges (for example staff time required for implementing new processes).

**Direct costs are directly attributable to the policy goal** (for example, an import duty, or the cost of a licence, or the costs necessary to meet the policy objective), while indirect costs focus on implementation, that is those costs associated with understanding requirements, keeping records, or demonstrating compliance. Regulations that reduce the amount of competition in markets have a particularly significant cost impact. Regulation can reduce competition by making it more difficult for new competitors to enter the market, or by creating regulatory requirements that are difficult for them to meet and that prevent firms from competing strongly, for example by setting rules that reduce price competition or restrict advertising.

The EBMO also needs to identify where the burden is likely to fall most heavily, viz.

- What are enterprises being asked to do and when?
- Will some sectors be more affected than others?
- Will the change impact heavily on women-owned enterprises or on sectors in which women workers are dominant?
- Will the change impact heavily on a growing sector of the economy?
- Will the change have more of an impact on SMEs?

Larger enterprises are usually more able than SMEs to adapt to changes and have stronger capacity to absorb changes and costs. **Viewing the issue through the lens of its impact on an SME can be an effective advocacy strategy** as also can utilising an SME in an example of cost-benefit analysis.

### Direct Costs

The direct costs of regulation are those that businesses face as a direct result of complying with any given regulation and the cost to government of administering and enforcing that regulation. These are usually the immediate costs of the policy or regulation. They include the costs of:

- buying new equipment needed to comply with regulations;
- investing in existing equipment;
- employing additional staff to work on regulatory compliance;
- employing consultants or other sources of expertise to help with regulatory compliance;
- changes in production processes made necessary by regulations;
- other increases in the costs of producing goods;
- cost of obtaining licences – which involves estimating the fees and administrative costs; and
- cost of extra-legal, accountancy or other consultancy advice.

## Indirect Costs

Indirect costs can be of a more subtle nature but not necessarily be any less than direct costs. They include the costs of:

- labour (familiarisation with new legislation, training, new working practices, time spent taking inspectors around the enterprise, etc.);
- specific training, for example on new equipment or procedures that have been mandated by a regulatory change;
- collecting information and providing proof of labour cost compliance, plus the cost of any new equipment (e.g., computers or software) required to do this; *and*
- changing working practices.

The EBMO can identify the costs by thinking about the aim of the proposal and about what enterprises will be required to do. Many of the effects are “hidden”, or at least are difficult to identify when a regulation is being considered. The EBMO needs to ascertain who will be affected by a regulation and how.

**In the same way, the EBMO should identify the benefits of its proposal.** In some cases this can be direct and easily identifiable. However, benefits do not all accrue at once and are more often received over time. EBMOs can identify the benefits by thinking about the aim of the proposal and the risks being addressed.

**Once the EBMO has identified the benefits then it should quantify them in monetary terms.** Some of the benefits may accrue to a specific sector, perhaps through cost savings from a regulation designed to reduce or simplify existing requirements. **Where there is uncertainty, make it clear and spell out the assumptions** used to determine the estimates. Some benefits will be easy to estimate. Time for example can be quantified quite directly and relatively accurately by multiplying wages by the hours saved. Something less quantifiable would be enterprise-level training. This could be estimated by examining revenue streams and productivity gains following training. There is likely to be uncertainty over the valuations, in which case it is necessary to spell out the assumptions and use ranges.

**Consider the extent to which other stakeholders** (for example, consumers and the public sector) **might be affected by the proposal.** Benefits may accrue to a specific group such as workers, consumers or low-income groups, or to society in general. Once they have been identified, consideration should be given to whether they can help make the EBMO's case stronger.

As well as evidence from secondary data sources, primary data collected directly from members as well as any research commissioned by the EBMO and the results of the cost-benefit analysis, **it is also useful in advocacy strategies to provide practical examples of what the figures mean to local businesses.** Having concrete examples from different localities and industries is more likely to attract media attention and community interest. Members of Parliament or other local political representatives are also more likely to be fully engaged if they understand the impact on a known entity within their constituency rather than just have abstract examples.

Regardless of the issue in which the EBMO decides to engage, **it is crucial that what is said is clear, precise, backed by evidence and offers constructive options for a way forward.**



## 2. SOMEONE TO SAY IT ON BEHALF OF

### 2.1 Members

An EBMO's greatest asset is, by definition, its members. Members give it the validity to meet the International Labour Organisation's requirement of being "the most representative organisation of employers" with which the Government of each Member State is obliged to consult when developing laws, regulations or policy on matters covered by the ILO's Conventions. Given the tripartite nature of the ILO, the special status of the most representative organisation as a formal social partner, both internationally and nationally, is a distinct advantage for an EBMO<sup>8</sup>.

**Of course merely having status alone will not be enough to convince either decision-makers or members that the position adopted by the EBMO is automatically valid.** To ensure members value the advocacy efforts of their EBMO, the following three points must be adhered to:

- **Advocacy must be on behalf of the entire membership or business community.** An EBMO should not be involved in pursuing a benefit for an individual company member or an industry. And it should only be involved in an issue of detriment to a single member or industry if the knock-on effect from the issue at stake will have an adverse impact on the wider membership.
- **Members must be given every opportunity to be involved at all stages of the advocacy process** including formulating a business agenda, prioritizing issues for resource allocation, developing position papers, providing examples from their practical experience, and taking part in the advocacy process itself at whatever level they consider appropriate.
- **Communication with members is essential as the advocacy process unfolds, as amendments or fall-back positions must often be adopted to ensure success.** Of critical importance is the need to communicate to members the outcome of

<sup>8</sup> International Labour Organization, 1987. *Note on the role of employers' and workers' organizations in the implementation of ILO Conventions and Recommendations.*  
[http://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---normes/documents/publication/wcms\\_124975.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---normes/documents/publication/wcms_124975.pdf)

the advocacy process, regardless of what that outcome might actually be. It can sometimes be difficult to publicly acclaim the EBMO's success in defeating a seemingly popular measure that would have added costs to business. However, to ensure members remain committed to the EBMO, **a full evaluation of the process and outcome must form an integral part of any advocacy strategy.**

Often the impact of an initiative will not be measurable for some months or even years after its implementation. **It is thus important to view advocacy as a long-term activity with on-going monitoring and evaluation as an integral part of the advocacy strategy.** Such monitoring can be used to highlight the positive effects the change brought about or to identify where further amendments are necessary to bring about the initially-identified desired outcome.

## 2.2 Securing Internal Buy-In

Given the financial and human resources that must go into an advocacy strategy, it is important to ensure that the groundwork is carried out in a systematic manner so that the best possible decisions can be made. The CEO of the EBMO is the key person in making the initial assessment of the situation requiring EBMO involvement. That person has the responsibility for managing the resources and has the deepest understanding of the organization's current capabilities and any additional expertise or resources that might be needed to implement a full advocacy programme. The key point at the initial stage should not, however, be about the detail of the planned programme but rather about putting together a compelling case for intervention for the Board's consideration and endorsement. To become galvanized, the Board – and ultimately the membership and the wider stakeholders – will need to have clear information to enable the following questions to be answered:

- What is the problem with the status quo that necessitates intervention by the EBMO?
- Have circumstances changed or something specific happened that makes the current system untenable?
- How much time is there to rectify the situation? Is immediate action called for or is a longer-term plan of action appropriate?
- What outcome does the EBMO want?

## 2.3 Intervention Framework

Once the EBMO's Board has agreed that the issue is a priority for the Organization, the staff or a committee of the Board, or an *ad hoc* group of key members, **should be established to prepare an Intervention Framework setting out the activities**, outputs, timeframe, responsibilities, expected outcomes and resource allocations that will form the basis of wider consultation and buy-in from members.

**The Intervention Framework will also be the guiding document for the basis of agreement on collaboration with other stakeholders.** Underpinning the Framework must be a SMART assessment of the policy proposal, ensuring that what needs to be achieved is specific, measurable, attainable, realistic and time-bound. It must always be borne in mind **that advocacy is a dynamic process requiring the EBMO to be flexible and well-prepared with fall-back positions** or alternative wording for proposals so as to take account of the feedback from and different concerns of various audiences.

## 2.4 Collaboration

Despite the preferential status of the EBMO at national level when input to labour market matters is sought by Government, the broader agenda an EBMO has in securing the wider interests of members in achieving an environment conducive to carrying out business, along with of the growth of “civil society” organizations with sometimes overlapping agendas, ensures that the need for collaboration with other stakeholders is a growing reality. Some Governments attempt to choose organizations to consult, knowing that they will support their proposals without question, while excluding those which they believe will put forward counter-proposals or present evidence supporting a different view. As part of the **preparations for an advocacy effort, a full analysis of “stakeholders”** likely to have an interest in the topic, and of their likely views, must be undertaken so that synergies **can be identified and built on**, and differing views analysed and countered. **Depending on the issue at hand, interested parties are therefore likely to be much more diverse than merely other business or industry sector organizations.** NGOs, academics, women's groups, community groups, environmentalists, churches or simply individuals with an interest in expressing their views may well all be among those wanting their voices heard on a subject.

## 2.5 Coalitions

Although it is important that trade associations and industry or sector membership groups keep their autonomy so as to be able to best represent their members in their specific field, **formal coalitions of business groups are useful for co-ordinating advocacy issues** affecting the entire business community<sup>9</sup>. Such coalitions are able to leverage the collective force of their members and influential allies, focusing the public spotlight on advocacy issues in the public arena, and applying pressure in leadership circles, within bureaucratic environments, and in the wider public sphere, toward the effective and sustainable implementation of reform.

**Coalitions can be either ongoing, formalised structures or else created to address a single issue.** In many countries the most representative ILO-recognised organisation of employers has, as part of its constitution, an in-built coalition of industry groups – for example the Hotel and Tourism Association, the Construction Association, the Agricultural Producers' Association - for policy development and advocacy purposes. Such industry associations may not be full members of the EBMO or be able to access all of the services available to the EBMO's full fee-paying company members, but may nonetheless have a different status in the form of a business advisory council or an affiliated industries group. Such a status allows resources to be combined and, through acting in concert, increases the voice of the wider business community in the public arena to effect positive change. **Having such a formalised coalition presupposes that the key policy principles espoused by the EBMO are common to all organisations which makes acting in concert more effective.**

Even where no such formalised procedure is in place, many opportunities exist for *ad hoc* coalitions to be formed, their membership and mandate depending on the issue at hand. In those instances, however, clear expectations and management structures need to be agreed first. The three most important elements for success are that the common purpose is agreed on, that there is an acceptance that compromise will be necessary, and that each organisation has confidence in the probity of the others. Coalition members must enjoy a level of trust that will facilitate the ceding of a significant amount of autonomy, that is in sharing of resources and decision-making power. At the same time each member's access to relevant policy networks and the interested public should be leveraged toward increasing the scope and influence of the coalition. **All coalition partners must reach agreement on what is to be said, who is to say it and where it is to be said.** Effective and ongoing communication on all aspects of the advocacy strategy – including with the members of each organisation involved – is thus critical.

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<sup>9</sup> International Labour Organization. Bureau for Employers Activities (ACTEMP). *EESE Toolkit. Part 3. Section 3.3. Advocacy Tools. Coalition Building.* [http://eese-toolkit.ilo.org/images/stories/pdf/Part3\\_tool7.pdf](http://eese-toolkit.ilo.org/images/stories/pdf/Part3_tool7.pdf)

**It is important that the business community does not give contradictory messages to the Government and the wider public in a proposal** that has the potential to affect the majority of enterprises adversely. The EBMO should take a leadership role in coordinating views and facilitating discussions so that a way forward is arrived and that does not jeopardize the EBMO's standing or policy position.

## 2.6 Large or Foreign-Owned Companies

Many large or foreign-owned companies do not see the value of joining a national EBMO. They have their own HR and IR specialists and therefore do not need practical advice, assistance or other services from an EBMO. **They also often have direct access to decision-makers so do not consider they need an EBMO to speak on their behalf.** As many EBMOs base their membership subscriptions on the numbers of employees a company has, the amount they would have to pay as a full member would probably not be matched by the benefits of membership. Often EBMOs are perceived as being only for SMEs or domestic companies, large or foreign-owned companies being concerned that, if they did join, it would unduly influence their balance of interests.

**Given their status, however, it is important that EBMOs form a close relationship with such key players. This is a key move for achieving greater economic and social impact, thereby gaining visibility among the business community.** Identifying common positions and utilising their lines of communication to Ministers and policy-makers on behalf of the wider business community is a critical part of advocacy. **It is also necessary to know where their interests diverge from the EBMO's position on behalf of its members so that discussions can be held to ensure that the concerns of the wider group are known by all** and also to ensure that no disadvantage to other companies occurs as an unintended consequence of any concession they might achieve for themselves.

A useful approach to such companies is to suggest that they support the national EBMO under specific schemes. **Such support could be by way of paying a specially-negotiated membership fee**, allowing staff to be seconded to the EBMO to assist with research or economic analysis, having the communications unit of the company work with the EBMO to develop an effective media campaign as part of the advocacy strategy, and facilitating meetings between EBMO and Government representatives at the highest levels.

## 2.7 Managing Conflicts of Interest between Members

Every policy change will probably impact differently on businesses of differing sizes or on different sectors – particularly on an immediate cost-benefit analysis. **The EBMO must therefore balance and attempt to reconcile the differing interests to ensure the best possible result for all its members** (and indeed non-members). Just as having a clear objective, business agenda or vision statement is an absolute defence against assertions of political bias, so too are **those priority-defining documents a defence against allegations of an EBMO favouring one group or sector over another**. The focus on the basic philosophy of the EBMO in promoting an enabling environment most conducive to business growth will enable the inherent conflict illustrated in the examples below to be resolved.

- In order to increase demand and consumption, larger retailers may push the EBMO to advocate extension of retail trading hours to help facilitate this goal and, by extension, boost wider economic growth. Smaller retailers, squeezed on costs and cash flow, may be against this provision as for them it would entail increased costs (e.g., through increases in wage premiums).
- Government is anxious to help reduce costs for exporters. Infrastructure and logistics are identified as two bottlenecks. A small number of trucking companies hold a monopoly and costs are high. Opening up the sector to more operators would both significantly reduce costs and improve services, in particular for small operators. The trucking companies are members and would fiercely resist any such change.
- Some large manufacturing members, facing decreased demand exacerbated by foreign competitors, may push the EBMO to advocate that government should introduce protectionist tariffs (or other non-tariff barriers) in their sector. This, of course, could result in retaliatory tariffs which would impact negatively on small exporters.

By taking a principle-based approach the position of the EBMO is made clear from the outset; open competitive markets in which all businesses are treated equally without fear or favour are essential to an environment conducive to overall business growth.

**The scenarios above show the importance of continued evaluation of policy changes after they have been implemented.** Although the immediate cost of having to pay more in

overtime premiums may concern small businesses in the first example, it may well be that enabling more customers to take advantage of the extended opening hours means that the additional costs are rapidly covered by increased income. In the second example, it may be able to demonstrate that, with reduced overall costs of transport, significantly more business is generated, which in fact increases the profits of those trucking companies that were in business at the time of the change. To counter the arguments promoting protectionist tariffs, the EBMO would need to produce an assessment of what the cost to the country would be if an open market, free trade approach were inhibited.

**The leadership of the EBMO will, nevertheless, have to manage the differing views and expectations of members proactively, influencing and persuading others - even if not to support the EBMO position, then at least not to disagree openly.** There will, however, be instances - as shown above - where members will have an opposing view they wish to express. This must be respected as part of the advocacy process.

**However, having clearly articulated policy principles developed with inputs from members and applied to all issues that arise, ensures that members will not be taken by surprise when a position paper on a specific topic is formulated.** As said earlier, **keeping members closely involved in all phases of policy development is crucial to success**<sup>10</sup>. As it is the members on whose behalf the EBMO is speaking in any advocacy programme, it is imperative to ensure that their voices are fully incorporated into what the EBMO is saying.

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<sup>10</sup> International Labour Organization, 2005. *The Effective Employers' Organization. Persuasive Communication. Making the voice of business heard. How to design and implement more efficient strategies, techniques and tools of communication.*





## 3. SOMEWHERE TO SAY IT

### 3.1 “Soft” or “Hard” Advocacy

As advocacy is centred on persuading and influencing policy-formers as well as decision-makers, there is no one place where it is carried out and therefore no single “audience” to which it is directed. Although the concepts of advocacy and lobbying are sometimes considered the same, **lobbying** – the more formal interface with Government through a direct presentation to a Minister, Parliamentary Committee, Council of Ministers or other established forum - **is just one part of advocacy**. Because lobbying implies much back-door work with government officials before being openly discussed with ministries and the press, **it is often classified as “hard” whereas the day-to-day activities of an EBMO which more subtly persuade and influence are deemed to be “soft”**. Determining the various places in which advocacy takes place is an integral part of any strategy and in turn leads **to deciding the appropriate message for the specific audience, the manner in which it will be delivered; who might be the best person or organisation to deliver the message; in what order the different audiences will be approached; and, importantly, how much each segment will cost.**

“Soft” advocacy is such an integral part of the work of an EBMO that every interface or exchange should be used as an opportunity to advocate the EBMO’s ethos.

### 3.2 On-Going Discussions

Because advocacy is a permanent and core role of an EBMO, **the on-going focus of key activities should be on regularly meeting with decision-makers and establishing open channels of communication and close working relations with government officials.**

Not only can an EBMO influence a proposed piece of legislation, regulation or policy at a very early stage, but also - by continually putting the case for a supportive environment for business in a non-confrontational setting - it can sensitise the decision-makers to business concerns. Such informal meetings with officials and Ministers can take place on an *ad hoc* basis or through regularly-scheduled meetings. Countries that have a functioning and effective tripartite council to discuss social and economic issues provide

the EBMO with an advantage, since not only do Government officials gain a greater understanding of business concerns, but so also do Trade Union representatives.

It is not only the policy developers and decision-makers that an EBMO needs to continually engage with as part of its advocacy strategy. All staff and elected officials are the face of the Organization and thus in **all dealings with member and non-member companies alike they need to listen to concerns and report them back for inclusion in policy responses.** Advantage should be taken of every invitation for engagement with the business community to raise the EBMO's areas of focus so that the principles incorporated into the vision of the Organization are clear to all.

## 3.3 In-House

As already stressed, communication of policy proposals or positions adopted by an EBMO is an essential part of advocacy. The Organization's website is a platform on which members can have input by way of chat rooms, notice boards, leave-a-message facilities or other tools. **More importantly, links to deeper analyses of an issue including research papers and comparisons with similar economies can be established so that interested stakeholders and decision-makers can peruse them at will.** This ensures that the "sound-bite" or key message approach used elsewhere to appeal to a different audience is underpinned by readily available, evidence-based, supporting documentation. **Alerting members by e-mail to new material posted on the website** enables them to access it to keep abreast of any changes, as well as sending a clear message that the EBMO is undertaking its representative role diligently.

Another "soft" approach to advocacy is for the EBMO to facilitate a series of events for members in which interaction can occur with policy-makers in a less formal environment. Annual conferences with expert speakers on topical issues can broaden the understanding of both members and invited guests. Breakfast meetings during which member company CEOs can exchange candid views with decision-makers serve to enhance influence and affiliation. **Having regular meetings of Human Resource Managers** or industrial relations practitioners enables them to network and share the latest trends while ensuring that the EBMO is kept apprised of developing issues from a practical perspective to assist in its wider advocacy efforts.

## 3.4 Use of Media

**The media are a key tool for influencing public opinion and persuading the general population that business community concerns are important.** Often the only time a EBMO is reported in the media is when it is embroiled in a dispute with a Trade Union either nationally or on behalf of a member, **or when it is objecting to a Government proposal.** This negative perception of an EBMO can be countered by having regular meetings with newspaper editors and television news producers, and by building up contacts and relationships in all sections of the media. An EBMO can also arrange to provide the local newspaper with a weekly or fortnightly article covering a topic of general interest, have a regular slot on talk-back radio so members of the public can call with questions, or provide a member of staff or Board member to be interviewed on television on their area of expertise.

These *fora* are all opportunities for advocacy for the EBMO's positions as well as for building its reputation as a professional, knowledgeable and independent organization working in the best interests of the country's economic advancement. Being recognised as such means that when an issue of importance to the business community arises, the EBMO will be immediately approached for comment and any position it takes on a proposed legislative change is likely to be reported in a more sympathetic manner.

Social media also play an important role in disseminating the EBMO's messages widely. Managing an active presence on Facebook, Twitter, YouTube, Instagram, Tumblr or any other available site raises the profile of the EBMO, reaches a wider audience and ensures it is a known entity in the advocacy field.

For more guidance on how to engage in social media, refer to the ACT/EMP ITC-ILO publication *Making Sense of Social Media: A Practical Guide for Employers' Organizations*.

## 3.5 Specific Issue of Advocacy: Lobbying

The components that feed into a decision to engage actively in a specific issue have been covered above, culminating in the development of an Intervention Framework. **That Framework should stipulate where the different phases of the advocacy are to be carried out and thus who the various audiences are.** Clearly the ongoing discussions and in-house activities outlined above must continue, but with a focus on the issue identified for specific intervention. **In determining the key message and the research, surveys and**

**analysis that need to be undertaken to support it, consideration must also be given as to whether a more forceful or “hard” approach should be taken.** When the issue is deemed to be of crucial importance to the business community, it is important that the EBMO takes a stance accordingly so that the decision-makers are left in no doubt as to the significance of the changes proposed. **As long as the EBMO’s position is based on its policy principles and is supported by compelling and convincing arguments backed by researched data, then a “hard” approach will be accepted as the Organization’s acting purposefully for its membership.**

## 3.6 Costs of Implementing the Advocacy Strategy

Although it is difficult to provide an exact budget for an advocacy initiative owing to dynamic nature (for example, a media campaign may not seem necessary at first but may prove vital as time progresses), it is an essential part of the process, **driven to a great extent by where the message will be given** (for example, an appearance before a Council of Ministers will require a professional presentation backed by robust data analysis). There are always high-cost or low-cost options - for example, hiring a public relations firm *versus* holding meetings and writing press releases internally. **The importance of the issue to the business community will usually determine which approach to take.** The following cost headings need to be realistically assessed with sufficient contingency incorporated to cope with any change brought about as the advocacy plan unfolds: personnel expenses (EBMO staff, consultants); data expenses (purchase of data, analysis); meetings and consultations (venues, catering, transportation); and reports (writing, printing, distribution).

Having such an indication of costs means the following questions can be answered:

- What is possible in terms of the EBMO’s resource base – both financial and human?
- Is the issue sufficiently important that it could garner additional resources from members – or from other sources?
- How could partnerships reduce the EBMO’s costs?
- Can particular member companies take the lead on a given issue and bear part of the costs?

## 3.7 Monitoring advocacy results

The design of advocacy interventions determines the monitoring and evaluation (M&E) approaches EBMO can use. Monitoring of advocacy initiatives employs many of the same approaches as ‘standard’ M&E. The main difference is in the kind of indicators and measures of progress one tracks, and the evaluation approaches used.

Advocacy initiatives are typically complex and involve a number of players, often working in coalition. The policy process is influenced by many factors, a large number of which are beyond EBMO control. On top of this, as we saw, advocacy strategies and objectives are rarely static and typically evolve over time. They can shift quickly depending on changes in political opportunities.

Policy change is also a long-term process. Accordingly, advocacy initiatives often take place over long periods of time, and policy changes may only become apparent after an advocacy initiative has ended.

Monitoring and evaluating of advocacy is important for the same reasons as monitoring and evaluating of programmes, namely performance management, learning and accountability. It enables EBMOs to understand the factors and approaches that lead to change and to be accountable to members, and helps improve advocacy strategies.

Ongoing monitoring and real-time information gathering is particularly crucial. Using different communication channels is very important for constantly informing members of the achieved results. Where the EBMO has a business agenda with a clear set of priority reforms over the following 3-5 year period, it is somehow easier to track progress.

In reporting to the members on the achieved results of the advocacy efforts, the EBMO should refer to the identified priorities and explain the status of advancement in each of them. Some EBMOs go even further and establish a “traffic light” system to aid easy illustration of the situation in each area. A green light normally stands for regulations or policies changed in line with the EBMO proposal. An amber light indicates changes in progress or regulations approved **but** only partially in line with the EBMO proposals. A red light indicates no advancement, or else regulations approved against the views of the EBMO.

COHEP (Consejo Hondureño de la Empresa Privada), that is the Honduran Council of Private Enterprise, uses this approach; through the website it is possible to monitor advancement in each of the priority areas for reform identified by COHEP in its business agenda. This has dramatically increased the visibility of the achieved results and also the transparency of the advocacy efforts of the organization *vis-à-vis* members and other stakeholders.



## 4. CONCLUSIONS

In conclusion, advocacy begins with a problem or with a perception that there is a better alternative to a current situation, and seeks to solve that problem or implement the selected alternative. There are no strict rules for advocacy work. Its approaches must be culturally, socially, and politically specific to each country and each EBMO.