

**Título** Framework of NGO labour in Argentina

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# Framework of NGO Labor Law in Argentina

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As in most developing states, NGO activity in Argentina has increased considerably from the middle of the 20th century. Today it covers a wide scope of social interests, such as economic development and wealth redistribution, public health, environmental care, and human rights protection. The size and structure of the NGOs varies extensively, from small and unregistered grassroots organizations to company-supported foundations with administrative bureaucracies and financial resources that municipal governments would envy. But labor law and public policies aimed at promoting volunteering do not recognize the heterogeneous nature of the non-profit sector or the differences between that sector and the for-profit sector. In this article, we highlight three aspects of this unidimensional legal framework and their impact on the workforce of NGOs—employees as well as volunteers.

## I. Public Registration and Volunteer Legislation

Under the Federal Government, the *National Center of Community Organizations* (hereinafter CENOC), which functions under the orbit of the Social Development Ministry in the Capital City, is responsible for registering and promoting the work of non-profit organizations, regardless of their size or purpose. The CENOC carries out its statutory obligations through numerous programs and direct actions, such as funding specific projects of grassroots organizations, tutoring and mentoring community leaders, and providing technical and technological support to small endeavors.

Most relevantly, the CENOC is in charge of registering all social institutions and systematizing their aims and their resources, including personnel. This task should be the cornerstone of its work, given the opportunities to increase the efficiency of state programs through synergy with local needs and efforts. Unfortunately, this goal is far from accomplished. Although much progress has been made, it is estimated that the 9,010 institutions registered to date represent less than 60 percent of the organizations in the state. In addition, only 5,023 of the institutions have juridical personality.<sup>2</sup> Informality, lack of organization, and geographical dispersal are the main difficulties.

Many NGOs suffer as a consequence, because all of the incentives and benefits stipulated by legislation apply solely to registered and juridically constituted institutions.

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<sup>2</sup> “*Acerca de la Constitución del Tercer Sector en la Argentina*,” Ikei Iñiguez, Lopez Burgos, Mayer y Sola Álvarez, CENOC, 2013, in [www.cenoc.gov.ar/publicaciones](http://www.cenoc.gov.ar/publicaciones)

Unregistered grassroots NGOs perform important work using many volunteers as is, but their impact would be greatly enhanced by the public support that registration could bring.

Legislation provides numerous incentives for volunteer service, particularly from the volunteer's point of view. Specifically, Law 25.855 of *Social Volunteering Promotion* indicates that volunteers are entitled to receive training and coaching by both the institution and the public office